

Manyame Rural District Council (Prohibition of Smoking in community halls) By-Laws, 2023

IT is hereby notified that the Minister of Local Government and Public Works has in terms of section 90 of the Rural District Councils Act [*Chapter 29:13*], approved the following by laws.

Title

1. These by-laws may be cited as the Manyame Rural District Council (Prohibition of Smoking in Theatres and Cinemas) By-laws, 2023.

Application

2. (1) These by-laws shall apply to Manyame Rural District Council.

3. Interpretation of Terms

3. In these by laws-

“audience” includes an assembly of listeners or spectators.

“community hall” means that part of a hall occupied by the audience during the presentation of a program or entertainment.

“smoke” includes being in possession of a lighted pipe, cigar, cheroot, shisha-pot, bong, cigarette or other electric smoking devices.

4. Prohibition of Smoking

4. No person shall smoke in a community hall while-

- a) there is an audience in such community hall or
- b) persons who will form an audience are being admitted to such community hall; or
- c) Persons who formed an audience are leaving such community hall after the end of the program or entertainment presented or

- d) There is an interval during the course of a program or entertainment presented to an audience in such community hall.

5. *Duties of manager or person in control of the community hall*

5.1 the manager or person in control of *the community hall* shall ensure that there are displayed and maintained, during the periods referred to in section 4-

- a) In prominent positions in *the community hall*, at least four illuminated signs bearing in block capital letters not less than one hundred millimeters in height, the words
“NO SMOKING”
- b) In a prominent position at every entrance *of the community hall* a notice, in block capital letters not less than one hundred millimetres in height, reading ,
“MEMBERS OF THE PUBLIC ARE REMINDED THAT IT IS AN OFFENCE TO SMOKE IN THE HALL.”

5.2 neither the manager nor the person in control of a community hall shall permit or allow any person to smoke in the auditorium in contravention of section 4

5.3 the manager or person in control of a community hall or any police officer may request any person who contravenes the provision of section 4 to leave the premises.

6. *Remaining in and re-entering hall prohibited*

6. No person who contravenes the provisions of section 4 shall-

- a) remain in the hall after being requested to leave in pursuance of the provisions of subsection (3) or section 5; or
- b) at the presentation of the same program or entertainment, re-enter or attempt to re-enter the hall during the periods referred to in section 4 without the permission of the manager or person in control of the hall.

7. *Penalty provision.*

7.2 Any person who contravenes any section of this by-law shall be guilty of an offense and liable to a fine as prescribed in the council budget or to prosecution, or to both such fine and prosecution.