

## **Ban on Smoking in Public Places**

Since 1985, the number of countries that have enacted laws restricting smoking in public places is said to have increased dramatically. In 2010 Barbados as a small island state passed legislation banning smoking in public places. This is a decisive step towards safeguarding and preserving the health of the nation.

Much credit must be given to Dr. John Gale and Pastor Victor Roach, Chairman of the National Committee for the Prevention of Alcoholism and Drug Dependency (NCPAD), who relentlessly championed the campaign against smoking. These sustained efforts would have contributed in no small measure to influencing the previous decisions of the government of Barbados to impose taxes on tobacco, abolish duty-free concessions at the country's ports of entry, ban sales of tobacco to minors, and prohibit the employment of minors in the sale of tobacco products.

The current ban on smoking is to all intents and purposes a partial one. Inasmuch that the span of the ban is limited to public places, it is questionable whether it serves the purpose of ridding the country of this perpetual nuisance.

It is common knowledge that smoking is now a growing habit amongst our youth. We all are well aware of the consequential health challenges and diseases that accompany smoking. Should our societies not be concerned over the fact that worldwide, a total of 3 million people a year die on account of cigarette smoking? How could we on one hand condemn smoking as a societal hazard, and yet take a halfway measure to deal with it. Is it not contradictory to all efforts if the policy is to support the tobacco industry by promoting the sale of cigarettes in any form? Harsh as it may seem, the authorities might wish to consider following the policy direction taken by the Vietnamese, who imposed a ban on all forms of advertisement, trade promotion, and sponsorship by tobacco companies, as well as cigarette sales through vending machines, or over the telephone and on the Internet.

The biggest challenge to the implementation of legislation is likely to be that of enforcement, and policing of the ban on smoking. Hopefully, countries imposing a ban of smoking in public places will not have the same experience as Albania, where a law went into effect on 26 May 2007, banning smoking in closed public areas and outlawing the advertisement of tobacco, but in the main has remained ineffective, as it has not been enforced.

The ban of smoking in public places has the direct effect of improving the workplace environment. In the rolling out of this legislation, it is likely that some queries could be raised from members in the informal sector, many of whom operate as way side

vendors, under tents and or kiosk. These may raise the question as to whether fall under the traditional classification of indoor premises.

Our research findings revealed that the definition of 'indoor' may vary but might include any building with at least 3 walls, or anything that has a roof, regardless of the number of walls. However, temporary structures like tents may or may not be included. It might be wise not to take this for granted, as it may not apply in every jurisdiction. It might therefore become necessary for the local authorities to clarify this issue for the members of the public, and especially for those who conduct business using temporary structures.

Inasmuch that home working is now a growing practice; there remains a burning question to be answered. What is the situation where a smoker is running a business from home that involves staff working there or visiting from customers? Is the smoker's own home to be designated a **smoke-free** area?

In 2008 the World Health Organization has gone on record making a call for a ban on advertising, promotion and sponsorship of tobacco products. It is said that second hand smoke comes mainly from tobacco products. In the USA, there is support for the imposition of a ban on smoking in public places, where it is estimated that approximately 3,000 adult non smokers die annually from lung cancer. The US Surgeon General estimates that approximately 126 million who are non smokers, are exposed to second hand smoke.

The case for the ban of smoking in public places in the USA has been strengthened by the risk to which women are exposed to developing lung cancer. John Whitter writing in the USA Today (2005), reported that a study conducted on second hand smoke and breast cancer which was completed in California, showed that women exposed to second hand smoke were at 90% risk of contracting breast cancer.

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