

Smoking on stage

England:

Under section 7 of the Health Act 2006 (HA 2006), it is a criminal offence to smoke in a smoke-free place. Employers and others who manage smoke-free premises must put up no-smoking signs and prevent smoking or face criminal sanctions.

It prohibits the smoking of cigarettes, pipes, cigars, herbal cigarettes and waterpipes (often known as hookah or shisha pipes). It does not apply to e-cigarettes.

The regime sets out the minimum requirements to be put in place. Some premises owners have chosen to go further and have policies extending the ban to areas not presently covered or extending it to e-cigarettes.

Performers are not subject to the smoking ban if artistic integrity makes it appropriate for them to smoke during the performance (regulation 6, Exemptions Regulations).

If smoking is required as part of the plot of the show, it is recommended to use non-tobacco cigarettes that are designed for stage and screen.

<https://honeyrose.co.uk/uk/en/props/>

Wales

With effect from 1 March 2021 the Public Health (Wales) Act 2017 applies a smoking ban to workplaces and public premises that are enclosed or substantially enclosed, outdoor care settings for children, school grounds, hospital grounds and public playgrounds. It is a criminal offence to smoke in a smoke-free place. Employers and others who manage smoke-free premises must put up no-smoking signs and take reasonable steps to prevent smoking in workplaces or public premises or face criminal sanctions.

The smoke-free regime prohibits the smoking of cigarettes, pipes, cigars, herbal cigarettes and waterpipes (often known as hookah or shisha pipes). It does not apply to e-cigarettes, although some premises owners may impose a voluntary ban on these.

There is no specific exemption for performers.

Scotland

From March 2016, The Smoking, Health and Social Care (Scotland) Act 2005 applied a ban on smoking in defined premises including theatres. It is a criminal offence to smoke in defined premises, and employers and others must put up no-smoking signs and prevent smoking or face criminal sanctions. The smoke-free regime prohibits smoking in all forms, and a person is to be taken as smoking if the person is holding or otherwise in

possession or control of lit tobacco, of any lit substance or mixture which includes tobacco or of any other lit substance or mixture which is in a form or in a receptacle in which it can be smoked. It does not apply to e-cigarettes, although some premises owners may impose a voluntary ban on these.

There is no specific exemption for performers.

General

Single use vapes are likely to be banned from sale soon.

Child Performance licences could be refused if the performance is believed to be detrimental to health – so an English licensing body could take a view if there is smoking on stage by adults whilst a child is on stage.