

The Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020 (the Amendment Act)

Te Ture Menemana Taiao Auahi Kore me ngā Rawa kua Waeturetia (Hākohu) 2020 (te Ture Menemana)

He pārongo mō ngā marae kei reira nei:

- He Kōhanga Reo/Kura Kaupapa
- He wāhi mahi
- He wāhi e hokona ai te waipiro
- He kaitūao

Kupu whakataki

Kotahi hautoru o ngā aituā Māori katoa i ia tau ka whai pānga ki ngā māuiui e ahu mai ana i te kai hikareti. Mā te whakaheke i ngā whāinga wāhi me te kite o ngā mahi momi hikareti ki mua i te tamariki me te rangatahi, i ngā wāhi pēnei i ngā marae, e taea ai te hauora o te iwi Māori te whakapiki.

Mehemea he kaimahi ā tō marae, he kaitūao rānei, mehemea he kura kaupapa tōna, he kōhanga reo rānei (wāhi ako rānei – ahakoa kura, ahakoa pūtahi tamariki nohinohi), kua whai raihana rānei te marae mō te hokohoko waipiro, ka uru ki raro i The Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020.

Ngā kura/kōhanga reo

Kei te aukatia te momi hikareti i roto i ngā kura me ngā kōhanga reo katoa (ngā papa whenua me ngā whare) ao te pō, pō te ao. Ka hāngai tēnei ki ngā tāngata katoa, tae atu ki ngā kaimahi, ngā mātua, ngā manuhiri me ētahi atu.

Ko te tikanga ia o ēnei whakarerekētanga, kia 100 ōrau auahi kore ngā kura me ngā pūtahi tamariki/kōhanga reo katoa, ki roto, ki waho i ngā wā katoa.

E herea ana ngā kaiwhakahaere o te kura/kōhanga reo ki te whai i 'ngā mahi katoa ka taea' kia kua tētahi tangata e momi hikareti, e hākohu rānei i ngā whare, i ngā papa whenua rānei i ngā wā katoa, ahakoa he aha te rā. I roto i te Ture, ka whakamāoritia te kōrero nei mō 'ngā mahi katoa ka taea' kia pēnei, arā ko ngā mahi ka whāia e tētahi tangata whai whakaaro, tūpatō hoki, mehemea he pērā anō ngā āhuatanga o te wāhi e noho nei ia. Ki te kore e mahia ēnei mahi, he hara tērā i te ture.

E herea ana ngā kaiwhakahaere ki te whai i 'ngā mahi katoa ka taea' ki te whakarite e whakaatuhia ana ngā tohu e kī ana kei te aukatia te momi hikareti me te

hākohu i ngā wā katoa ki ngā tomokanga katoa ki taua wāhi me ōna whare.

Ngā hara me ngā whaina:

Ka taea ngā kaiwhakahaere kura, pūtahi kōhungahunga te whaina mō te kore e whakatutuki i ngā whakaritenga o te Ture, tae atu ki te \$4000 te rahi.

Ngā Wāhi Mahi

Me 100 ōrau te auahi kore, te hākohu kore hoki ki ngā wāhi mahi o roto. Kei roto i tēnei ko ngā wāhi inu waipiro, ngā wheketere, ngā tari mahi, ngā whare whakaputu taonga, ngā rūma kapuī me ngā wāhi hoko kai i te wāhi mahi. Kei roto i tēnei karangatanga ko ēnei tauria: ngā waka o te wāhi mahi, ngā kōhanga reo i runga marae, me ngā whare whakatū whakangahau. Ko ngā wāhi o roto i ngā marae, e mōhiotia ana he wāhi mahi, me noho hei wāhi auahi kore, hākohu kore hoki.

Ko tēnei mea te 'wāhi mahi', he 'wāhi o roto i tētahi whare' e noho ana tētahi kaituku mahi, he wāhi e haerea ana i te nuinga o te wā e ngā kaimahi, e ngā kaitūao rānei, i a rātou e mahi ana i ā rātou mahi.

Ngā kaitūao:

Ka whaimana te Ture ki ngā kaitūao mehemea:

- mahi ai rātou i tētahi wāhi o roto; ā
- he kaituku mahi kei reira e whakarite ana kia haere mai he kaitūao ki te mahi, ka mahia e te kaitūao tētahi mahi nā te kaituku mahi i whakarite, i whakaritea rānei mō te kaituku mahi; ā
- noho ai te kaitūao i te wāhi o roto i te nuinga o te wā, ka rite tonu anō te mahi a te kaitūao i taua mahi.

Ko tēnei mea te 'wāhi o roto i tētahi whare' he wāhanga nō tētahi whare, nō tētahi waka rānei, ina katia katoatia ōna kūwaha, ōna wini, me ērā atu puare ka taea te kati, 'e taupokina ana, e taupokina ana rānei te nuinga' e:

- tētahi tuanui, e tētahi taupokinga o runga rānei, āhua rite ki te tuanui; ā,
- ētahi pakitara, ētahi taha rānei, ētahi tauārai, ētahi mata pērā rānei ōna; me
- aua puare.

Me whai ngā kaituku mahi i 'ngā mahi katoa ka taea' kia kua rawa tētahi tangata e momi hikareti i tētahi wā ki tētahi wāhi o roto i te wāhi mahi. Ka raua atu ki tēnei karangatanga, ko ngā wāhi kai o ngā wāhi mahi, ngā hōro, ngā ararewa, ngā pikinga arawhata, ngā wharepaku, ngā rūma mahi me ērā atu wāhi o roto e whai pānga ana ki te wāhi mahi.

Hei tauira o 'ngā mahi ka taea' koia ēnei:

- te whakairinga o ngā pānui auahi kore, hākohu kore i te wāhi mahi
- he kōrero mō te kaupapahere auahi kore, hākohu kore i ngā kirimana whiwhinga mahi me ngā kaupapahere mō te rapu kaimahi hou
- te whakamōhio i ngā kaimahi kirimana mō te kaupapahere auahi kore, hākohu kore hoki me ōna pānga ki ngā wāhi mahi
- te whakangungu i ngā kaiwhakahaere me ngā kaihautū rōpū mahi mō ngā mahi e tika ana, ki te kaipaipa, ki te hākohu rānei tētahi tangata i te wāhi mahi.

Ko te kawenga kia tiakina te hauora kaimahi i raro i te ture auahi kore, ka tautoko i ngā kawenga a te kaituku mahi i raro i ngā Ture mō te Hauora me te Noho Haumaruru i te Wāhi Mahi; ka tautoko hoki i ngā kawenga o te 'kaituku mahi tōtika'.

Ina ara ake tētahi raruraru i te wāhi mahi mō te momi hikareti, mō te hākohu hoki, te tikanga kia whakahaeretia aua raruraru ki waenga i ngā kaituku mahi me ngā kaimahi i raro i te Ture Hononga Kaimahi 2000 [Employment Relations Act 2000].

Ngā hara me ngā whaina:

Ka riro mā ngā kaituku mahi me ngā kaiwhakahaere e whai i 'ngā mahi katoa ka taea' kia kua tētahi tangata e momi hikareti, e hākohu rānei i te wāhi mahi. Ki te kore

e pērā, ka kīia he hara i raro i te Ture, ko te whaina ka eke pea ki te \$400 (mō te kaiwhakahaere takitahi) ki te \$4,000 rānei (mō te rōpū, mō te kamupene rānei).

Ngā wāhi e hokona ai te waipiro

Me whai te tangata pupuru raihana (raihana hoko waipiro, raihana petipeti rānei) i 'ngā mahi katoa ka taea', kia kua rawa tētahi tangata e momi hikareti, e hākohu rānei i tētahi wāhi o roto o tōna whare. E pā ana tēnei ki ngā hōtēra, ki ngā whare hoko kai, ki ngā whare hoko kawhe, ki ngā karapū whai tūtohunga, ki ngā karapu tākaro, ki ngā marae whai raihana hoko waipiro hoki.

Hei tauira mō 'ngā mahi katoa ka taea' ko:

- ētahi whakariterite mō te kōrero ki te kiritaki momi hikareti, hākohu rānei me ngā mahi whakangungu kaimahi mō ēnei āhuatanga
- ngā pānui auahi kore, hākohu kore hoki
- te whakakorenga atu o ngā heri pungarehu.

Ngā hara me ngā whaina:

Ki te kore e whāia 'ngā mahi katoa ka taea', kia kua rawa tētahi tangata e momi hikareti, e hākohu rānei i tētahi wāhi o roto i tētahi whare whai raihana, ko te whaina ka eke pea ki te \$400 (mō te kaipupuri raihana takitahi) ki te \$4,000 rānei (mō te rōpū, mō te kamupene rānei).

Mō ngā kaitūao me titiro ki ngā kupu i raro i te ingoa 'Wāhi Mahi'.

Mō ētahi atu pārongo

He aratohu noa ēnei pārongo, kāore pea e tika mō ngā āhuatanga katoa. Ehara tēnei i te whakakapi mō ngā tohutohu ā-ture, ā-mātanga rānei.

Mō ētahi atu pārongo e pā ana ki te tupeka, ki te hauora me ngā here ā-ture, me toro atu ki:

www.smokefreelaw.co.nz | www.moh.govt.nz
www.health.govt.nz

me kōrero rānei ki te Ratonga Hauora Tūmatanui i tō Poari Hauora ā-Rohe.

Public Health Service contact details: