Regulation of e-cigarette use in the workplace

# Public consultation

WorkSafe WA is inviting public submissions on proposed amendment the Work Health and Safety (General) Regulations 2022 and Work Health and Safety (Mines) Regulations 2022 (WHS Regulations) regarding e-cigarette use in the workplace.

There is growing evidence of negative health effects from e-cigarette use and exposure to second-hand e-cigarette vapour. Western Australia’s WHS Regulations do not specifically regulate the use of these products. E-cigarettes are also referred to as ‘vapes’ and the use as ‘vaping’.

The proposed amendment applies the same laws to e-cigarettes and vaping as those for traditional tobacco products (e.g. cigarettes, cigars, pipes). This will:

* + prohibit use of e-cigarettes in an enclosed workplace (*Note: A vehicle used for business is considered to be a workplace);*
  + require a sign or notice to be displayed that using e-cigarettes are prohibited at the workplace;
  + enable WorkSafe inspectors to request people to stop using an e-cigarette in a workplace;
  + protect the health and safety of workers and others at a workplace from the smoke, aerosol or vapour released by e-cigarettes through vaping; and
  + impose penalties for e-cigarette use in an enclosed workplace.

Subject to this consultation, changes to the regulations would seek to take effect at the end of 2024.

Your feedback is sought on whether you support the proposed change and how this may impact you or your workplace.

Unless advised by the submitter, all submissions will be collectively made available to the public in a consultation summary. Submissions will be published verbatim with the submitter listed.

**Submissions close: 5.00 pm WST, Wednesday 31 July 2024.**

*Please use this cover sheet and feedback template to submit your comments to* [*safetycomms@demirs.wa.gov.au*](mailto:safetycomms@dmirs.wa.gov.au)

# Section 1: Submission details

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| Full name: |  | | | |
| Organisation and position (if applicable): |  | | | |
| Email: |  | | | |
| Telephone: |  | | | |
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| **Internet publication** | | | | |
| Public submissions may be published in full on the website, including any personal information of authors and/or other third parties **contained in the submission.**  Please tick this box if you wish for your input to remain confidential (that is, you **do not consent** to having your input published on the internet) | |  | | |
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| **Anonymity** | | | | |
| Please tick this box if you wish for your input to be treated as anonymous (that is, you **do not consent** to having your name, or the name of your organisation, published on the internet with your input) | |  | | |
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| **Third party personal information** | | | | |
| Please tick this box **if your input contains personal information of third party individuals,** and strike out the statement that is not applicable in the following sentence:  The third party **consents / does not consent to** the publication of their information. | |  | | |
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# Section 2: Feedback

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| 1. **Do you support a change to the WHS Regulations to include a ban on using e-cigarettes in the workplace?** | |
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| 1. **What impact, including potential financial costs, would banning the use of e-cigarettes have on your workplace and business activities? These may be positive or negative impacts.** |
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| 1. **General comment** |
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