

INFORMATION FOR LICENSEES LODGING AN APPLICATION FOR CERTIFICATE OF COMPLIANCE FOR AN OUTDOOR SMOKING AREA

Licensees lodging an application for a Certificate of Compliance for an Outdoor Smoking Area should be aware of the following.

All submissions must include the following information relating to the premises:

- Scaled floor plan of licensed premises including:
 - delineation of the premises boundary including liquor licensed area;
 - delineation of all outdoor eating and drinking areas (including size);
 - delineation of all outdoor NON smoking areas (including size);
 - delineation of all Outdoor Smoking Areas (including size)
 - clear identification of all entrance areas, as defined in the *NT Tobacco Control Act* and air-conditioner inlets;
- Clear identification of all buffer zones and details of materials used where appropriate;
- Identification of any structural changes to the premises

Licensees should also ensure that:

- where a buffer zone is a screen, the materials used do not cause the area to become enclosed (refer Department of Health and Families fact sheet – Tobacco Control Regulations Enclosed Area Guidelines); and
- that the outdoor smoking area does not occupy an ‘exempt area’, as defined in section 11 of the *NT Tobacco Control Act*

Licensees need to be aware:

- that a Certificate of Compliance granted by the Director of Licensing indicates that he is satisfied that the submission addresses the requirements for an Outdoor Smoking Area as set out in the *NT Tobacco Control Act and Regulations*) only and it should not be taken as an approval for any other legislative requirements that the licensee may be required to meet with respect to the area;
- that the certificate may be cancelled at any time, under *Tobacco Control Regulation 15C(8)*, should the relevant requirements fail to be met on an on-going basis

If a Licensee has doubts as to whether their Outdoor Smoking Area will be completed by 2 January 2011, they are encouraged to seek an exemption from the Director of Licensing. This may be done via the form, Application for Extension of Time to Complete an Outdoor Smoking Area found at www.nt.gov.au/justice/licenreq/tobacco and must be lodged prior to 2 January 2011.

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