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RESTRICTION ON SMOKING (PUBLIC PLACES) LAW  
5743-1983\*

Prohibition  
of smoking

1. (a) No person shall smoke in a place specified in the Schedule (hereinafter referred to as a "public place").

(b) No person shall hold a lighted cigarette, cigarillo, cigar or pipe in a public place.

(c) The Minister of Health may vary the Schedule by order with the approval of the Labour and Social Affairs Committee of the Knesset.

Affixing  
of signs

2. (a) The actual occupier of a public place, other than a lift for the carriage of persons in a residential building, shall affix signs therein indicating the prohibition of smoking and shall keep them in proper condition.

(b) The manufacturer or importer of a lift intended for the carriage of persons in a residential building shall, before it is put into use, affix a sign therein indicating the prohibition of smoking therein.

(c) The Minister of Health may, by regulations, prescribe provisions as to the form, number, size and contents of the signs, the modes of affixing them, the places where they shall be installed and the duty of illuminating them.

\* Passed by the Knesset on the 16th Av, 5743 (26th July, 1983) and published in Sefer Ha-Chukkim No. 1090 of the 25th Av, 5743 (4th August, 1983), p. 148; the Bill and an Explanatory Note were published in Hatza'ot Chok No. 1632 of 5743, p. 195.

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Permit to  
smoke in  
cinema

3. (a) In the area of a local authority, other than a regional council, where there are more than five cinemas, there may be one cinema in part of which--allotted for that purpose--the provision prohibiting smoking during the screenings of the films shall not apply.

(b) The council of the local authority shall designate the cinema referred to in subsection (a) --naming the occupier--according to such rules and for such period as the Minister of Health may prescribe.

(c) The actual occupier of a cinema designated under subsection (b) shall affix at the entrance to the cinema a notice stating that smoking is permitted in a part thereof allotted for that purpose.

Penalties

4. (a) A person who contravenes the provisions of Section 1 shall be liable to a fine of 5,000 shekalim.

(b) A person who contravenes the provisions of Section 2 shall be liable to a fine of 10,000 shekalim.

Responsibility  
for offence

5. Where an offence under Section 2 is committed by a body of persons, every person who at the time of its commission is an active director, or partner, other than a limited partner, thereof or a senior employee thereof responsible for the field in question shall also be guilty of the offence unless he proves that it was committed without his knowledge and that he took all reasonable measures to ensure compliance with the said Section.

Moneys of  
fines to go  
to local  
authority

6. Fines paid upon the exercise of the power of an employee of a local authority for an offence under this Law committed within its area shall be transferred to the fund of that local authority.

Power of  
entry

7. A police officer, and an employee of a local authority empowered by the head thereof for the purposes of this Law (hereinafter referred to as an "inspector") may at any reasonable time enter any place to ascertain whether the provisions of this Law and the regulations thereunder are complied with:

Provided that they may only enter any of the places specified in paragraphs 2, 4, 5 and 6 of the Schedule after notifying their intention to do so to the occupier of the place or to a person employed therein.

Power of  
inspector or  
usher to  
demand  
identifi-  
cation

8. (a) Where a person smokes or holds a lighted cigarette, cigarillo, cigar or pipe, in a public place within sight of an inspector or usher, the usher or inspector may require him to identify himself and, if he refuses, may detain him in that place until a police officer arrives, but not for more than one hour.

(b) For the purposes of this Section, "usher" means a person whom the owner or actual occupier of a place specified in paragraphs 1, 2, 3, 4 or 5 of the Schedule has appointed to be an usher in that place and who wears a conspicuous badge attesting to his function and produces a certificate as to his appointment as an usher.

(c) The Minister of Health shall, by regulations, prescribe provisions as to restrictions on the appoint-

ment of an usher, the certificate to be issued to him, the form of the badge and the manner in which it shall be worn.

Power of driver

9. (a) The driver of a vehicle in which smoking is prohibited by the provisions of this Law may prohibit a person smoking or holding a lighted cigarette, cigarillo, cigar or pipe from entering the vehicle.

(t) Where a person smokes, or holds a lighted cigarette, cigarillo, cigar or pipe, in a vehicle as aforesaid within sight of the driver, the driver may require him to identify himself and, if he refuses to do so, may detain him in the vehicle until a police officer arrives, but not for more than one hour, or may take him in the vehicle to the nearest police station.

Saving provisions

10. The provisions of this Law shall add to, and not derogate from, any provision as to the prohibition of smoking laid down by any law.

Status of State

11. The provisions of Section 2(a) shall apply also to the State.

Amendment of Courts Law

12. In the second Schedule to the Courts Law, 5717-1957<sup>1</sup>, the following item shall be added at the end:

"10. the Restriction on Smoking (Public Places) Law, 5743-1983".

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<sup>1</sup>) Sefer Ha-Chukkim of 5717, p. 148; LSI vol. XI, p.157.

Implementation and regulations 13. The Minister of Health is charged with the implementation of this Law and may, with the approval of the Labour and Social Affairs Committee of the Knesset, make regulations for its implementation, including regulations as to modes of supervising such implementation.

Commencement 14. This Law shall come into force on the 28th Shevat, 5744 (1st February, 1984).

SCHEDULE

(Section 1)

1. A closed hall generally used for a cinema, a theatre, concerts, operas or dance performances, as well as a hall used for public gatherings for the purposes of lectures or conferences, except a specially allotted corridor or lobby where smoking is permitted, all when an audience is present therein but not when the public has no access thereto either against payment or without payment.
2. Any place in a hospital or clinic building, except a place allotted by the hospital or clinic management, where smoking is permitted, provided it is not a place intended for the accommodation, treatment or examination of patients.
3. The section open to the public in a pharmacy.
4. The reading hall or reading room in a library open to the public, except places (if any) allotted by the management where smoking is permitted.
5. Any place in a building used as an educational institution or an institution of higher education, except a place used for residential purposes and such places in a library or conference room as the management of the institution may allot for smoking.
6. A lift for the carriage of persons.

7. A bus while there are passengers in it; in this paragraph, "bus" has the same meaning as in the Traffic Regulations, 5721-1961<sup>1</sup>.

8. A taxi and a minibus while there are passengers in them; in this paragraph, "taxi" and "minibus" have the same respective meanings as in the Traffic Regulations, 5721-1961.

MENACHEM BEGIN  
Prime Minister

ELIEZER SHOSTAK  
Minister of Health

CHAIM HERZOG  
President of the State

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1) Kovetz Ha-Takkanot of 5721, p. 1425.