

行政院所屬各機關出國報告

(出國類別：參訪)

2003 『青少年反菸研習營』—澳洲參訪報告

服務機關：行政院衛生署國民健康局

職稱姓名：游伯村研究員

出國地區：澳洲

出國期間：九十二年八月十日至十九日

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聯絡人/電話:

/

出國人員:

游伯村 衛生署國民健康局 研究員

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內容摘要: 『青少年反菸研習營』係本局九十二年菸害防制工作所推出的工作計畫之一，其主要目的在於培育校園內對反菸、拒菸有使命之青少年，強化其菸害防制知能與活動推廣之能力，以全面推動校園菸害防制活動。研習營活動中，遴選11位青少年分別至芬蘭、澳洲及泰國等地，本報告即為其中3位青少年、台灣國際醫學聯盟及本局代表之實地參訪經驗。本參訪活動地區包括澳洲昆士蘭州的布里斯班、黃金海岸及新威爾斯州的雪梨，拜會之單位包括政府衛生部門民間團體。本參訪經驗發現，澳洲政府為強化菸害防制工作，達到預防青少年及兒童成為吸菸人口，減少已吸菸人口提升戒菸率及減少二手菸危害之目標，自1999年起，推出包括強化社區民眾行動、推廣戒菸、降低菸品之供應與取得、減少菸品促銷廣告、加強規範菸品法令、降低二手菸害的六大菸害防制策略，政府與民間合作亦有相當多值得借鏡之處。同時，本活動透過民間組織建立與澳洲政府部門及民間單位的交流管道，並建立雙方友好關係，也將台灣的菸害防制工作成效做宣傳，分享彼此工作經驗；而參與研習活動的同學，也透過專案報告方式與討論方式，學習其相關工作推動之策略與方法，相信對未來推動校園菸害防制工作將有相當之助益。

本文電子檔已上傳至出國報告資訊網

摘要

『青少年反菸研習營』係本局九十二年菸害防制工作所推出的工作計畫之一，其主要目的在於培育校園內對反菸、拒菸有使命之青少年，強化其菸害防制知能與活動推廣之能力，以全面推動校園菸害防制活動。研習營活動中，遴選 11 位青少年分別至芬蘭、澳洲及泰國等地，本報告即為其中 3 位青少年、台灣國際醫學聯盟及本局代表之實地參訪經驗。

本參訪活動地區包括澳洲昆士蘭省的布里斯班、黃金海岸及新威爾斯省的雪梨，拜會之單位包括政府衛生部門民間團體。本參訪經驗發現，澳洲政府為強化菸害防制工作，達到預防青少年及兒童成為吸菸人口，減少已吸菸人口提升戒菸率及減少二手菸危害之目標，自 1999 年起，推出包括強化社區民眾行動、推廣戒菸、降低菸品之供應與取得、減少菸品促銷廣告、加強規範菸品法令、降低二手菸害的六大菸害防制策略，政府與民間合作亦有相當多值得借鏡之處。

同時，本活動透過民間組織建立與澳洲政府部門及民間單位的交流管道，並建立雙方友好關係，也將台灣的菸害防制工作成效做宣傳，分享彼此工作經驗；而參與研習活動的同學，也透過專案報告方式與討論方式，學習其相關工作推動之策略與方法，相信對未來推動校園菸害防制工作將有相當之助益。

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三、參訪活動剪影

壹、目的

本次參訪活動之目的包括：

- 一、 瞭解澳洲民間團體及政府部門推動菸害防制工作之相關政策與工作計畫，以作為政府部門、學校及相關反菸團體之重要參考。
- 二、 結識澳洲菸害防制工作伙伴，建立未來聯繫之管道。
- 三、 分享我國推動菸害防制工作成果，發揮國際交流之成效。
- 四、 培育青少年國際觀念，深植校園反菸種籽人力資源。

貳、過程

一、參訪行程：九十二年八月十日 至 八月十九日

二、參訪人員：

鍾瑞穎（中山大學醫學系）、陳映均（師範大學英語系）、薛筑勻
（台北大學社工系）、游伯村（國民健康局）、韓世寧（台灣國際
醫學聯盟）

三、參訪行程：

日期	拜訪單位
8/10 Sunday	2210, 長榮 BR315 台北-布里斯班
8/11 Monday	Queensland Health Brisbane South Public Health Unit, 39 Kessels road 2-4:30p.m. meeting with Ms Ellie Wu, multicultural health project officer of the Brisbane South public health unit office on tobacco control and health promotion, and the public health system in Queensland. Contact person: Ms Ellie Wu: (0421332925 30009114)
8/12 Tuesday	The Cancer Funds, 553 Gregory Terrace, Spring Hill 10 am meeting with Susan Greenbank (Tobacco Issues Coordinator) http://www.qldcancer.com.au http://www.qldcancer.com.au/Cancer_Info_and_Services/HP &S/LinksStudents.html afternoon: move to Hotel Ibis at the City

8/13 Wednesday	Health promotion, and the creation of supportive environment and policy for regulating cigarette smoking at the Griffith university. Contact person: Dr Cordia Chu Patricia Lee (0410160105 37144513)
8/14 Thursday	Queensland Health –Public Health Head quarter,) 47-63 Charlotte Street, city www.health.qld.gov.au · the key officer responsible in developing the anti-tobacco strategy and legislation °
8/15 Friday	Queensland Cancer Fund, Gold Coast 10-11am meeting with Skye Schatzman, Prevention and Early Detection Co-ordinator Cnr Bay & Davenport Streets Southport, Q.4215
8/15 Friday	Southern Public Health Zone Network · Gold Coast Sharon Jurd, Director of Environmental Health Kate Swanton, Manager of Health promotion, (social determinants projects) Helen Clifford, Health Promotion officer. Cigarette smoking policy for restaurant and any other initiatives
8/16-17 Saturday -Sunday	Exploration and observation of Sydney City
8/18 Monday	1.Action on Smoking and Health, AUS 10-11am meeting with Stafford Sanders, Communications Officer 2. Quitline, NSW. 11-12 am 3. NSW Health Department 1.30-3.30pm at 73 Miller St. North Sydney.

8/19 Tuesday	返程，長榮BR312 雪梨-台北
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參、參訪重點

一、Queensland Health Brisbane South Public Health Unit:

整個布里斯班市的公共衛生服務網絡分成三大區塊，本單位屬於布里斯班市南區五個次單位之一，由於本區有相當多原住民，接待我們的 Ellie Wu 小姐是該單位菸害防制與健康促進部門中多文化健康計畫的負責人(multicultural health project officer of the Brisbane South public health unit office on tobacco control and health promotion, and the public health system in Queensland)。吳小姐提及，鑑於原住民特有的文化，為協助當地原住民的戒菸，他們透過當地醫療院所設置戒菸諮商員(health worker)，經由一對一的心理諮商及輔導來幫助吸菸者了解自己吸菸的動機及心理上的依賴程度，想要戒菸的原住民大多都會先經過他們的諮商幫助，戒菸諮商員會利用取代原本的吸菸習慣的其他興趣，或是想吸菸時可以做的一些舒緩動作，如深呼吸，喝水，聽音樂，或透過故事闡述方式，加上原住民特有文化的海報或圖畫等的方法，以不跨越醫療層面原則，符合原住民文化的適切方式提供戒菸的諮商服務，以幫助原住民吸菸者可以因此而順利的戒除菸癮。若還是不可行，他們便會連絡醫師替吸菸者(heavy smoker)來進行醫療性的戒菸門診，利用尼古丁貼片或是口嚼錠來解除吸菸者的生理性成

癮，兩者的互相配合可以成功的將就菸成功率大大提高，也不會造成藥物濫用。

此外，針對校園學童來進行戒菸教育的推廣方面，他們設計了一套配合書面資料及多媒體來進行的校園戒菸教材，但是該教材的取得，通常須經過校長申請，再經過審核通過，才能交由學校導師實施，同時校長要全面負責校內的戒菸教育及督導，並不是所有人都可以取得，由此可見當地的菸害教育從學童時期就已相當重視。

二、Cancer Fund (昆士蘭總部):

Cancer Fund 是一個的民間機構，其總部位昆士蘭省的布里斯班市，在全澳洲設有許多分支辦公室，從法令制訂的鼓吹到實體服務的提供，多元化地協助政府推動癌症防治與菸害防制的工作。接待我們的是 Susan Greenbank 女士，她在該機構負責戒菸專線的業務，除了詳盡介紹澳洲戒菸專線的相當業務以外，也提供我們許多宣導資料，她也提到與董氏基金會互動的經驗。在介紹過程中令人感到映象深刻的是，許多人在制定一些菸害防制的規定時，都會非常在意吸菸者的一些反對想法，但其實這是沒有必要的，因為吸菸的民眾所佔的比例約五分之一是相對少數，當我們制定菸害防制法規時，雖然會影響到 1 個人的權益，但卻有 4 個人因此得到健康的保障。所以，該基金會

對於菸害防制相關法規制訂的推動極為積極，此觀點與董氏基金會的理念是相同的。

三、Griffith University Nathan Campus：

GU 算是澳洲昆士蘭省規模第二大的大學，已經全面禁止室內吸菸，令人印象深刻的是學校提供所謂的支持性環境；也就是在所有建築物外一定的距離設立菸灰台，讓原本吸菸的人仍可以紓解菸癮，由於設立菸灰台的地點在一定的距離之外，會造成某種程度上的不方便，更如冬天時便需要忍受著戶外低溫才能抽菸，以此或可漸漸的使吸菸者限制增加，而漸漸減少吸菸頻率。

在參訪的行程當中，我們也同時可以看到外國大學的規模真的和國內有非常大的差異，僅僅是六個校區中的一個也是讓我們嘆為觀止，並且為了不破壞自然生態，校園裡面得建築物都不得超過四週樹木的高度而往地下發展，建築物的設計會考量利用最簡單的建材，空間的設計有注意採光、雨水及綠化，整個校園就像一作生態保護區一樣。此外，該校設置有一環境教育中心稱為「EcoCentre」，該中心完全利用雨水、陽光等自然資源運作，並開放接受學童參觀學習，以實際的環保行動教育下一代，讓學童能從小認識珍惜大自然的重要，這種精神實在令人敬佩。

四、Queensland Health Department Head Quarter：

本單位相當於我國的衛生局，接待我們的 Mark West 先生是酒精、菸品及藥物濫用等業務負責人，他詳細介紹昆士蘭省菸害防制的相關立法過程，說明如何推動的經驗，並介紹該省省政府的年度工作計畫，他說昆士蘭洲推動菸害防制工作最大的困難是經費短缺，因為在澳洲，各省的稅收用途由各省決定，例如維多利亞省有菸品稅捐的專用經費，而該洲就僅能於經常的年度預算運用。從報告過程中，我們也獲得相當多宣導資料，可見該省為推動無菸環境，投入相當多的民眾與商家教育。此外，最特別的是澳洲規定，販賣菸品場所一定要貼禁止販賣菸品與 18 歲以下青少年及戒菸專線電話，這是與我國有很大不同之處。

他們拍的一個「poison」的廣告也讓人印象深刻，該宣導片內容以一個女孩將一份又一份清楚標明了焦油、酮類、醇類等有毒物質到入杯中，然後把杯子內的液體全部喝下去後，再深深的吐了一口菸，並用專業化學藥品的名稱告知觀眾抽一根菸等於吸進了這些毒素，最後並附上戒菸專線的電話號碼；這個廣告主要出現在電影院裡當電影要開播之前，因為整個廣告沒有多餘的音樂及聲音，在熱鬧的電影院裡一播出會使環境整個安靜下來，非常能夠吸引大家的注意，發揮宣

導的效果。另外「歡樂音樂(catchy jingo)」的廣告是在電視媒體播出的，主要是大量運用映襯的效果，廣告中的音樂節奏類似一般可樂廣告非常快活，並且唱到”抽菸使你快樂”、”抽菸使你有活力”，但是，播出來的畫面卻是老菸腔菸癮又犯了，跪在地上急著點菸，手裡握著打火機根香菸不停的發抖，非常的令人心寒；還有在醫院裡，許多因為抽菸而得病的病患現在的下場，強烈的引出抽菸是不可能使你快樂、抽菸是絕對不會使你有活力的，這種映襯的手法在許多國家是大量的被使用的，或成為未來製作戒菸廣告的參考。

五、Quit line (昆士蘭):

昆士蘭的戒菸專線設置在布里斯班的社區健康中心(city community health center)。在這次參訪中我們初步了解到了該戒菸專線的運作及諮詢方式，一般而言，整個諮商過程約需花費 12 分鐘，過程當中會問到吸菸者在早晨起床後吸第一根菸的時間，以瞭解吸菸者的生理依賴程度，也會問及吸菸者吸菸的理由，並教導吸菸者發覺出自己有興趣的事來做，如：沖澡、散步、聽音樂，取代原本用來抽菸的時間，並依照”戒菸五時期”的原則來幫助戒菸者。提供服務的諮商員多是具醫事、心理、社工等背景的專業人員，並須經過職前訓練及在職訓練。接受戒菸專線服務的吸菸者，要經歷 24 小時、3 天、10 天、1 個月、3 個月、12 個月一共六次，由戒菸專線撥打給戒菸者

的電話追蹤，依照他們的統計，目前成功率在 3 個月內成功戒菸的人大概有 30%，成績也相當不錯。該戒菸專線提供每日 24 小時的服務，每通電話收費 20 分澳幣，是與我國最大的不同點。

六、Cancer Fund (黃金海岸分部):

本單位規模比較小，所負責的業務也相對比較少，但是在社區戒菸教育及戒菸活動有非常不錯的成效。最近幾年當地的菸害防制活動都以無菸時尚及無菸電影主題，舉辦無菸電影的欣賞會，在電影活動的宣傳方面，只在熱鬧地點發放傳單而已，即能吸引上百人來參加，回應非常不錯。當然在活動結束後，也透過問券調查做為活動之結果評估，他們發現大部分幼童並不太了解播放的意義何在，但卻都知道是一齣重視無菸畫面的影片，多少可以在幼童小時候就培養一個無菸的觀念，非常不錯。最後，他們提及辦理活動時，尋找無菸電影的困難度最高，因為大部分的電影裡頭都多少會出現有演員吸菸的畫面或是菸商置入性的菸品品牌形象畫面，由此可見菸商在電影媒體花下了極龐大的經費，不過在澳洲昆士蘭大學的網站上已經有人做無菸電影的蒐集，可以在網站找到系列的無菸電影，這是國內值得利用的資源。

另外，無菸體育也是當地的推廣重點，因為澳洲政府認為就算是體育場是一個開放的環境空間，但當比賽開打時，所有觀眾之間的距

離是非常小的，比同處在一個室內還要擁擠，因此吸菸及二手菸的製造會造成會場觀眾不小的傷害，所以澳洲政府希望能營造出一個有乾淨空氣的運動場環境，讓所有的觀眾及參賽員都可以在一個健康的環境下享受運動的樂趣，讓運動回到清新健康的意義。

最後，由於本該單位為癌症防治機構，在這裏他們也提供接受治療的癌症患者如何化妝的訓練及假髮借用服務，頗值得借鏡。

七、Southern Public Health Zone Network (黃金海岸):

Southern Public Health Zone Network 是負責當地戒菸計畫的稽查工作的單位，澳洲政府除了全面禁止菸品販賣機的設立之外，也規定所有販售菸品的商家不得做菸品廣告與促銷，每一種菸品擺在櫃檯販售時，只可以露出”一包”香菸的表面，其他堆疊在旁邊的菸品需須用不透明的遮蔽物擋住，大大限制菸品的曝光率。也強力規定不得銷售菸品給予 18 歲以下的青少年，對疑似 18 歲以下的買菸消費者都必須要求出示身分證明文件才能販賣，賣場也須張貼有 18 歲以下的青少年不得買菸及戒菸專線的標示，不遵守規定者均將受到處罰，同時相關規定澳洲政府製作了許多圖文清楚的單張與手冊宣導，但因黃金海岸是頗負盛名的觀光地點，且稽查人員有限，實際執法上有一定的困難度。

雖然，澳洲政府規定在餐廳內是禁菸的，但若設置有吧台處便可以抽菸，這導致了許多人在餐桌吃完飯後便轉移到吧台抽菸，但往往吧台跟餐桌的距離並未相隔很遠，導致室內空氣仍然會受到污染；在賭場方面的也規定在距離賭桌 2.5 公尺以外才可以抽菸，但投機的賭客仍然有自己的方法，在下注之後便到 2.5 公尺之外處去吸菸，等吸完後再回來玩。和台灣一樣，澳洲政府在立法時，也會遭遇到菸商贊助的民意代表阻撓及反菸民間團體的聲援，這些在餐廳及賭場的限制，都是政策妥協後發生的一些問題與弊端，澳洲政府對這些問題也希望有解決的一天。

八、Action on Smoking and Health, ASH Australia:

ASH 是針對吸菸以及健康的議題為主的非政府組織(NGO)，性質類似董氏基金會，令人驚訝的是他們主要的行政及執行人員卻僅僅只有二位，但所做出來的成果卻令人為之驚嘆。當天參訪時來迎接我們的是一位男士，他向我們大略的介紹了澳洲當地的一些菸害防制的背景，參訪過程中我們更談到他們也非常熟悉董氏基金會這個團體。此外，他們製作的網站也提供了許多方面菸害防制的資訊，包括如何採取法律行動、吸菸者的心理層面及背景、電視媒體的功效、以及無菸職場、無菸校園、無菸家庭等各種不同場所的戒菸資訊，提供的資料

非常多元。該組織認為澳洲每年有一萬九千人死於菸害，政府更須每年耗費 210 億澳幣在菸品對健康的危害上，所以，菸害防制是當今澳洲最可以直接促進民眾健康的議題。Ash Australia 希望 2010 年之前，他們可以成功的將吸菸率降低到 10% 以下，但身為一個社會公益團體，他們也呼籲更多社會民眾的熱情參與。

九、New South Wales Quit line:

新威爾斯戒菸專線與昆士蘭戒菸專線不同之處，在於前者是政府委外計畫，而後者是隸屬於衛生單位。

本戒菸專線設置於一間愛滋病診所的樓上，整棟建築物的外觀並不顯眼，接待我們的是一位 Mr. Philip。他說明全澳洲的戒菸專線都是同一個號碼(131848)，但提供服務的單位則由各省自行負責，想利用戒菸專線的吸菸者撥打戒菸專線時，電話便會接到吸菸者所在地的戒菸專線服務處，每省的服務處則自己有一套諮詢作業流程。新威爾斯的戒菸專線服務的模式和台灣類似，分成兩段的諮詢，先由服務員接起再轉交給戒菸諮詢員，在諮商員方面以醫學心理社工三大方面的人才為優先。

澳洲政府推動的戒菸專線服務，有許多地方值得我們學習。其一是戒菸專線電話出現的頻率非常高，因為澳洲立法規定的關係，戒菸

專線被列印在每一包菸盒醒目的地方，也張貼在香菸販售處，以提醒吸菸者一直有支電話正在等著幫助他們戒菸，若有動機想要戒菸只要輕鬆的撥打這支電話號碼就可以接收到完整的諮詢及協助，此外，在每一本電話簿上都印有這個號碼，這也是為什麼大部分的澳洲民眾都知道這個號碼的原因。其次，是戒菸專線和醫療單位建立良好合作關係，當遇到成癮性非常嚴重的吸菸者，經過戒菸專線諮商無效後，他們會將這位吸菸者轉介給家庭醫師，再配合利用藥物(如 Zyban)、尼古丁貼片或是口嚼片來慢慢解除其對香菸的依賴。另外，他也提到說撥打電話的求助者當中女性比例偏高，這可能代表女性比較願意接受別人的諮詢及幫助有關。

十、New South Wales Health Department:

本單位隸屬新威爾斯省省政府，負責該省的衛生醫療及健康議題，可說是該洲最高衛生行政單位。該部門位於雪梨市區內，接待我們的一共有四位女士，分別是主要聯絡的 Julie Anne Mitchell 以及其他三位女同事，分別針對四個不同的主題做介紹，Julie Anne Mitchell 的簡報主要是針對菸害背景及政策作介紹，她指出在澳洲的總吸菸人口約為 23.1%，而在新威爾斯則為 21.4%。她也指出澳洲原住民及外來移民皆有偏高的吸菸率，例如原住民人口有 42%吸菸，

18~24 歲的原住民中更有 58% 的人吸菸，比一般的澳洲人高出甚多。此外，澳洲有 18% 的男性青少年，以及 19% 的女性青少年是吸菸人口，相較於台灣的 11% 以及 3% 實在高出許多，同時，新威爾斯洲與昆士蘭的青少年到成年人口的吸菸比例變化只有增加 4~5% 而已，但台灣男性成年人的吸菸率卻飆增到 47%。他們對此現象的解釋是在成年人的這一部分他們提供了非常多的菸害教育機會，大部分的成年人都知道吸菸所造成的影響及害處，故青少年時期吸菸者往往會繼續吸菸，但不吸菸者也就較不會去接觸菸品了。

另一位女士是負責介紹該省的”菸害防制宣導影片”，在這些影片中有一個共同的特點就是以恐怖影像來嚇阻吸菸者，並實際讓他們認識到所吸入菸煙中的有害物質對不同的器官都會有極大程度的危害，總共分為腦血管、主動脈、視網膜、肺臟等幾部影片，片中皆製造出恐怖的影像如：一刀切開從腦中風病人解剖下來大腦，暗紅色血液隨即流出；或是從主動脈中擠出了黃黃稠稠，足以阻塞整條主動脈的有害物質；還是告訴吸菸者當他們在吸每一根菸的時後，視網膜中的微血管正在破裂，累積到一定程度便會造成永久性失明，即使手術也無法挽回。這些影片告訴著所有的吸菸者，影片當中的器官就是他們自己器官未來的樣子，最後，再出現了溫暖的鵝黃色戒菸專線的服務廣告畫面，並搭配柔和的音樂，讓人有充滿希望的感覺，根據

介紹者的說法，這對吸菸者有相當的嚇阻力。

另外，單就戒菸門診方面來說，雖然澳洲政府也意識到了醫師在戒菸過程的重要性，但目前仍缺乏整體性的實施計畫，當地的戒菸門診都是依賴家庭醫師自己的意願，若家庭醫師不願意為病患多花些時間來進行戒菸問診及治療，則病人就喪失了戒菸的機會。台灣目前也推出戒菸門診試辦計畫，算是跨出了一大步，但未來如何鼓勵更多醫師的參與及吸菸者的利用，是很值得探討的議題。

伍、心得與建議

一、他山之石可以攻錯－澳洲菸害防制參訪之心得與建議：

(一) 澳洲菸害防制策略之探討：

自 1999 年起，澳洲政府開始強化菸害防制工作之推動，針對原住民及離島人口、十八歲以下青少年及兒童、懷孕婦女及其配偶、心智疾病患者、移民、低收入者等為重點目標族群；期望能達到 1. 預防青少年及兒童吸菸人口、減少吸菸人口、降低菸品之健康危害、減少二手菸害之目標。計推出六大策略：

1. 強化社區民眾行動(Strengthening Community Action)
2. 推廣戒菸(Promoting Cessation of Tobacco Use)
3. 降低菸品之供應與取得(Reducing Availability and Supply of Tobacco)
4. 減少菸品促銷廣告(Reducing Tobacco Promotion)
5. 加強規範菸品法令(Regulating Tobacco)
6. 減少二手菸害(Reducing Exposure to Environmental Tobacco Smoke)

六大策略之內容概述如下：

- 強化社區民眾行動(Strengthening Community Action)

澳洲政府自 1997 年開始推行全國菸害防制運動 (The National Tobacco Campaign)，透過定期播放菸害宣導影片及資訊宣導，到 2000 年底，全國十八歲以上人口吸菸率即降低 3.4%，成為 20.3%，是已開發國家中吸菸率最低之一。

鍵於此策略確實有效，故延續這項全國運動，每年於世界戒菸日及年假前後，於電視、廣播強力撥放強調吸菸後對人體之危害內容之宣導短片，主要之宣導語為：「Every cigarette is doing you damage」，並緊接著「戒菸專線 131848」之訊息。根據各洲統計調查，因此戒菸專線之服務量，較平常日均有倍數之增加。全國菸害防制運動每年播放主題不同，2003 年並將延續使用吸菸者每年體內累積焦油量及對眼球細胞之傷害為重點加強宣導。由於主題正確，而且有具體成效，不僅贏得澳洲的五星廣告效果獎，亦贏得國際廣告獎項之肯定，到今年已有包括紐西蘭、美國、英國、新加坡、加拿大等超過四十個國家要求可使用該廣告概念。

由於文化及生活習慣問題，澳洲原住民吸菸率幾乎為高於全國吸菸率的二倍，因此澳洲政府於 2003 年也以委外方式投入一百萬澳元

辦理內容包括原住民衛生人員菸害防制能力提升、發展符合原住民文化之宣導資訊及教材、成立原住民菸害防制中心的三年工作計畫。

- 推廣戒菸(Promoting Cessation of Tobacco Use)

“131848”是澳洲戒菸專線的代表號，任何人均可以每通電話費用 20 分澳幣，不限時間尋求當地專業諮詢人員的戒菸協助。專線服務由各洲自行設置辦理，且各洲執行方式不同，如昆士蘭省戒菸專線隸屬洲政府衛生部門，提供 24 小時全年無休的服務；而新南威爾斯洲則委由民間醫院辦理，服務時間為週一至週五，每日上午七時至晚間十一時，週末則上午九時至下午五時。諮詢人員需接受諮詢專業訓練，並依定型評估流程進行諮商，據昆士蘭省戒菸專線負責人表示，該專線成功戒菸率約有 30% 之。澳洲政府亦針對各洲之專線流程進行檢討評估，以建立最佳作業流程(Best Practice)。

澳洲除戒菸專線外並無所謂戒菸門診，但是由全國心臟基金會檢討評估一套最佳輔助流程 5As，提供全國家庭醫師於診病時，協助鼓勵病人戒菸。5As 包括--Ask：是否抽菸、Advice：建議戒菸或保持目前不吸菸狀態、Assess：評估並鼓勵戒菸、Assist：提供菸害資訊及戒菸方式、Ask Again：下次就診再詢問。心臟基金會除了定期檢討改進輔助流程 5As 外，另外也由癌症協會配合其他資源，提供家庭

醫師訓練或最新資訊，提升家庭醫師在勸導民眾戒菸之信心與能力。

以主動辦理醫師門診戒菸訓練課程而言，我國似乎更積極主動些。

- 降低菸品之供應與取得(Reducing Availability and Supply of Tobacco)

本策略主要在於禁止販售菸品予十八歲以下青少年，各洲均已立法，並嚴格執法，在法令生效前之宣導期，各洲均製作大量文宣強力宣導，文宣內容包括零售商可能面對問題及解決方式，必要時可要求消費者提供身份年齡證明，雇主需盡力讓售貨員瞭解法令內容，否則若販售菸品予十八歲以下青少年雇主、售貨員將一併受罰。此外，為試探零售商瞭解是否配合法令之要求，澳洲政府甚至同意衛生單位以受過訓練之未滿十八歲青少年向零售商假意買菸，以測試零售商。

為了更進一步限制菸品之販售，澳洲政府亦辦理委託研究評估菸品零售商及批發商需註冊並取得執照之可行性、成本效益及公共衛生利益。

- 減少菸品促銷廣告(Reducing Tobacco Promotion)

澳洲目前使用六種菸盒警語包括吸菸導致肺癌、吸菸會上癮、吸菸致死、吸菸引發心臟病、孕婦吸菸會傷及胎兒、你吸菸他人亦受害。不論菸盒大小（澳洲有二十支包裝及二十五支包裝），警語之面積需

佔包裝盒正面上方 25%大小，以白底黑字表現；背面則對應該警語之詳細影響健康資訊，同樣以白底黑字表現，並需佔包裝盒背面上方 33%大小；菸盒側面之一，則需提供菸中所含焦油、尼古丁、一氧化碳成分及其對健康之影響，以全版白底黑字呈現。

- 加強規範菸品法令(Regulating Tobacco)

為了加強社會大眾對菸害之認知，澳洲政府正進行現行警語評估及市場調查測試 16 種新警語，並預計於 2004 年加上圖片。

自 1992 年起，澳洲政府即立法禁止菸品於廣播電視及報章雜誌印刷品之廣告。目前，澳洲政府也將檢視該法令是否仍能達到限制民眾接觸可能誘使他們吸菸的廣告，並設法克服如網際網路等新科技及新手法之菸品宣傳通路與手法。在規範菸品中尼古丁含量方面，澳洲政府與國內三大菸廠達成協議，於 2000-2003 年間每年需將各種品牌菸品之內容物、重量等資料提供予衛生部門參考。

- 減少二手菸(Reducing Exposure to Environmental Tobacco Smoke)

澳洲法令規定密閉公共場所全面禁菸，違反者，吸菸者及該場所負責人均受罰。供應正餐之飲食場所全面禁菸，(酒吧等除外)，且依法必須張貼禁菸、戒菸專線、請勿吸菸等標誌。

澳洲政府透過主動宣導、制訂法令、提供戒菸協助、建置支持環境、規範菸品之販售等各種菸害防制策略，期望能完全避免或降低民眾遭受任何型態之菸害，以促進全民健康。根據澳洲政府之評估調查，推動各項菸害防制策略後，全國 14 歲以上每天抽菸之盛行率由 1998 年之 21.8%，降至 2001 年之 19.5%。

除各省衛生單位推動菸害防制相關宣導及執法外，如癌症、心血管疾病、糖尿病、氣喘、精神及心理疾病等與菸害相關疾病之專業組織，亦與政府密切合作，不僅提供資源、協助宣導、更進一步研究發展提供政策擬定、法令修正之依據。其中癌症防治協會 The Cancer Council 及國家心臟基金會 National Heart Foundation，為二大主力民間伙伴。另外如 Action for Smoking and Health, ASH Australia，則致力於菸害法令倡議遊說及反菸商活動。

與澳洲相比較，其實我國推動菸害防制之策略並不惶多讓，此外，每年我國有約十億元的菸品健康捐可運用，明年亦將可能增加，加上資源充分且可近性、便利性高的全民健保醫療服務體系，我國未來在推動菸害防制防制工作方面應可獲致更好的的成效。

借鏡澳洲的參訪經驗，建議未來值得推動的重點方向包括：

1. 在教育宣導方面：

- (1) 針對不同族群，透過適宜的通路，設計量身訂作的教育宣導企劃，並進行成效評估，以加強菸害防制觀念宣導。
- (2) 加強菸商促銷活動與模式之監測，以便即時反制菸商之菸品行銷行為。
- (3) 加強菸品零售商禁止販售菸品予十八歲以下青少年之教育宣導，以限制青少年取得菸品的管道。
- (4) 研發製作符合需求的菸害防制教材與宣導品，以加強民眾菸害防制觀念之宣導。

2. 在戒菸服務方面：

- (1) 提升門診戒菸服務品質，加強辦理醫師人力訓練，鼓勵更多醫師投入門診戒菸服務。
- (2) 研議利用菸品健康捐將戒菸納入健保給付之可行性。
- (3) 加強吸菸之患者轉介接受戒菸服務之機制，鼓勵更多吸

菸者戒菸。

(4) 結合門診戒菸與戒菸專線，提供戒菸者更具便利性、可近性的戒菸協助。

(5) 結合護理及藥事專業人員，建構更綿密的戒菸服務體系。

3. 在法規修訂方面：

(1) 積極推動菸害防制法之修法，以符合 FCTC 精神為目標。

(2) 鼓勵民意代表、民間團體支援遊說菸害防制法之修法。

4. 在法規執行方面：

(1) 加強中央與地方之互動與分工，落實法規之執行。

(2) 鼓勵、獎勵民間團體、志工及熱心人士參與違規事件之檢舉。

5. 在組織網絡方面：

(1) 鼓勵、培育更多民間團體參與菸害防制工作之推動。

- (2) 鼓勵、獎勵或補助民間團體、學者專家、實務工作推動者參與國際活動或會議，發表工作成效，提昇我國菸害防制績效之國際可見度。
- (3) 透過非政府組織，以實際行動或辦理跨國菸害防制計畫或交流活動，開拓國際菸害防制人脈資源之互動通路。

二、參與『青少年反菸研習營』澳洲參訪活動之心得與建議：

本參訪活動為本局委託台灣國際醫學聯盟辦理『青少年反菸研習營』工作計畫中遴選優秀青少年至澳洲之實地參訪活動部份，本局派員參與本活動支角色為觀察活動之成效與建立與澳洲推動菸害防制之非政府組織與政府部門之交流通路。從參與活動之過程發覺，本計畫確能達到超越期待之績效。

經由本參訪經驗，建議未來值得推動的重點方向包括：

(一) 活動本身方面：

1. 本計畫確實可行值得推廣，因為從參與活動青少年之表現，可發掘青少年們對國家菸害防制工作之認識，並能透過國際交流活動與參訪單位分享

我國菸害防制工作之成效，對培育國家推動菸害防制工作之種子人力資源確有助益。

2. 本計畫係透過台灣國際醫學聯盟辦理，從該單位之表現發掘該單位確能發揮非政府組織之潛力完成本計畫之預期目標，惟考量公部門對非政府組織之駕馭能力，建議於開發與培育非政府組織資源時應本積極、彈性與制約原則，使非政府組織能發揮其積極、彈性特色，並能完成政府預期達到之目標。
3. 自參與同學準備的對國外參訪單位作簡報資料及回國參訪經驗分享報告發現，台灣國際醫學聯盟確有其積極培育具國際宏觀青少年學子之企圖心，也達到灌輸青少年學子菸害防制概念之職；但就菸害防制議題而言，可能基於時間較不充足之因素，自各參與本參訪活動成員之簡報報告中可發覺，青少年學子們對國家菸害防制策略了解之深度及廣度尚不夠深入，且對未來自己將扮演的角色及做法尚無具體規劃。

4. 本參訪活動透過台灣國際醫學聯盟獲駐雪梨台北經濟文化辦事處范惠君秘書協助安排雪梨參訪活動，使本參訪行程得以順利完成，對駐外單位的熱心協助，甚表感佩。

(二) 未來規劃方面：

1. 本計畫能培育國家推動菸害防制及國際交流與合作工作之人力資源，確實可行值得推廣，未來可持續辦理。
2. 本計畫應開發更多民間組織參與，開發更多元之菸害防制及國際交流與合作工作計畫，以提昇國家之國際可見度。
3. 建議未來宜督促台灣國際醫學聯盟加強參與本計畫青少年之輔導，積極發展校園或社區菸害防制活動，藉以評估本計畫之最終成效，並作為未來辦理類似計畫之參考。
4. 建議為來辦理類似活動時可商請駐外單位提供必要協助。

伍、附錄

- 一、戒菸門診與戒菸專線的配套計畫：中山醫學大學醫學系鍾瑞穎
- 二、澳洲青少年活動菸害防制：國立台灣師範大學英語系陳映均
- 三、參訪活動剪影

戒菸門診與戒菸專線的搭配計畫

中山醫學大學 醫學系 鍾瑞穎

一. 計畫源起:

近年來由於台灣吸菸人口不斷的上升，男性成年人的比例更是攀升到了47%，菸害防治已經成為國人不可忽視的一個課題。有鑑於醫師所擁有的專業健康知識以及醫師族群較低的吸菸率，衛生署國民健康局於民國91年9月至民國92年12月期間開始實施“戒菸門診試辦計畫”，邀請全國醫師共同加入菸害防治的陣營當中，算是領先世界上大多數其他國家而提出的一套具整體性、計畫性的一個方案。

今年暑假參加由國民健康局主辦，台灣國際醫學聯盟承辦之青少年反菸研習營，對菸害防治有更深知瞭解，更幸運的是有機會於八月中旬實地參訪澳洲當地的菸害防治政策，參訪過程中發現，澳洲雖然沒有在醫療單位實際開辦戒菸門診，卻在戒菸專線及醫療院所之間的相互合作帶來相當不錯的成果，大幅提高戒菸專線以及戒菸門診兩者的使用率以及成功率。此外，大多數家庭醫學科醫師(GP)在每一次進行問診時也會實行5As的例行性問診協助提高病患的戒菸率，其在國內的可行性也會在以下做討論。在澳洲這些方案已經進行多年，一直在戒菸行動上扮演舉足輕重的角色。在國內“戒菸門診試辦計畫”即將進入成果評估之際，謹將在澳洲所學習到的經驗，配合國內戒菸門診計畫提出合作方案建議，希望國民健康局能納入參考，並有助於國內戒菸率的提升。

二. 戒菸專線與戒菸門診的需求評估:

1. 三大領域的醫師群只同時存在於較高等級的醫療院所中: 國內現行的“戒菸門診試辦計畫”主要負責的醫療人員為家庭醫學科、心理學科以及內科醫師群，大部分的醫療環境都在醫院中進行，且若要同時接受到三種領域醫師完整的醫療及協助，普遍只會在區域級教學醫院或是醫學中心等級以上醫療院所才有可能，就可近性而言，門檻較高。
2. 戒菸專線能提供便利且收費低廉的戒菸服務，提高民眾使用意願: 礙於高等級醫院設立的數量較少以及較高額的收費，基層醫療診所或是當地衛生所又大多只能提供部分單科協助，資源非常有限，戒菸門診有一定的不方便處存在；但相對於親自前往醫院就診，戒菸專線的撥打便顯的方便許多，且民眾對此保有較高的隱私權及安全感，比較不會因懼怕看診而喪失戒菸的好機會。
3. 吸菸者心理層面的問題為一大關鍵: 大多的吸菸者對吸菸的成癮分為生

理層面以及心理層面，就個人初步瞭解，有非常多的吸菸者可以經由吸菸得到心理層面非常大的釋放，心理層面的成癮大於生理層面的成癮，探討出這些心理因素是戒菸過程中不可或缺的，因此適當的心理諮商是需要的，除了心理學科的治療者可以擔任此項工作，戒菸專線的諮詢人員也是有效的管道。

4. 醫師無法完整做出後期追蹤：在戒菸成功後的後期追蹤，歷時大概要花費一年，且要由幫助戒菸的人員主動出擊才有效，要求醫師對每個病人做出完整的後期追蹤並不是一件容易的事情，除了醫師本身的工作量極大之外，較年輕的戒菸者平常生病的機率偏低，到醫院和醫師見面的頻率也不高，無法在門診上追蹤，戒菸專線可以做這方面的協助。
5. 戒菸專線無法提供任何醫療協助及處方用藥：不管在國內或國外，戒菸專線所提供的都僅限於諮商協助的範圍，並不能提供醫療或是處方用藥方面的協助，若遇到重度吸菸者(heavy smoker)心理諮商的幫助是有限的，必須配合戒菸門診的協助才能有效解除菸癮。此外，國內大部分的民眾也比較願意聽信醫師的建議，醫師負責戒菸門診勢必能使更多民眾謹慎看待戒菸問題。

三. 戒菸專線與戒菸門診的配合辦法：

1. 戒菸專線必須有效提供行銷計畫：因為本計畫中，戒菸專線是扮演將吸菸者導引入全部療程的重要大門角色，因此戒菸專線必須在行銷方面大力推廣，例如在國民健康局所拍攝的拒菸廣告片尾，不管是在電視上或是電影院內播放，都要清楚標示出戒菸專線的號碼，而非僅僅“衛生署國民健康局關心您”等等無關緊要的字句。澳洲政府在此最值得學習的是，在每一包菸盒上、所有電話簿上、以及所有香菸販售處如：便利商店櫃檯，都明顯附上戒菸專線的號碼，這是所有想開始戒菸的民眾最容易看到的地方，這可能需要國家在立法上的一些突破，但也最能提高戒菸專線的使用率。
2. 提高戒菸專線諮詢人員的專業諮詢知識：戒菸專線也必須提高其內部諮詢人員的專業素養，以醫學、心理及社工領域相關並同時擁有良好的溝通技巧人才來進行培育，提供一套完整的諮商系統，並且也可以尋求醫院心理治療人員來做定期及必要的員工訓練及協助，幫助電話諮詢人員更容易了解吸菸者的心理背景。
3. 戒菸專線提出申請函來轉交需要醫療協助及處方用藥的吸菸者：醫師的專業知識及處方用藥在戒菸的過程中也是非常有幫助的。戒菸專線若是接到吸菸者的電話經過判定後為重度吸菸者，諮商經過一段時間卻也不

見明顯的進步，便可以像這位吸菸者解釋戒菸門診的實施背景及對這位吸菸者可以提供更多的協助，並寫一封申請書並附上這位吸菸者大略的諮商過程及吸菸背景交由醫療院所，將這位病患轉交給醫師來進行醫療層面的治療協助，配合處方用藥如:Zyban、尼古丁貼片或是口嚼錠來慢慢解除其生理上對香菸的依賴，提高戒菸者的成功率，並也提高戒菸門診的使用率，醫師在經過每次的門診治療後也要定期將目前進度及病患狀況資料回復戒菸專線以利戒菸專線做進一步的追蹤與紀錄。

4. 醫師提供戒菸者名單給予戒菸專線以便進行完整的後期追蹤: 醫師在門診時若遇到想戒菸之病患，可將此病患先轉介至戒菸專線，不僅讓戒菸者先接受心理諮商及行為改變，也節省醫療資源；在後期追蹤方面，醫師定期的將接受戒菸門診或藥物治療，且戒菸成功的病患名單提供給戒菸專線，戒菸專線便配合內部所訂定的追蹤時間點，主動撥打電話給這些病患，來視察其是否仍維持在不抽菸的階段及戒菸後的心理及生活狀況，可以解決醫師因工作忙碌而無法有效追蹤病患後期狀況的問題。
5. 戒菸專線視吸菸者需求來決定轉診醫院: 基層的診所及當地衛生所是最接近民眾社區的醫療院所，不僅民眾的使用率高、費用較低廉且較不會產生就醫恐懼感；高等級醫療院所如署立地方醫院或是醫學中心則可以提供三大領域的專業醫師群來進行協助，資源非常豐富，各有各的好處。因此戒菸專線在轉交重度吸菸者的時候也可以依照吸菸者所需的協助，例如是否仍需要心理方面近一步的諮商來決定是否需要轉交高等級醫院；或是可以視吸菸者的住家社區位置，找出最適合吸菸者方便就醫的醫療院所，但前提是一定要和有簽署戒菸門診契約的醫療院所合作才行。

四. 5As 於國內實行的可行性及修改討論:

1. 在澳洲雖然沒有明文規定，但醫師(通常為家庭醫師 GP)若覺得有能力且不麻煩的情況下，在每一次問診時會進行一項例行性的戒菸協助，在澳洲通稱為 5As，也就是:

- (1) Ask about smoking at every visit

(每一次看診時詢問病人是否有抽菸)

- (2) Advise to quit or stay quit

(若有抽菸者，建議戒菸，若戒菸中則鼓勵其維持現狀)

- (3) Assess motivation and confidence to quit

(評估患者戒菸的動機與信心)

(4) Assist with quitting

(給予必要協助幫助患者戒菸，並提供戒菸專線)

(5) Ask again at next visit

(下次看診時再次詢問戒菸情形)

- 2.在國外的就醫行為與國內有非常大的差異，國外一般就診會先向家庭醫師來尋求協助，當家庭醫師進行看診評估後，若是在家庭醫師可以處理的範圍之內便止於這個層級，若是超過家庭醫師的能力範圍再進行轉診的動作，轉到各地區的區域專科醫院；而國內大多醫院都實行分科診療的制度，民眾自行視其需要直接向該科掛號就診，民眾接觸到家醫科醫師的頻率並不是那麼高，因此在國外由家醫科負責的 5As 若要在國內執行，可以推廣到所有醫師看診時都配合的方案，在每一次看診時醫師都詢問病患是否為吸菸者，若為吸菸者時，除了建議病患來戒菸之外，也可以向病患介紹國內戒菸門診及戒菸專線所提供的戒菸資源，若病患願意嘗試再經由轉診到戒菸門診或是戒菸專線來進行戒菸的治療。全國的醫師若同時配合這項計畫，帶來的影響恐怕不容小覷。
- 3.由於國內戒菸門診有專門的門診計畫來做治療，若要將國外的 5As 計畫引進國內，我們可以做下列一些分工及修改：

(1) Ask about smoking at every visit 各科醫師負責

(每一次看診時詢問病人是否有抽菸)

(2) Advise to quit or stay quit 各科醫師負責

(若有抽菸者，建議戒菸，若戒菸中則鼓勵其維持現狀)

(3) Access to Smoking Cessation Clinic and Quit Line

各科醫師負責

(提供吸菸者了解戒菸門診及戒菸專線的管道)

(4) Adapt suitable treatment 各科醫師負責

(轉介到適合的治療單位)

(5) Assess motivation and confidence to quit 治療單位負責

(評估患者戒菸的動機與信心)

(6) Assist with quitting 治療單位負責

(給予必要協助幫助患者戒菸)

(7) Ask again at next visit 各科醫師負責

(下次看診時再次詢問戒菸情形)

*其中 1.2.3.4.項是由各科醫師針對其所有病患所做的，而 5.6.項則是由治療單位，包括戒菸門診及戒菸專線，來對患者做評估及治療，至於第 7.項則是在各科醫師成功將病患轉介到戒菸門診或戒菸專線之後的幾次問診中所詢問的，包括戒菸的程度以及生活方面的改變。全部由 5 項轉變為 7 項，名稱也從 5As 提升到 7As。

五. 預期成效:

經過戒菸門診及戒菸專線的互相配合，可以將兩者的曝光率提高來提升民眾對兩者的認識進而使用，希望能夠將原本兩者的戒菸成功率都往上提升 5~7 個百分點，讓越來越多的民眾能夠經由兩者的配合成功讓自己戒菸，免受於香菸的迫害。在 7As 方面也能夠帶動全國的醫療人員加入幫助戒菸的行列，形成一個“戒菸醫療網”讓更多的人受惠，也讓台灣能在國際上塑造一個健康清新的美好形象!

* 備註：

流程中所提到的“各科醫師”，包含衛生所以及當地開業的醫師，現階段因為國內的戒菸門診大都是由家醫科、內科和心理科負責，但例如婦科、肝膽腸胃科或是外科的醫師在問診時就不會向病患詢問這類的問題，現在 7A 的目的就是要將其他科別所有診所醫院的醫師一起加入詢問的行列，形成一個篩選吸菸者的網絡，自然也就包括地方衛生所以及當地開業的醫師，更包括醫院醫師。若是考慮到衛生單位與政府的配合度較大，則 7A 可以從全國各地的署立醫院以及鄉鎮市衛生單位率先開始實施，優先培養在這些單位中工作的醫療人員，若效果評估後可行性高，再進一步邀請其他公私立醫療機構跟進。

所以若是實施得當，不管民眾是到新的醫療院所去就診或是到自己熟悉的診所或衛生所看診，都會被醫師詢問到 7A 當中的問題。

澳洲青少年活動菸害防制

國立台灣師範大學英語系 陳映均

Ex. Rock Eisteddfod Challenge 是澳洲一個全國性的表演競賽，每年有超過一百多所的高中、近兩萬五千名學生參與，主題年年不同，例如「世界和平」、「環境保護」等讓學生發揮創意，用音樂劇的形式表現出來。並不刻意以反菸反毒為題，但與會的學生都要簽署一份合約，言明在參予的過程中不吸菸不嗑藥不喝酒，任何一人被抓到，將會全團被取消參賽資格，且主辦單位提供許多關於菸毒酒危害的資料供學生參考，無形中讓學生獲取這方面的資訊。雖然這樣的活動並不一定能讓學生就此戒菸戒毒，但是藉由投注精力於這樣的活動，學生有了轉移注意力的方法，在活動中不必使用藥物就達到 Natural High，另外，如此學生間也形成一股互相監督的力量，並讓學生更加肯定自己能在沒有菸毒的情況下表現出最好的自己。

青少年由於經驗不足卻又喜愛嘗試新事物，在大環境、同儕壓力、廣告渲染等因素影響下，常是對於品吸引力較無法抗拒的族群，而一旦接觸過第一根菸，往往因為尼古丁的成隱性，成了穩定的吸菸人口之一。也因此各國在進行菸害防制時都特別著重於青少年的宣導，希望能預防青少年吸菸。

台灣為了減低青少年的吸菸盛行率，無論在政策或活動舉辦上都不遺餘力，國健局與台灣醫學聯盟合辦的青少年反菸研習營就是個成功的例子。這次前往澳洲進行參訪，到了當地發現澳洲並沒有把反菸的重任交給青少年，而是由政府塑造一個無菸的友善環境，提供充分的資源，將菸害的資訊藉由媒體、學校與社區確實傳達出去，並在每年定期或不定期地舉行有趣的競賽或活動供青年參與。

例如昆士蘭州針對 12-17 歲青少年的吸菸、吸毒及飲酒問題，發起了一系列的活動稱作 “100% IN CONTROL”，包括廣告(Poison Commercial)、全國高中表演競賽(The Rock Eisteddfod Challenge)、原住民及偏遠地區青少年的表演節慶(Croc Eisteddfod Festival)，挑戰體能的野戰營(Rumble in the Jungle) 等等，此外也架設網站、製作手冊，內容擴及安全的派對、戒菸方法(Butt Out)、菸毒酒危害的知識等，強調給予青少年無菸無毒無酒的健康體驗。

這種尊重個人選擇的做法將隨著社會個人主義的演化，在台灣成為常態，因此政府在面對青少年吸菸問題時，不應以強硬的態度指責吸菸者，而是以正面積極的態度，提供非吸菸者免於菸害的環境，同時讓有吸菸經驗的青少年在參與活動的過程中肯定不吸菸的自我，進而萌生戒菸的念頭。



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范惠君

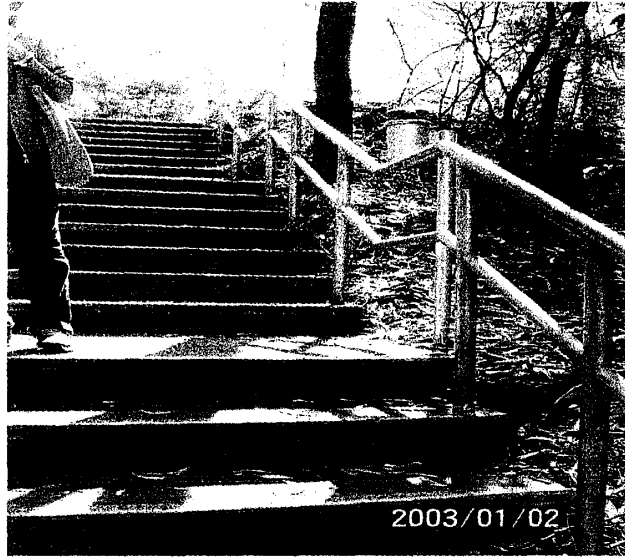
駐雪梨台北經濟文化辦事處秘書

GRIFFITH UNIVERSITY



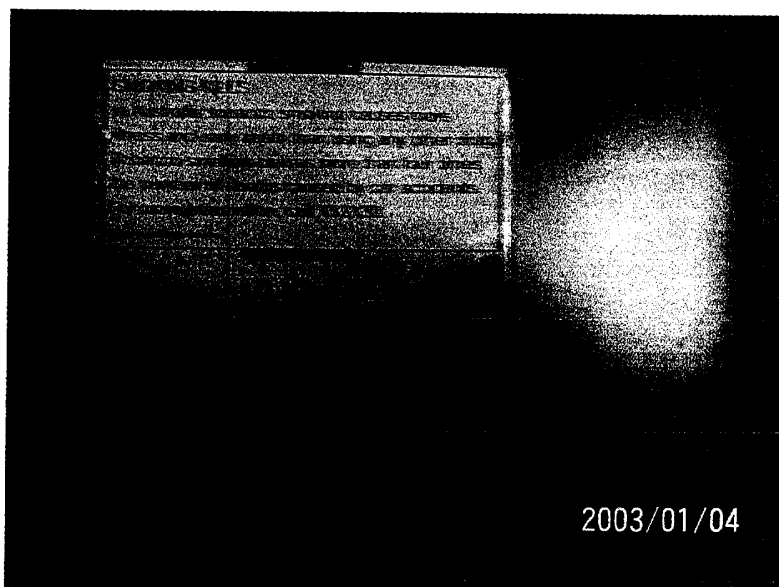
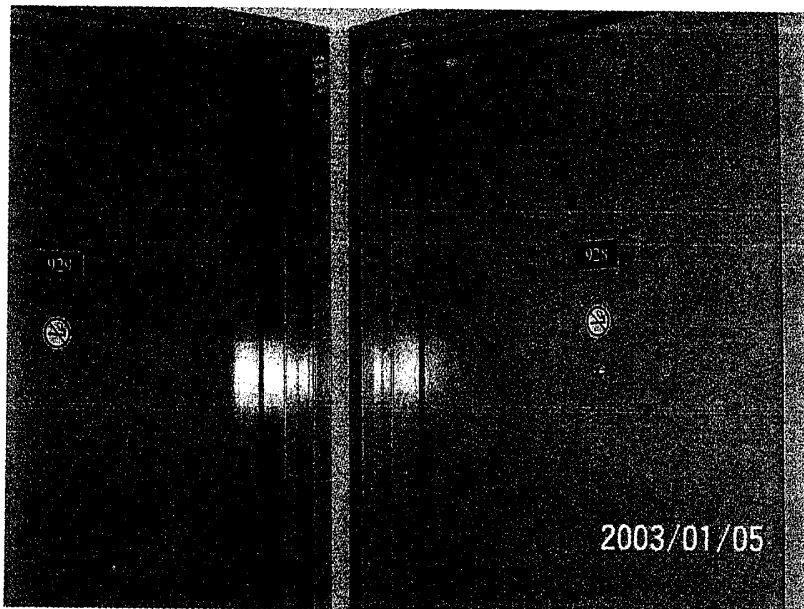
Dr David Schak
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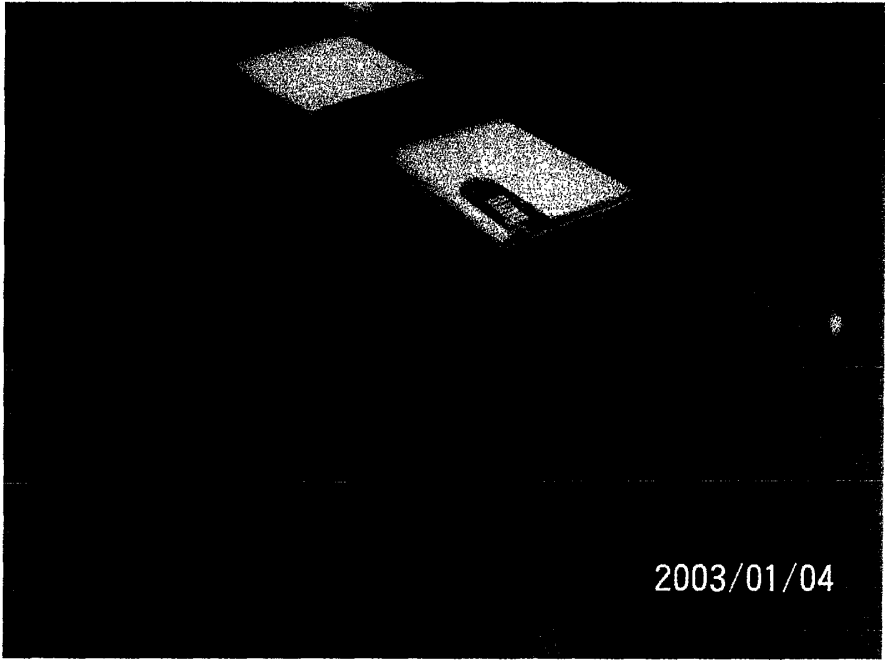
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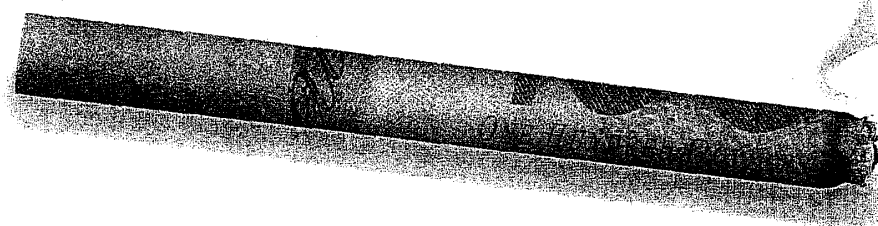






OVER THE COUNTER SALES INFORMATION KIT

IGNORING THE LAW
IS A WEALTH
HAZARD.



KNOW THE LAWS OR
RISK TOUGH NEW FINES.
BEGINS 31 MAY 2002.

BE AWARE AND BREATHE EASY.



Queensland
Government
Queensland Health

OVER THE
COUNTER SALES
INFORMATION
KIT

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Tobacco smoking remains the State's number one cause of preventable illness and death. Each year, more than 3,000 Queensland lives are lost to smoking-related conditions. Current rates of youth smoking are unacceptably high, and must be addressed in order to reduce adult smoking in the future.

As part of a comprehensive plan to address tobacco smoking in Queensland, the Government is implementing programs and legislation to help reduce youth smoking, support smokers to quit, address smoking among Indigenous people, and reduce exposure to passive smoking.

Significant changes to existing Queensland tobacco laws will commence on 31 May 2002.

ABOUT THIS BOOKLET

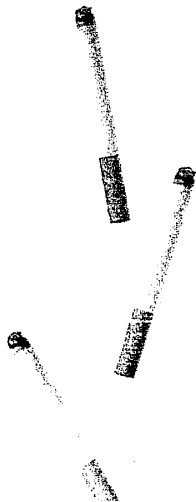
All businesses that sell tobacco and other smoking products need to take certain steps to ensure they are ready when the new Act comes into force on 31 May 2002.

This booklet sets out how the *Tobacco and Other Smoking Products Act* will work, and what businesses that sell smokes need to do in order to comply.

If you have any questions about the Act after reading this booklet, please call the **Tobacco Hotline 1800 005 998** (8am-6pm, 7 days) for detailed advice, or obtain a copy of the Act from www.health.qld.gov.au/atods.

This booklet deals specifically with over the counter sales of tobacco and other smoking products. A separate kit on tobacco vending machines and smoke-free enclosed places is also available from Queensland Health through the Tobacco Hotline.

The following information does not represent a legal interpretation of the Act. Any person or organisation requiring this level of information should seek independent legal advice.



WHAT TO DO BEFORE 31 MAY 2002

- Read all the information in this kit, and call the **Tobacco Hotline 1800 005 998** if you want further clarification.
- Put up the signs provided in this kit.
- Provide training for your employees, and have them sign the acknowledgment form.
- Remove all tobacco advertising, and make sure your product displays comply with the new rules.

ON-THE-SPOT FINES

Some offences under the *Tobacco and Other Smoking Products Act* will have the option of enforcement by on-the-spot fines. The amounts for these fines had not been determined at the time of publication of this information kit. Information on the fines will be available after 15 May 2002 from www.qld.health.gov.au/atods or call the Tobacco Hotline 1800 005 998.

DEFINITIONS

Tobacco product

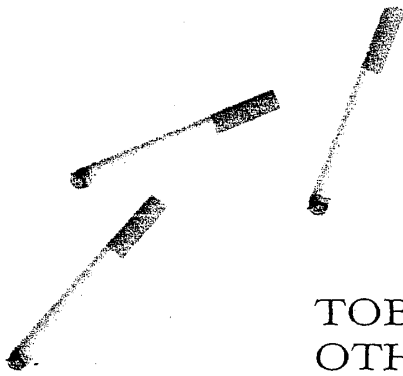
A tobacco product is tobacco prepared for consumption. Cigarettes, cigars and roll-your-own tobacco are the three main types of tobacco products. Matches, cigarette papers, pipes and lighters are not tobacco products.

Other smoking product

This means herbal cigarettes or loose herbal smoking blend. Other smoking products do not contain tobacco.

Child

A person under the age of 18 years.



TOBACCO AND OTHER SMOKING PRODUCT SALES TO CHILDREN

Youth smoking is a serious problem in Queensland. Research released in 2000 shows that 28% of school students in grades 7 to 12 are smokers. The Queensland Government recognises that an effective way to prevent children taking up smoking is to work with businesses to prevent the sale of tobacco to children.

SALES TO CHILDREN



It is illegal for you or your employee to sell tobacco and other smoking products to anyone under the age of 18, even if they tell you they are buying them for their parents or friends.

The maximum penalties for a retailer who personally sells tobacco and other smoking products to a child are:

\$5,250
1ST OFFENCE

\$10,500
2ND OFFENCE

The maximum penalties for an employee who sells tobacco and other smoking products to a child are:

\$750
1ST OFFENCE

\$1,500
2ND OFFENCE

Please note: There is no age limit for people who sell tobacco products in Queensland. Therefore employees who are under 18 years of age can still sell cigarettes.

REPEAT OFFENDERS

If a retailer is convicted of selling tobacco and other smoking products to a child (either personally or via an employee), and within two years is again convicted of the same offence, the court sentencing the retailer for the second offence has the power to ban him or her from selling tobacco and other smoking products for a period of between two months and one year.

EMPLOYEE TRAINING



You must provide training for your employees

Employee training must include:

- instructing them not to sell smoking products to children in any circumstances, and to sight acceptable evidence of age for a person before selling a smoking product to them, unless they are satisfied the person is an adult, and
- warning them that if they sell tobacco or other smoking products to children in disregard of the instruction they may face a fine, and
- obtaining written acknowledgment from each employee that they have received the instructions and warning.

Employee Information brochures (with a tear-off written acknowledgment form) are in this kit. You should keep evidence of employee training on your premises.

You could face a maximum penalty of \$1,500 for failing to conduct this training with your employees.

ACCEPTABLE ID

Acceptable evidence of age includes:

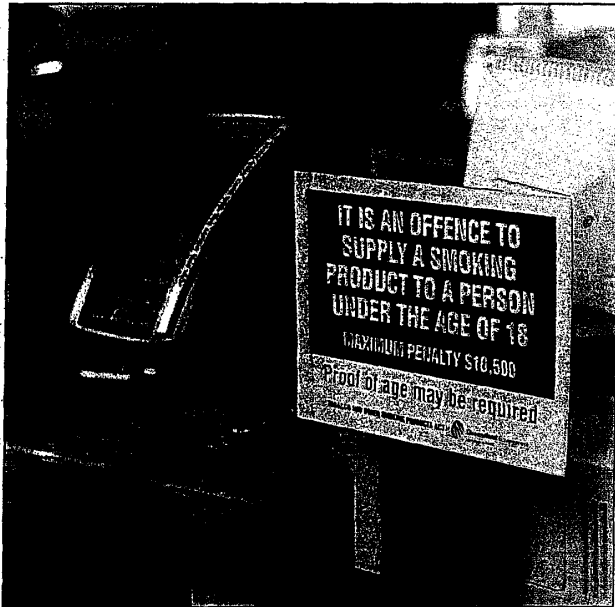
- driver's licence
- passport
- proof of age card
(eg. Queensland "18 plus" card).

A student card (ie. from a college or university) is not an approved proof of age card.

PROHIBITION SIGN



You must display a prohibition sign at all of your points of sale so that the sign is easily seen by a person purchasing a tobacco and other smoking product - as they approach the point of sale, or at the time of purchase.



This sign must be displayed at your point of sale

The maximum penalty for failing to ensure a prohibition sign is placed in a conspicuous position at each point of sale is \$1,500.

Blue and white prohibition signs in two different sizes are in this kit. Under the law you are required to at least display the small sign. For more free signs, contact the Tobacco Hotline 1800 005 998.

If you currently display a maroon and white prohibition sign with the statement "It is an offence to supply a tobacco product to a person under the age of 18. Maximum penalty \$1,950", this must be removed or covered by one of the new blue and white prohibition signs in this kit.

SINGLE CIGARETTES

It is illegal to sell single cigarettes or packets of cigarettes containing fewer than 20 cigarettes.

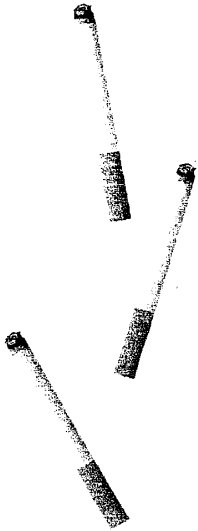
Maximum penalty for failing to comply is \$5,250.

FOOD AND TOYS WHICH RESEMBLE TOBACCO PRODUCTS

It is an offence to supply food or toys which resemble a tobacco product.

Maximum penalty for failing to comply is \$5,250.

If you currently stock food or toys which you think may resemble a tobacco product, contact the Tobacco Hotline 1800 005 998



FREQUENTLY ASKED QUESTIONS

Q When do I need to ask for proof of age?

A It is often difficult to decide a person's age accurately. You should ask to see proof of age whenever you have doubts about whether a customer is over 18 years.

Queensland Health recognises that customers may sometimes be annoyed about being asked for proof of age when purchasing tobacco.

The signs provided by Queensland Health indicate that proof of age may be requested. If a customer complains about being asked for proof of age, you may wish to show the customer the sign, and explain that you have no choice but to ask for proof of age.

Q What do I do if I ask a person to show proof of age and they refuse or say they do not have any?

A In this situation, it is up to you whether you are satisfied the person is over 18 years. If you are not satisfied, you must refuse to supply that person with tobacco.

Q What should I do if a child comes in with a note from one of their parents giving them permission to buy cigarettes for that parent? What about if the parent is waiting outside the shop and sends the child in to buy cigarettes?

A Under the law, you are not permitted to sell the child tobacco, regardless of whether the child has a note from his or her parents, or the child's parent is waiting outside.

Q Does the law require me to refuse to sell tobacco to an adult who I know is buying it on behalf of a child?

A No. You would not be committing an offence by selling tobacco to the adult in this situation. If the adult buys the tobacco and then gives it to a child, the adult would be committing an offence against the law (unless the adult is the child's parent or guardian).

Q What can I do if a young customer gets angry about being unable to buy cigarettes?

A One way of dealing with this situation is to stress that you have no choice but to refuse to supply tobacco to people under the age of 18. You could point out that it is illegal for you to sell tobacco to a person under the age of 18, and that you risk a fine if you break the law. If the customer disagrees with the law, they can contact Queensland Health.

Q Should I keep signed copies of the training acknowledgment forms?

A Yes. Written acknowledgment by each employee that training has been received by them is required by law.

Q Can my employees aged under 18 years sell tobacco products?

A Yes. The law prohibits the selling of tobacco and other smoking products to children. It does not set a minimum age-limit for tobacco retail employees.

ADVERTISING AND DISPLAY OF TOBACCO AND OTHER SMOKING PRODUCTS

Most forms of tobacco advertising will be banned in Queensland on 31 May 2002.

The only way you can legally display tobacco and other smoking products is outlined in this section. All other forms of tobacco advertising, like posters, clocks, desk pads, floor mats and flags, will be illegal.

The maximum penalty for breaching the advertising bans is \$5,250.



BEFORE - Tobacco company advertising, counter mat and other bunting



AFTER - Advertising removed and replaced with mandatory signage

LOCATION OF PRODUCT DISPLAY



A display of tobacco and other smoking products may only be located:

- at a point of sale; and
- either on the seller's side of the point of sale or above or below a counter where customers are served, in a way that the products cannot be reached by customers (see cigar section for the exception to this rule).

Tobacco and other smoking products must not be located on a counter where customers are served.



BEFORE - Tobacco product display located on counter



AFTER - Tobacco product display removed from counter

WHAT PRODUCTS CAN I DISPLAY?

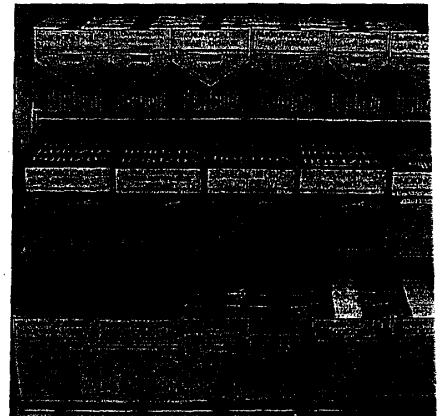


You can only display tobacco and other smoking products that you normally sell.

A key concept for understanding how to display tobacco and other smoking products is 'product line'.

A product line means a kind of tobacco or other smoking product distinguishable from other kinds by one or more of the following characteristics:

- (a) trademark
- (b) brand name
- (c) nicotine or tar content
- (d) flavour
- (e) the number of items in the package in which it is sold.



This display contains only one face of each product line

HOW CAN I LEGALLY DISPLAY TOBACCO AND OTHER SMOKING PRODUCTS?

BEFORE - Multiple faces of the same product line displayed.



AFTER - Single faces of product line only displayed. Additional faces covered, some with price tickets.



For product lines of packets of cigarettes and loose tobacco, you can choose one of the following methods:

1. Displaying one packet of a product line (e. keeping the rest of your stock out-of-sight) *or*
2. Having a stack dispenser that complies with the law (see below) *or*
3. Displaying a picture of one packet of a product line (this is likely to be used for tobacco vending machines).

STACK DISPENSER

For packets of cigarettes, and loose tobacco the display of a product line in a stack dispenser is allowed in only one of the following ways.

1. By stacking the packs directly behind each other (whether horizontal or on an angle) so the most that is displayed is:
 - (a) the face and the top, sides and bottom of the pack at the front of the stack, and
 - (b) tops, sides and bottoms of the other packs behind.

or

2. By stacking packs on top of each other so that only one pack in the stack, and no part of any other packs, is displayed.

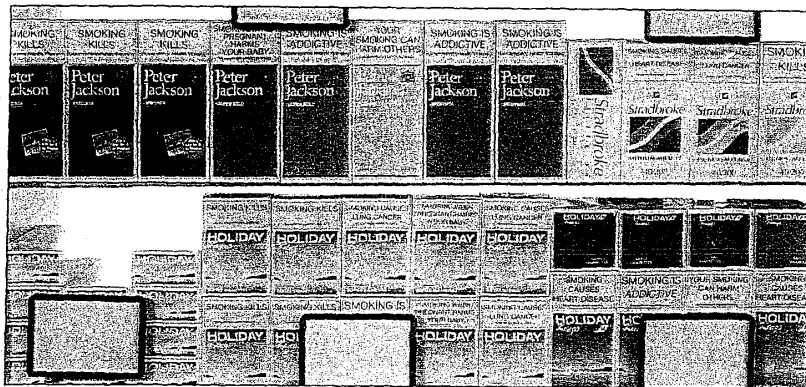
CIGARETTE CARTONS



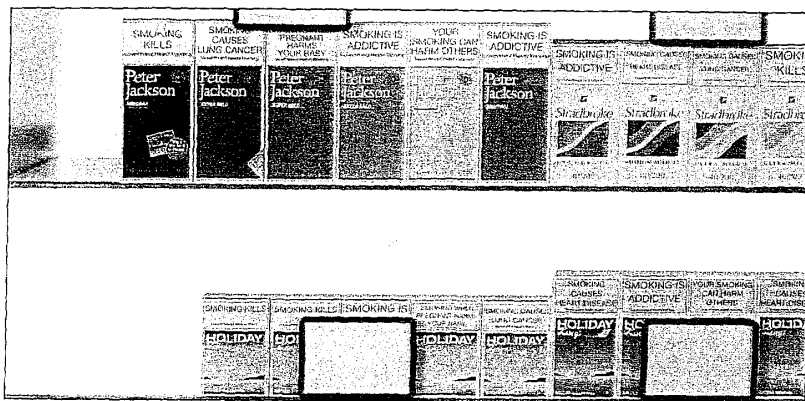
For cartons of cigarettes, unless you are a duty-free store, you can only display a single carton of the product line.

Stacking cartons of the same product line behind or beside each other is illegal.

You will need to store the rest of your cartons out-of-sight.



BEFORE - Multiple product lines displayed, cartons stacked on top of and behind each other



AFTER - Single product lines, single cartons only on display

WHAT ABOUT CIGARS?

LOCATION OF CIGAR DISPLAYS



Like packets and cartons of cigarettes, cigar displays may be located at a point of sale (but not on the counter).

However, they can also be located elsewhere in a retail outlet if:

- (a) they are in a humidified container that can be accessed only by a retailer or their employee
- or
- (b) they are kept in a humidified room where the cigars can be accessed by customers, but only if accompanied by a retailer or their employee.

NUMBER OF CIGARS ON DISPLAY



A maximum of 13 individual cigars of a product line can be on display.



These are examples of price tickets

DISPLAY OF RETAIL PRICES



The prices of tobacco and other smoking products can be displayed inside your retail outlet in one or both the following ways:

- (a) a price ticket for each product line
- (b) a price board.

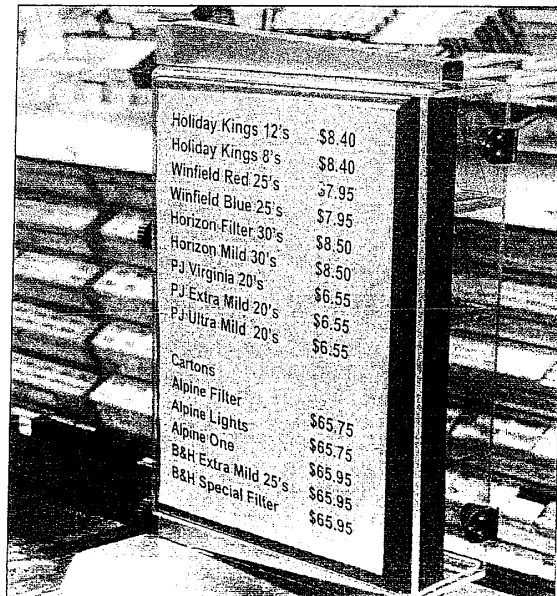
PRICE TICKETS

These are restricted to no more than 100mm x 80mm in size and must only display information stating the product line name, pack size, bar code, country of origin, or price. The tickets can only be black text on white background or white text on black background.

PRICE BOARDS

The maximum size of a price board is restricted to 1m². However, to accommodate different needs, this maximum area may be comprised of either one large board or two smaller boards joined together to form a 'sandwich board' that could, for example, be placed on the ground at the point of sale.

A price board must only display information stating the product line name, pack size, bar code, country of origin, or price. The board can only be black text on white background or white text on black background.



This is an example of a price board

MANDATORY QUIT SMOKING SIGN



You must display the Quit Smoking sign at your point of sale. The maximum penalty for failing to comply is \$750.

If you have more than one point of sale, you need only display the sign at your busiest counter (eg. smoke kiosk).

Signs are in this kit. For more signs, contact the Tobacco Hotline 1800 005 998



This sign must be displayed at your point of sale

FREQUENTLY ASKED QUESTIONS

Q I have posters on the windows which face the outside of my store and a price board that sits outside. Do these have to go?

A Yes. The posters do not comply with Queensland law, that is, they are not one of the allowed forms of product display. The price board must be located at the point-of-sale, not outside the store. An outdoor price board displaying cigarette brand names would also breach Commonwealth laws.

Q What about advertising and product displays for herbal cigarettes?

A The advertising ban covers all tobacco and other smoking products, including herbal cigarettes.

Q What about cigarette bulk stock deliveries?

A Bulk cartons of tobacco products often show brand names and trademarks, and will therefore breach the law when displayed at a point of sale. Deliveries of bulk cartons should be removed as soon as practicable from the shop floor.

Q Can I still display generic signs like "Tobacconist" and "We sell cigarettes"?

A Yes.

Q Does a different Health Warning on a cigarette pack make it a different product line?

A No. "Product line" refers only to differences in the following -

- (a) trademark
- (b) brand name
- (c) nicotine or tar content
- (d) flavour
- (e) the number of items in the package in which it is sold.



COMPETITION BANS



Tobacco and other smoking product promotions and competitions will be illegal in Queensland from 31 May 2002.

Examples of banned promotions are:

- cigarette company and retailer competitions targeting customers
- free merchandise and product give-aways (like caps and diaries) with packets of cigarettes
- free tobacco product samples
- tobacco product coupons redeemable for prizes and gifts.

The maximum penalty for failing to comply is \$5,250.

FREQUENTLY ASKED QUESTIONS

Q What about 'cigarette girls'?

A Tobacco and other smoking products can not be sold or displayed by promotions people moving about a premises. That is, under the law, the location of smoking product displays is restricted to a place where there is a counter or similar fixture.

SMOKE-FREE ENCLOSED PLACES

Passive smoking is a proven health hazard. From 31 May 2002, smoking will be banned in many enclosed places in Queensland.

An enclosed place means 'indoors', and excludes outdoor places like parks, footpaths, beer gardens and alfresco dining.



Unless you are exempt*, all enclosed places will be no smoking. This applies to, eg., retail outlets, shopping centres and all workplaces.

PENALTIES

If a person smokes in a no smoking area, the manager of the place or their employee can direct the person to stop smoking.

As well as the manager or their employee, an officer authorised to enforce the legislation can also direct the person to stop smoking (see enforcement section).

The smoker could face a maximum penalty of \$1,500, if they fail to comply with the direction to stop smoking.

Furthermore, if a person smokes in an enclosed place, the manager of the place could also be found at fault (maximum penalty \$1,500).

Exempt places include residential premises, multi-unit residential accommodation, exempt vehicles, premium gaming rooms, liquor licensed premises (except in dining areas while meals available or being consumed), gaming tables areas of casinos, and prisons.

The manager will not be held liable if they can prove that:

(a) they were not aware of the contravention, and could not have reasonably been expected to be aware

or

(b) they (or one of their employees or agents) had directed the person to stop smoking and told the person it was an offence not to comply with a direction to stop smoking.

SIGNAGE

Under the law, it is only mandatory for liquor licensed premises to display No Smoking signs. However, if you would like to display no smoking signage, free signs are available from the **Tobacco Hotline 1800 005 998**.

ENFORCEMENT

Queensland's tobacco legislation is primarily enforced by Queensland Health Environmental Health Officers (EHOs), with over 70 EHOs across the State. Police Officers also have powers to address tobacco sales to children.

EHOs can issue improvement notices and on-the-spot fines, and initiate legal proceedings for breaches of the tobacco legislation.

EHOs generally do not wear a uniform, but they will show you an identification card before asking you any questions.

Over the next few months, EHOs will be visiting businesses around the State to check that you and your staff understand the law.

NEW TOBACCO LAWS - SUMMARY

FOR OVER THE COUNTER SALES



It is illegal for you or your employee to sell tobacco and other smoking products to anyone under the age of 18, even if they tell you they are buying them for their parents or friends.



You must provide training for your employees.



You must display a prohibition sign at all of your points of sale so that the sign is easily seen by a person purchasing a tobacco and other smoking product:

- as they approach the point of sale, or
- at the time of purchase.



A display of tobacco and other smoking products may only be located:

- at a point of sale on the seller's side; or
- at a point of sale, above or below where customers are served, in a way that the products cannot be reached by customers (see cigar section for the exception to this rule).



You can only display those tobacco and other smoking products that you normally sell.



You can display cigarette and loose tobacco by:

1. Displaying one packet of a product line (ie. keeping the rest of your stock out-of-sight).

or

2. Having a stack dispenser that complies with the law.

or

3. Displaying a picture of one packet of a product line (this is likely to be used for tobacco vending machines).



Unless you are a duty-free store, you can only display a single cart of the tobacco product line.



Cigar displays may be located at a point of sale (but not on the counter). However, they can also be located elsewhere in a retail outlet if

(a) they are in a humidified container that can be accessed only by a retailer or their employee

or

(b) they are kept in a humidified room where the cigars can be accessed by customers, but only if accompanied by a retailer or their employee.



A maximum of 13 individual cigars of a product line can be on display.



The prices of tobacco and other smoking products can be displayed inside your retail outlet in one or both the following ways:

- (a) a price ticket for each product line
- (b) a price board.



You must display the approved Quit Smoking sign at your point of sale.



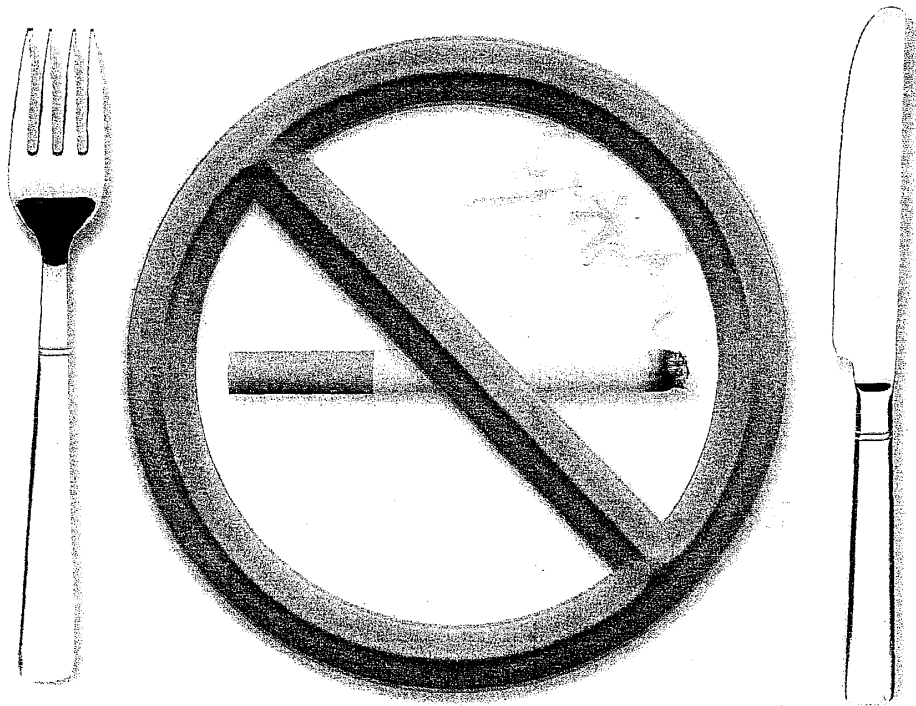
Tobacco and other smoking product promotions and competitions will be illegal in Queensland from 31 May 2002.



Unless you are exempt, all enclosed places will be no smoking. This applies to retail outlets, shopping centres and all workplaces.

LIQUOR LICENSEE INFORMATION KIT

**KNOW THE LAWS.
NO MORE INDOORS.**



**NEW TOBACCO LAWS.
BEGIN 31 MAY 2002.**

BE AWARE AND BREATHE EASY.



**AMERICAN
LIQUOR ASSOCIATION**

LIQUOR
LICENSEE
INFORMATION
KIT

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March 2002.

Tobacco smoking remains the State's number one cause of preventable illness and death. Each year, more than 3,000 Queensland lives are lost to smoking-related conditions. Current rates of youth smoking are unacceptably high, and must be addressed in order to reduce adult smoking in the future.

As part of a comprehensive plan to address tobacco smoking in Queensland, the Government is implementing programs and legislation to help reduce youth smoking, support smokers to quit, address smoking among Indigenous people, and reduce exposure to passive smoking.

Significant changes to existing Queensland tobacco laws will commence on 31 May 2002.

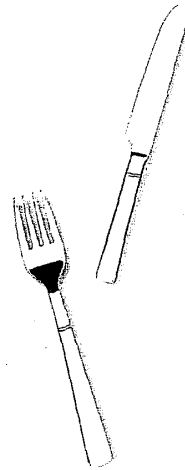
ABOUT THIS BOOKLET

All licensed premises in Queensland need to take certain steps to ensure they are ready when the new Act comes into force on 31 May 2002.

This booklet sets out how the *Tobacco and Other Smoking Products Act* will work and what licensed premises need to do in order to comply. If you have any questions about the Act after reading this booklet, please call the **Tobacco Hotline 1800 005 998** (8am-6pm, 7 days) for detailed advice, or obtain a copy of the Act from www.health.qld.gov.au/atods.

This booklet deals primarily with smoke-free enclosed places and tobacco vending machines. A separate kit on "over the counter" sales of tobacco and other smoking products is also available from Queensland Health through the Tobacco Hotline.

The following information does not represent a legal interpretation of the Act. Any person or organisation requiring this level of information should seek independent legal advice.

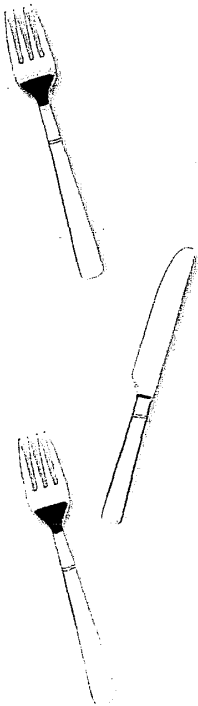


WHAT TO DO BEFORE 31 MAY 2002

- Read all the information in this kit, and call the **Tobacco Hotline 1800 005 998** if you want further clarification.
- Put up the signs and posters provided in this kit.
- If you have a vending machine, ensure it is in the correct location, provide training for your employees, and have them sign the acknowledgment forms.
- If you sell cigars, call the Tobacco Hotline for a free copy of the **Over the Counter Sales** information kit.

ON-THE-SPOT FINES

Some offences under the *Tobacco and Other Smoking Products Act* will have the option of enforcement by on-the-spot fines. The amounts for these fines had not been determined at the time of publication of this information kit. Information on the fines will be available after 15 May 2002 from www.qld.health.gov.au/atods or call the **Tobacco Hotline 1800 005 998**.



DEFINITIONS

TOBACCO PRODUCT

A tobacco product is tobacco prepared for consumption. Cigarettes, cigars and roll-your-own tobacco are the three main types of tobacco products. Matches, cigarette papers, pipes and lighters are not tobacco products.

OTHER SMOKING PRODUCT

Means herbal cigarettes or loose herbal smoking blend. Other smoking products do not contain tobacco.

LICENSED PREMISES MEANS:

- (a) licensed premises under the *Liquor Act 1992*, or
- (b) a place with a permit under the *Liquor Act 1992*, section 97, or
- (c) licensed premises under the *Wine Industry Act 1994*, or
- (d) a place with a permit under the *Wine Industry Act 1994*.

TOBACCO VENDING MACHINE

A tobacco product vending machine is a machine which can be operated by money, a token, a debit or credit card and which is used for selling tobacco. A dispensing device linked with the cash register is not a tobacco vending machine.

SMOKE-FREE ENCLOSED PLACES

Passive smoking is a proven health hazard. From 31 May 2002, smoking will be banned in many enclosed places in Queensland.

The bans will cover enclosed places like shopping centres, community halls, non-licensed cafes, bingo halls, public transport, offices and many workplaces.

If a person smokes in a smoke-free enclosed place, the maximum penalty is \$1,500.



This is an example of an enclosed area



This is not an enclosed area

WHAT DOES 'ENCLOSED' MEAN?

Enclosed means the area has a ceiling or roof and, except for doors and passageways, is completely or substantially enclosed, whether permanently or temporarily.

In practice, it means 'indoors'.

WHAT DO THE SMOKING BANS MEAN FOR LICENSED PREMISES?

THE RULE FOR LICENSED PREMISES IS:



No smoking in dining areas while meals are available for consumption or being consumed. Smoking is still allowed in other areas of licensed premises.

A **dining area** means an area where a meal may be consumed.

A **meal** means food that:

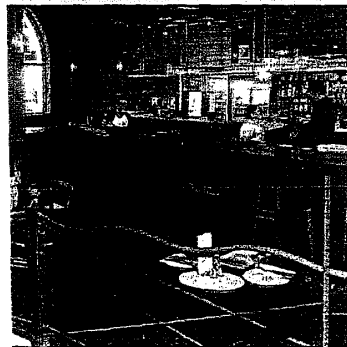
- (a) is eaten by a person sitting at a table, or fixed structure used as a table, with cutlery provided for the purpose of eating the food

and

- (b) is of adequate substance as to be ordinarily accepted as a meal.

This is not a dining area

This is an example of a dining area



This is an example of a dining area

This is not a dining area

PENALTIES

If a person smokes in a no smoking area, an authorised person, the manager of the place (eg. licensee or duty manager) or their employee can direct the person to stop smoking.

A well as the manager or their employee, an officer authorised to enforce the legislation can also direct the person to stop smoking (see enforcement section).

The smoker could face a maximum penalty of \$1,500, if they fail to comply with the direction to stop smoking.

Furthermore, if a person smokes in an enclosed place, the manager of the place could also be found at fault (maximum penalty \$1,500). The manager will not be held liable if they can prove that:

- (a) they were not aware of the contravention, and could not have reasonably been expected to be aware

or

- (b) they (or one of their employees or agents) had directed the person to stop smoking and told the person it was an offence not to comply with a direction to stop smoking.

MANDATORY NO SMOKING SIGN



Licensed premises containing a dining area must display a No Smoking sign for the area.

This sign must display the international no smoking symbol (with a diameter of at least 70 mm).



At least one sign must be displayed at the entrance to the no smoking area and/or in prominent positions within the no smoking area.

The maximum penalty for failing to comply with these signage requirements is \$750.

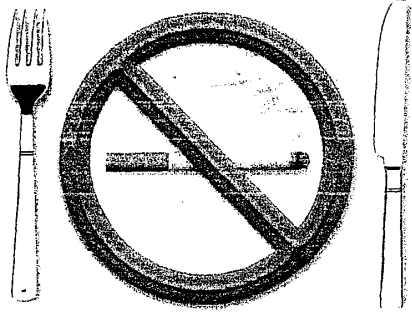
Signs are in this kit. For more free signs, contact the Tobacco Hotline 1800 005 998.

CUSTOMER NOTICES AND POSTER

Small pads of 'notices' for your customers and a poster are included in this kit.

You may wish to place the notices in ashtrays and around your premises in the lead-up to 31 May (eg. during April and May 2002). It's a good idea to also display the poster in your premises during the lead-up period. This will help inform your customers of the impending change to no smoking.

For more free customer notices and posters, call the Tobacco Hotline 1800 005 998.



FREQUENTLY ASKED QUESTIONS

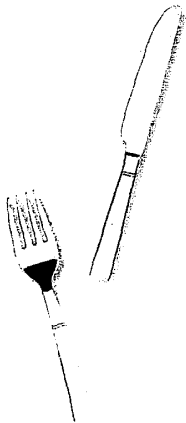
Q What do I do if I see a person smoking in a dining area? What if they refuse to stop?

A To avoid facing a fine yourself, if you see a person smoking you should direct the person to stop smoking and tell them that it is an offence under Queensland law not to comply with a direction to stop smoking.

If the patron gets angry about being unable to smoke, one way of dealing with this situation is to stress that you have no choice but to direct them to stop. You could point out that it is law, and that you risk a fine. The patron could also be directed to an outdoor smoking area.

It is not expected that you physically prevent the patron from continuing to smoke.

To assist possible future enquiries by a Queensland Health Environmental Health Officer, it is advisable to keep written evidence or an incident report of a contravention.



Q How far do dining areas have to be from bar or gaming areas?

A There is no set distance. The 'dining area' means an area where a meal may be consumed. In practice, this could mean that an adjacent area, eg. the bar, allows smoking.

Q Does the dining area have to be in a separate room?

A No. The dining area can be in the same room as bar or gaming areas that allow smoking.

Q Can I allow smoking in my dining room after the kitchen is closed?

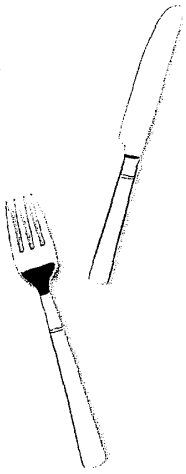
A Smoking is permitted in a dining area when the kitchen is closed, menus are unavailable and all patrons have stopped consuming their meals.

Q What about drop-down plastic walls?

A When these walls are down, the area is likely to be enclosed. The smoke-free enclosed places law will therefore apply.

Q What happens if I install an air-conditioning system that cleans the air of smoke?

A The law is still the same, ie. all dining areas must be no smoking while meals are available for consumption or being consumed.



Q How many no smoking signs do I have to put up?

A If you are a liquor licensed premises, you are required to display at least one No Smoking sign so that it is easily visible to a person entering, or from within, a no smoking area.

You may wish, however, to display as many signs as necessary to clearly inform your customers of the no smoking law. Additional free signs are available from the Tobacco Hotline 1800 005 998.

Q Are the rules different for private functions?

A No. The law applies to all venues, regardless of function status.

Q What does Environmental Health Officer identification look like?

A Queensland Health Environmental Health Officers enforce the tobacco laws in Queensland (see also the Enforcement section in this booklet). Under the law, an Environmental Health Officer's identity card must:

- (a) contain a recent photograph of the person, and
- (b) be signed by the person, and
- (c) identify the person as an authorised person under the Act, and
- (d) include an expiry date.

Q I'm planning a social function in a local community hall, will it have to be no smoking?

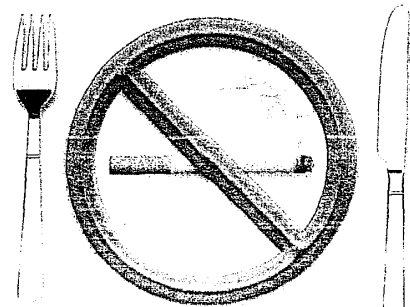
A First, you will need to determine if the function will have a liquor licence or permit.

If there is no liquor licence or permit, the function inside the community hall must be no smoking.

If there is a liquor licence or permit, the dining area inside the community hall must be no smoking when meals are available or being consumed. The remaining indoor areas of the community hall (eg. bar area) can be smoking. You will also need to display the mandatory No Smoking sign.

Q I have an outdoor area that is not required by law to be no smoking. Can I make it no smoking anyway?

A Yes. The law does not prevent you from having a voluntary no smoking policy that goes beyond the minimum legislative requirements. Call the Tobacco Hotline 1800 005 998 for free outdoor no smoking signage.



TOBACCO VENDING MACHINES

Vending machines are a prime source of tobacco for younger children.

VENDING MACHINE LOCATION



Tobacco vending machines can only be located in the following areas:

- (a) a **bar area** of a licensed premises, if the tobacco vending machine can be easily observed by persons working behind the bar, and
- (b) a **gaming machine area**, if the tobacco vending machine can be easily observed by employees.

Maximum penalty for a vending machine in the wrong location is \$5,250.

A **bar area of a licensed premises** means an area:

- (a) in the immediate vicinity of a bar
- and*
- (b) not more than 5 metres from the outer edge of the counter of the bar.

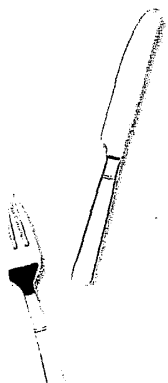
A **gaming machine area** means any location on the licensed premises where a licensee is permitted to install a gaming machine.

TOBACCO SALES TO CHILDREN



It is illegal for a person in charge of a vending machine to allow anyone under the age of 18 to buy tobacco from a vending machine.

The maximum penalties are:
\$5,250 1ST OFFENCE
\$10,500 2ND OFFENCE



REPEAT OFFENDERS

If a person in charge of a vending machine is convicted of allowing a child to buy tobacco from a vending machine, and within two years is again convicted of the same offence, the court sentencing the person for the second offence has the power to ban him or her from having a vending machine for a period of between two months and one year.

EMPLOYEE TRAINING



You must provide training for your employees.

Employee training must include:

- instructing them to:
 - take reasonable steps to ensure that a child does not obtain a tobacco product from the vending machine, even if the product is for, or claimed to be for, an adult, and
 - sight acceptable proof of identification for a person before allowing the person to obtain smokes from a vending machine, unless satisfied the person is an adult, and
- obtaining written acknowledgment from each employee that they received the instructions.

Employee Information brochures (with tear-off written acknowledgment form) are in this kit. You should keep evidence of employee training on your premises.

You could face a maximum penalty of \$1,500 for failing to conduct this training with your employees.

ACCEPTABLE ID

Acceptable evidence of age includes:

- driver's licence
- passport
- proof of age card
(eg. Queensland "18 plus" card).

A student card (ie. from a college or university) is not an approved proof of age card.

PROHIBITION SIGN




You must display a prohibition sign on or near each of your tobacco vending machines so that the sign is easily seen by a person purchasing a tobacco and other smoking product:

- as they approach the vending machine, or
- at the time of purchase.

**IT IS AN OFFENCE TO
SUPPLY A SMOKING
PRODUCT TO A PERSON
UNDER THE AGE OF 18**

MAXIMUM PENALTY \$10,500

Proof of age may be required

TOBACCO AND OTHER SMOKING PRODUCTS ACT 

The maximum penalty for failing to ensure a prohibition sign is placed in a conspicuous position on or near each machine is \$750.

Two blue and white prohibition signs are in this kit. For more free signs, contact the Tobacco Hotline 1800 005 998.

If you currently display a maroon and white prohibition sign on or near your vending machine with the statement "It is offence to supply a tobacco product to a person under the age of 18. Maximum penalty \$1,950", this must be removed or covered by one of the new blue and white prohibition signs in this kit.

MANDATORY QUIT SMOKING SIGN



You must display the approved Quit Smoking sign on or near your tobacco vending machine.

The maximum penalty for failing to comply is \$750.

Signs are in this kit. For more free signs, contact the Tobacco Hotline 1800 005 998.

Any time. Any day.
We're here to help.



131 848



TOBACCO ADVERTISING ON VENDING MACHINES

Most forms of tobacco advertising will be banned in Queensland on 31 May 2002.



The display of tobacco product posters on vending machines is not permitted.

Single pictures of "product lines"

(eg. located at the product buttons across the top of the machine) are still permitted.

A product line means a kind of tobacco and other smoking product distinguishable from other kinds by one or more of the following characteristics:

- (a) trademark
- (b) brand name
- (c) nicotine or tar content
- (d) flavour
- (e) the number of items in the package in which it is sold.

The maximum penalty for failing to comply is \$5,250.

FREQUENTLY ASKED QUESTIONS

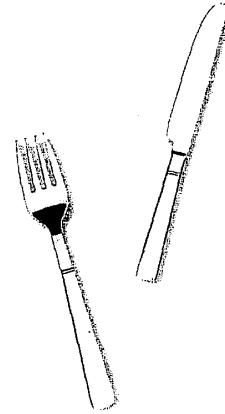
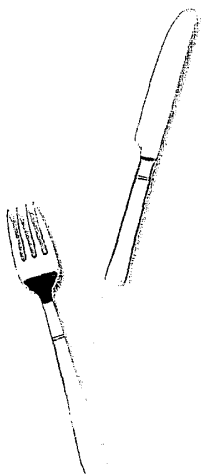
Q What do I do if I ask a person to show proof of age and they refuse or say that they do not have any?

A In this situation, it is up to you whether you are satisfied the person is over 18 years. If you are not satisfied, you must tell them that it is illegal to allow them to use a tobacco vending machine.

Customers may sometimes be annoyed about being asked for proof of age. Your employer will be displaying signs which state that customers buying tobacco may be asked for proof of age. If a customer complains, you may wish to show them the sign, and explain that you have no choice.

Q Does the law require me to refuse to allow an adult to use a vending machine, if I know the adult is buying tobacco on behalf of a child?

A No. You would not be committing an offence by allowing the adult to buy tobacco from a vending machine. If the adult buys the tobacco, and then gives it to a child, they would be committing an offence (unless the adult is the child's parent or guardian).



Q Should I keep signed copies of the training acknowledgment forms?

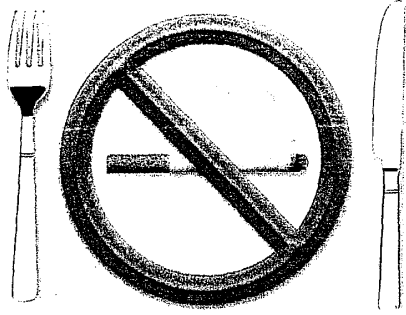
A Yes. Written acknowledgment by each employee that they have received training is required by law.

Q Can I still have a tobacco vending machine in my bottle shop?

A No. Tobacco vending machines can only be located in 'bar areas'. A bar area means in the immediate vicinity of a bar and not more than 5 metres from the outer edge of the counter of the bar. A 'bar' means a place in licensed premises that:

- (a) is stocked with liquor of various types, and
- (b) is used solely or mainly for the supply of liquor to consumers, and
- (c) has a counter -
 - (i) across which liquor is supplied directly to customers; and
 - (ii) at which, or in the immediate vicinity of which, customers may immediately consume the liquor supplied.

A bottle shop counter is not a 'bar'.



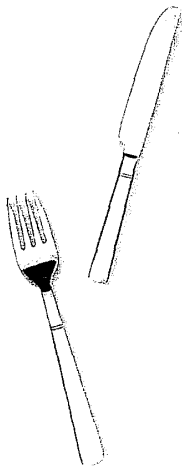
WHAT ABOUT CIGARS?



Queensland law prohibits the sale of all tobacco and other smoking products (including cigars) to anyone under the age of 18 years.

If you sell cigars, you need to obtain a free Over the Counter Sales information kit from the Tobacco Hotline 1800 005 998.

Information on penalties, required employee training, signage, the number of cigars allowed to be on display and where cigar displays may be legally located is in the Over the Counter Sales information kit.



COMPETITION BANS



Tobacco and other smoking product promotions and competitions will be illegal in Queensland after 31 May 2002.

Examples of banned promotions are:

- cigarette company and licensee competitions targeting customers
- free merchandise and product give-aways (like caps and diaries) with packets of cigarettes
- free tobacco product samples
- tobacco product coupons redeemable for prizes and gifts.

The maximum penalty for failing to comply is \$5,250.

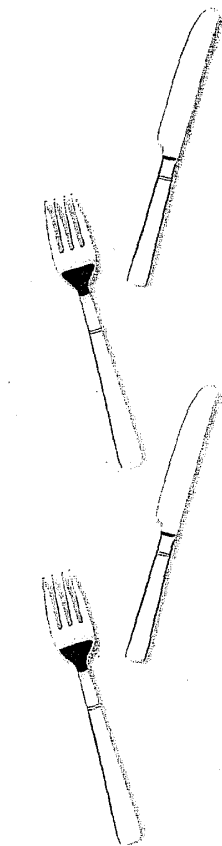
FREQUENTLY ASKED QUESTIONS

Q

What about 'cigarette girls'?

A

Tobacco and other smoking products can not be sold or displayed by promotions people moving about a premises. That is, under the law, the location of smoking product displays is restricted to a place where there is a counter or similar fixture.



ENFORCEMENT

Queensland's tobacco legislation is primarily enforced by Queensland Health Environmental Health Officers (EHOs), with over 70 EHOs across the State.

Police Officers also have powers to address tobacco sales to children.

EHOs can issue improvement notices and on-the-spot fines, and initiate legal proceedings for breaches of the tobacco legislation.

EHOs generally do not wear a uniform, but they will show you an identification card before asking you any questions.

Over the next few months, EHOs will be visiting businesses around the State to check that you and your staff understand the law.

NEW TOBACCO LAWS - SUMMARY

FOR LIQUOR LICENCEES



No smoking in dining areas while meals are available for consumption or being consumed.



Licensed premises containing a dining area must display a No Smoking sign for the area.



Tobacco vending machines can only be located in the following areas:

(a) a bar area of a licensed premises, if the tobacco vending machine can be easily observed by persons working behind the bar,

and

(b) a gaming machine area, if the tobacco vending machine can be easily observed by employees.



It is illegal for a person in charge of a vending machine to allow anyone under the age of 18 to buy tobacco from a vending machine.

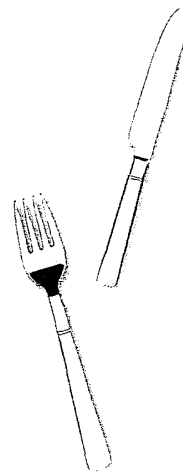


You must provide training for your employees.



You must display a prohibition sign on or near each of your tobacco vending machines so that the sign is easily seen by a person purchasing a tobacco and other smoking product:

- as they approach the vending machine,
- at the time of purchase.



You must display the approved Quit Smoking sign on or near your tobacco vending machine.



The display of tobacco product posters on vending machines is not permitted.



Queensland law prohibits the sale of all tobacco and other smoking products (including cigars) to anyone under the age of 18 years.



Tobacco and other smoking product promotions and competitions will be illegal in Queensland from 31 May 2002.

