

Ministry of Public Health Notice

(Volume 19) 2010

Designation of Names and Types of Public Places that Shall Protect the Health of Non-Smokers
and Designating All or Part of Such Public Places as Smoking Areas
or Tobacco-Free Areas, Under the Non-Smokers' Health Protection Act of 1992

Pursuant to the authority of Article 4 (1)(2) of the Non-Smokers' Health Protection Act of 1992, a law which places certain restrictions on individual rights and liberties as lawfully permitted under the authority of Article 29, Article 32, Article 33, Article 41, and Article 43 of the Constitution of the Kingdom of Thailand, the Minister of Public Health issues the following Notice:

Article 1. The following are rescinded:

(1) Ministry of Public Health Notice (Volume 17) of 2006, Subject: Designation of Names and Types of Public Places that Shall Protect the Health of Non-Smokers and Designating All or Part of Such Public Places as Smoking Areas or Tobacco-Free Areas, and Designating Criteria and Standards for Smoking and Tobacco-Free Areas Under the Non-Smokers' Health Protection Act of 1992, dated 24 August 2006.

(2) Ministry of Public Health Notice (Volume 18) of 2007, Subject: Designation of Names and Types of Public Places that Shall Protect the Health of Non-Smokers and Designating All or Part of Such Public Places as Smoking Areas or Tobacco-Free Areas, and Designating Criteria and Standards for Smoking and Tobacco-Free Areas Under the Non-Smokers' Health Protection Act of 1992, dated 29 November 2007.

Article 2. The following places shall be designated Public Places that Protect the Health of Non-Smokers by declaring them Tobacco-Free Areas in their entirety:

(1) Public Health service and health promotion sites.

(1.1) Clinics, poly-clinics [or: medical plazas], and hospitals, including medical facilities under the laws on medical facilities.

(1.2) Veterinary clinics or animal hospitals, including veterinary facilities under the laws on veterinary facilities.

(1.3) Public health stations and health services locations of every kind.

(1.4) Pharmacies.

(1.5) Thai or traditional massage activities.

(1.6) Saunas, steam baths, or homeopathic saunas.

(1.7) Locations offering health spa services, health massage services, or beauty massage services.

(2) Educational Facilities

(2.1) Preschool child care facilities.

(2.2) Schools, educational facilities, or educational institutions below college level.

(2.3) College level educational facilities, specifically within buildings or structures.

(2.4) Tutoring facilities and facilities for teaching sports, music, singing, drama, martial arts, art, language, etc.

(2.5) Vocational training facilities.

(2.6) Knowledge parks, knowledge centers, and community knowledge centers.

(2.7) Art galleries, museums, or facilities presenting art and cultural performances.

(3) Multi-purpose Public Facilities

(3.1) Gymnasiums, sports fields, and sports facilities.

(3.1.1) Stadiums and sports viewing facilities of every kind.

(3.1.2) Facilities for exercise, sports training, sports playing, and sports competitions of every kind, both indoor and outdoor.

(3.1.3) Swimming pools.

(3.1.4) Golf courses and golf driving ranges, specifically in and around buildings and roofed areas.

(3.2) Stores, service locations, and entertainment locations.

(3.2.1) Performance halls, theaters, and moving picture theaters.

(3.2.2) All assembly halls.

(3.2.3) Service facilities under the Service Facilities Act of 1966, karaoke establishments, and other entertainment facilities.

(3.2.4) Facilities providing computer, internet, or game services.

(3.2.5) Air conditioned facilities serving food, drinks, or food and drinks.

(3.2.6) Non-air conditioned facilities serving food, drinks, or food and drinks, only those areas where food, drinks, or food and drinks are served.

(3.2.7) Department stores and shopping centers.

(3.2.8) Locations for the distribution, display, or exhibit of goods or services.

(3.3) All waiting areas and walkways within a building.

(3.3.1) Hotels, resorts, and vacation sites.

(3.3.2) Rooming houses, dormitories, apartments, courts, or other similar locations.

(3.3.3) Condominiums

(3.4) Service facilities in general

(3.4.1) Service stations dispensing petroleum or gas for fuel, specifically within buildings or structures.

(3.4.2) Buildings or facilities used for meetings, training, seminars, or entertainments.

(3.4.3) Barber shops, beauty shops, and tailor shops.

(3.5) Workplaces

(3.5.1) Facilities used by government, state enterprises, or agencies of the state, specifically within buildings or structures.

(3.5.2) Privately owned workplaces, specifically within buildings or structures.

(3.5.3) Banks or financial institutions.

(3.5.4) Industrial factories or facilities for production of goods, specifically within buildings or structures.

(3.6) Public facilities in general

(3.6.1) Libraries

(3.6.2) Toilets

(3.6.3) Public telephone booths or areas providing public telephone service.

(3.6.4) Passenger elevators.

(3.6.5) Public parks, zoological parks, and amusement parks.

(3.6.6) Children's playgrounds.

(3.6.7) Historical parks, archeological sites, botanic gardens, and national preserves and parks, specifically within buildings and structures.

(3.6.8) Markets, including locations set up for vendors to congregate and display, distribute, and exchange goods and services, whether permanent, temporary, or on scheduled days.

(4) Public vehicles and transport terminals

(4.1) Public vehicles, whether in service or not.

(4.1.1) Scheduled buses.

(4.1.2) Taxis.

(4.1.3) Trains and railcars.

(4.1.4) Passenger vans.

(4.1.5) School buses and other school transportation of all types.

(4.1.6) Passenger vehicles belonging to motor pools used by the government, state enterprises, or agencies of the state, including those that are privately owned.

(4.1.7) Passenger cable cars.

(4.1.8) Passenger vessels.

(4.1.9) Aircraft.

(4.1.10) Other passenger vehicles, whether scheduled or unscheduled.

(4.2) Public transportation terminals

(4.2.1) Passenger waiting areas, bus stops, including waiting areas used before or after using any type of passenger transportation service.

(4.2.2) Terminals for all types of land transportation, specifically in the area of buildings, on platforms, or under roofed areas.

(4.2.3) Train stations, specifically within the area of buildings, on platforms, or under roofed areas.

(4.2.4) Passenger wharfs or docks of all types, specifically within the area of buildings, under roofed areas, and in passenger waiting areas.

(4.2.5) Domestic airports, specifically within the area of buildings and under roofed areas.

(5) Religious facilities and ceremonial sites for religions and denominations, such as temples, mosques, and churches.

Article 3. The following locations shall be designated places that protect the health of non-smokers and are declared tobacco-free areas. However, smoking areas can be established.

- (1) Higher education facilities, other than in buildings and structures.
- (2) Petroleum or gas filling stations, other than in buildings and structures.
- (3) Government, state enterprise, and state agency sites, other than in buildings and structures.
- (4) International airports.

Article 4. Any public place not identified as a "building" shall be deemed to include the area used for its functions, whether enclosed in a fence or not.

Any public place which does not have or which has not established clearly defined boundaries shall use the standard of whether smoking [in a given place] disturbs others or not.

Article 5. This Notice shall become effective 90 days following its publication in the Government Gazette.

Issue on the 27th day of February, 2010

Jurin Laksanawisit
Minister of Public Health