Overview of smoke-free legislation in the EU¹

Legend:

- Total ban on indoor smoking

 Ban on indoor smoking, while providing for separate enclosed smoking rooms / Obligation for employer to protect employees Partial ban on indoor smoking, e.g. smoking zones or exemptions for certain categories of venues

× - Recommendations, suggestions, or no ban

	General Workplace	Enclosed Public Places	Restaurants	Bars	Health Care Facilities	Education Facilities	Public Transport	Hotels and Accommodation	Residential Care	Prisons
Austria	v	v			_	v	v	V	~	V
Belgium	v	v	.		.		J J	×	<u> </u>	
Bulgaria	~	<u> </u>				~~	<u> </u>	×	~	×
Cyprus	,		<u></u>	JJ		~	<u></u>	~	*	
Czech Republic			*	*	~~	VV.	v		v	
Denmark	v	<u> </u>	<u> </u>			v			V	×
Estonia			v	V						
Finland	~	v	,	V	<u> </u>	~~	v	×	 Image: A second s	_
France	v	v	,		<u></u>	V V	33	v	_	v
Germany	v	v			 	v	v	v	 Image: A second s	v
Greece	33	<u></u>	~	JJ		JJ	JJ	J J	<u> </u>	J.
Hungary	-		*	*		VV.				
Ireland	~~	~~	~~	V V		~~	~~	×	*	×
Italy	v	<u> </u>	v	v	<u> </u>	v		 	v	 Image: A second s
Latvia	v	~~	~~	~~		~~	v	v	 Image: A second s	v
Lithuania	v	V V	V V	~	~~	44			v	v
Luxembourg	*	~~			<u> </u>	~~	v	×	v	v
Malta	_	v	,	v	JJ	33	v		_	9
Netherlands	v	v	v	V	<u>v</u>	V	v	v	v	S
Poland	~	~~	~	~	~~	v	V	v	v	
Portugal	\sim						33			
Romania	V	×			~~	v	~~		v	v
Slovakia	V	~~	.		~~	~~	v	v	v	v
Slovenia	V	v	v	V	V V	~	V	V		V
Spain		- 22	~~		~~	~~	33	V	V	V
Sweden	V.		v	v	v	V	v	v	V	 Image: A start of the start of
United Kingdom	~~	~~	~~	~~	~~	VV	VV	~	~	

¹ This overview is based on the analysis of the relevant legal provisions in place in each Member State as of May 2011, but does not take into account their enforcement nor does it reflect expected changes in the case of Belgium, Hungary, Malta and the Netherlands.

Austria	
General Workplace	Banned, with exemptions:
Enclosed Public Places	
	• Smoking rooms allowed, provided that smoke is not
Health Care Facilities	penetrating the general non-smoking area.
Hotels and Accommodation	• If smokers have their own office.
Residential Care	
Prisons	
Restaurants	Banned, with exemptions:
Bars	 In venues larger than 80m², separate smoking rooms covering a maximum of 50% of surface area are permitted. Venues between 50m² and 80m² may permit smoking provided the owner can prove that partitioning or separation of the premises is not possible. Venues smaller than 50m² may decide to become either
	 Vendes smaller than som may decide to become entire fully smoking or non-smoking. Minors under 18 years and pregnant women will not be allowed to work in places where they might be exposed to tobacco smoke.
	Employees have the right to claim severance pay if they quit their job due to exposure to smoke.
	Clear signposting of smoking premises required.
Education Facilities	Banned, with exemptions:
	 Smoking banned altogether for children under 18. In other facilities, there is a possibility of smoking rooms, provided that smoke is not penetrating the general non-smoking area.
Public transport	Ban, except in segregated smoking rooms in airports.
Outdoor Areas	<u> </u>
Belgium	
General Workplace Enclosed Public Places Health Care Facilities Hotels and Accommodation	Ban, with an exemption of a clearly designated smoking room with appropriate ventilation.
Education Facilities Public transport	Total ban
Restaurants	In restaurants, smoking is allowed in a separate smoking room in which only drinking is allowed – it cannot take up more than 25% of the total surface of the establishment and must be equipped with a ventilation system.
Bars	• In bars that do not serve food (only pre-packaged foods that keep at least 3 months are allowed) a 'smokers zone' is permitted until 2014 – it cannot take up more than 50% of the total surface of the establishment (except in establishments below 50m ²) and needs to be equipped with a ventilation system.

Residential Care Prisons Future developments	 In bars that form part of a sport infrastructure, there is a ban on smoking, but a smoking room is allowed. Casino playing rooms are exempt from the smoking ban. Banned, with an exemption of closed places considered as private rooms. The exemption from smoking room legislation for bars not serving food and for casinos playing rooms has been annulled by the Constitutional Court in March 2011, taking effect in July 2011.
Bulgaria	
General Workplace Enclosed Public Places Health Care Facilities Hotels and Accommodation Residential Care Prisons	Ban, with an exemption for designate separate smoking rooms with good mechanical ventilation, airtight walls and doors which are kept shut when the room is used for smoking.
Restaurants Bars	 Smoking is banned, except in designated smoking rooms which cannot occupy more than 40% of the venue's space. In establishments with an area less than 50m², the owner is to decide if the establishment will be smoking or non-smoking (if owners decide that smoking is allowed, persons under 18 are no longer permitted). In night clubs, smoking is allowed at all times regardless of how large they are. In open-space establishments inside shopping malls, smoking is not permitted.
Education Facilities	Total ban
Public transport	Banned, except in segregated smoking rooms with airtight ventilation in train, bus stations, airports and ports.
Outdoor Areas	
Cyprus General Workplace	Every employer shall, after consultation with the employees who may be affected or with representatives of the employees, prescribe in writing and implement a policy in all workplaces, which shall be based in the principle that employees who do not smoke, or do not desire to smoking in their workplace, shall be protected from such smoke in such workplace. The provisions of the Law shall not prevent an employer to allow smoking in closed areas, which have an adequate ventilation system and where only employees who are smokers are found and who request in writing that smoking may be allowed in such a place.
Enclosed Public Places Restaurants Bars	Ban on smoking excluding open outdoor or indoor spaces.

Education Facilities	
Health Care Facilities	
Hotels and Accommodation	
Residential Care	No specific provisions for residential care
Prisons	No specific provisions in the Law for prisons. However, areas which are commonly used by prisoners (such as restaurants, kitchen, work places etc.) are considered as "no smoking areas" and smoking is forbidden. As far as the prison cells are concerned, there are different chambers for smokers and non- smokers.
Public transport	Total ban including in private vehicles where persons under 16 years of age are on board.
Outdoor Areas	No ban for outdoor areas
Czech Republic	
General Workplace	Obligation for employee not to smoke at workplaces and other premises where non-smokers would be exposed to the effects of smoking.
Enclosed Public Places	Banned with the exception of structurally separated areas reserved for smoking and permanently ventilated to areas outside the building when occupied
Restaurants Bars	• The operator may decide whether to designate their premises as smoking or non-smoking, or provide
	 structurally separated areas for smokers and non- smokers. They must visibly label their premises accordingly. Smoking establishments and establishments with reserved areas in which smoking is permitted must have sufficient ventilation.
Health Care Facilities Residential Care	Total ban with the exception of closed psychiatric wards or other facilities for the treatment of addictions, in which smoking is permitted only in structurally separated areas reserved for smoking and permanently ventilated to areas outside the building when occupied
Educational Facilities	Total ban
Public Transport	Banned, except in structurally separate premises of stations, airports, etc.
Hotels and Accommodation	 Smoking regime in rooms is a decision of a hotel operator. Smoking is prohibited in publicly accessible premises (such as hotel lobbies) with the exception of structurally separated areas.
Prisons	 The general provision on smoking in the buildings of state authorities applies, i.e. the managers are obliged to ensure that the persons in these buildings are protected from the harmful effects of smoking. In addition, the convicted nonsmoker may request to be

	placed separately from smokers.
Outdoor Areas	• A municipality with independent authority may temporarily or permanently prohibit smoking on publicly accessible children's playgrounds, publicly accessible sports venues etc.
Denmark Community Wandania and	Dennel and in analine areas and the
General Workplace Restaurants Residential Care Prisons	Banned, except in smoking rooms or cabins, or where the workplace serves only one person.
Enclosed Public Places	Banned, except in smoking rooms or cabins.
Bars	Smoking is prohibited in venues large than $40m^2$, except in smoking rooms or cabins, where food and drinks are not served. Small bars, with a surface smaller than $40m^2$ may permit smoking.
Health Care Facilities	Hospitals and similar institutions may permit patients and their family members to smoke in extraordinary circumstances.
Education Facilities	 Smoking banned altogether. In educational institutions for adolescents 16 years and older that also serve as dwellings, adolescents may be allowed to smoke in designated smoking rooms and in their own rooms.
Public Transport	Banned, except in smoking rooms and cabins on passenger ships. Otherwise, it follows with overall law.
Hotels and Accommodation	 In hotel rooms, it may be decided that the guests are permitted to smoke. Smoking is prohibited in publicly accessible premises except for smoking rooms or cabins.
Outdoor Areas	
Estonia	
General Workplace	In office premises and other public premises of enterprises, smoking is allowed only in separately ventilated smoking rooms (which are negatively pressurised) or smoking areas.
Hotels and Accommodation Residential Care Prisons	Smoking banned in all enclosed public spaces, except for designated smoking rooms or areas.
Enclosed Public Places	Banned in certain types of public places (e.g. shops), but in others (cultural institutions, sport and recreational facilities), smoking is allowed in designated rooms or areas.
Restaurants	Smoking permitted outside catering establishments or in
Bars	designated smoking rooms intended exclusively for smoking.
Health Care Facilities	Smoking allowed in designated rooms or areas.
Education Facilities	Smoking banned altogether except on the premises of institutions of higher education, in designated rooms or areas.
Public Transport	Banned, except for designated and ventilated areas on trains and passenger ships.
Outdoor Areas	Banned in the outdoor spaces of educational and childcare

	facilities.
Finland	
General Workplace	Smoking banned on the joint and public premises of workplaces and the areas accessible to clients except for designated smoking rooms. In any other premises at the workplaces, employers are to ensure that employees are not involuntarily exposed to tobacco smoke.
Enclosed Public Spaces Health Care Facilities Residential Care Prisons	Smoking allowed in designated smoking rooms.
Restaurants Bars	Smoking allowed in separately ventilated smoking rooms where no food or drink is to be served or consumed.
Educational Facilities	Total ban
Hotels and Accommodation	Smoking allowed in at most one out of ten rooms for accommodation. Irrespective of the number of rooms, smoking can however be allowed in three rooms for accommodation.
Public Transport	 Smoking is banned inside public means of transport. It is permitted: in smoking rooms on premises of public transport. in restaurants over 50m2 of international vessels
Outdoor Areas	Smoking banned in outdoor spaces of childcare and educational facilities and at outdoor events where the participants stay on places assigned for them.
France	
General Workplace Enclosed Public Places Hotels and Accommodation Residential Care Prisons	Smoking is banned, except in separately ventilated smoking rooms, in which no services are provided. The smoking room should not occupy more than 20% of the overall surface of the establishment and should not exceed 35 m ² . Serving staff and minors are not permitted to enter smoking room.
Health Care Facilities Education Facilities	Total ban
Public Transport Outdoor Areas	Smoking is banned, except on the outside of maritime vessels. Smoking banned in outdoor spaces of childcare and educational establishments
Germany	
General Workplace Hotels and Accommodation Prisons	 Employers are required to effectively protect non- smoking employees from tobacco related health risk. If necessary, the employer must issue a general smoking ban or one restricted to individual areas of the workplace.
Enclosed Public Places Health Care Facilities Education Facilities	Smoking banned at Länder level. In some states, smoking rooms are allowed.
Restaurants Bars	• Smoking bans exist at Länder level, usually allowing for separate smoking rooms and exempting smaller

	establishments that do not serve food.
	• Complete smoking bans for the hospitality sector are in
Public Transport	place in Saarland and Bavaria Banned in trains and taxis, otherwise it follows general
rubile fransport	workplace law.
Residential Care	Smoking permitted in separate rooms.
Outdoor Areas	Smoking banned in outdoor areas of schools.
Greece	
General Workplace	Total ban
Enclosed Public Places	
Restaurants	
Bars	
Health Care Facilities	
Education Facilities	
Transport Hotels and Accommodation	
Residential Care	
Prisons	
Outdoor Areas	
Hungary	
General Workplace	Smoking allowed in designated areas.
Enclosed Public Places	
Public Transport	
Hotels and Accommodation	
Residential Care	
Prisons Bars	In mateuranta, ampling allowed in designated areas. In non
Restaurants	In restaurants, smoking allowed in designated areas. In non- food venues or where food is served only as a supplementary
Restaurants	service, there are no restrictions.
Bars	Smoking permitted in bars and clubs
Health Care Facilities	• Smoking allowed in designated areas
	• Banned altogether in institutions providing basic health
	services or outpatient care, customer areas of
	pharmacies and institutions providing inpatient care
	principally to children
Education Facilities	Smoking banned altogether in areas within public education
	institutions that are also used by students.
Outdoor Areas	
Future developments	Comprehensive smoke-free legislation has been adopted in
	April 2011. As of January 2012, smoking will be completely
	banned in all enclosed public places and workplaces (including
	hospitality venues and places of entertainment) and public
	transport. It will also cover some outdoor venues such as bus-
	stops, playgrounds and five meters around them. Only the cigar
	rooms of hotels, prisons and psychiatric institutes are
	exceptions. However, fines will be imposed only from 1 April

	2012.
Ireland	
General Workplace Enclosed Public Places Restaurants	Total ban
Bars Education Facilities Health Care Facilities Public Transport	
Hotels and Accommodation Residential Care	Smoking allowed in designated hotel rooms. Smoking permitted
Prisons Outdoor Areas	Smoking is permitted in outdoor areas.
Italy General Workplace Enclosed Public Places Health Care Facilities Education Facilities Public Transport Residential Care Prisons	Smoking allowed only in separately ventilated smoking rooms.
Restaurants Bars Hotels and Accommodation	Smoking allowed only in separately ventilated smoking rooms which cover less than half of the overall serving area
Outdoor Areas	
Latvia General Workplace Healthcare facilities Residential Care Prisons	Ban on smoking, except for specially designated rooms reserved exclusively for smoking.
Enclosed Public Places Restaurants Bars	Total smoking ban
Education facilities Public Transport	Smoking is permitted on long distance trains and ships in designated carriages/cabins.
Hotels and Accommodation	Smoking allowed in designated hotel rooms.
Outdoor Areas	Smoking is banned in public transport stops and children's playgrounds. Smoking is restricted to designated areas in stadiums, outside cafes, parks, squares and bathing places.
Lithuania	
General Workplace	Smoking banned except in designated smoking rooms which meet certain ventilation requirements.
Enclosed Public Places Restaurants Bars	Smoking banned altogether

p is	 Smoking permitted in specially established private cigar and bipe clubs, where no serving or consumption of food and drink s permitted. Smoking is only permitted on: Long distance trains and ships, in designated carriages/cabins
Public Transport S	 bipe clubs, where no serving or consumption of food and drink s permitted. Smoking is only permitted on: Long distance trains and ships, in designated carriages/cabins
-	 Long distance trains and ships, in designated carriages/cabins
Hotels and Accommodation	carriages/cabins
Hotels and Accommodation	 Nenarate places on airplanes
	 Separate places on airplanes Smoking regime in individual rooms is a decision of
	 hotel managers In publicly accessible premises, smoking banned except in designated smoking rooms
Residential Care T	The administrative bodies of a legal person must ensure that its
Prisons post	more administrative obdies of a legal person must ensure that its personnel, clients and visitors are not exposed to tobacco moke. They must also ensure that special smoking rooms are et aside.
p	Municipal councils shall have the right to prohibit smoking in public places (parks, squares, etc.) and other public places alling within the scope of their competence.
Luxembourg	
General Workplace E	Employer is obligated to ensure that workers are effectively
· · · · · · · · · · · · · · · · · · ·	protected from passive smoking. This can include providing moking rooms.
Enclosed Public Places T Education Facilities	Total ban
Restaurants B si	Ban on smoking in restaurants and tea rooms, except in moking rooms, covering less than ¹ / ₄ the surface. Minors are not permitted in the smoking room.
le	Ban during dining hours, except in smoking rooms covering ess and $\frac{1}{4}$ of the surface. Minors are not permitted in the moking room.
	Smoking allowed only in smoking rooms (one per
	establishment).
	Smoking permitted in designated smoking areas, but strictly eserved for patients.
Outdoor Areas	
Malta	
Enclosed Public Places Restaurants	Smoking allowed in enclosed smoking rooms.
Bars Transport	
Hotels and Accommodation	
Residential Care Prisons	
	Fotal ban

Education Facilities	
Outdoor Areas	
Future developments	The government has banned the use of smoking rooms as of January 2013, with the exception of individual hotel rooms.
Netherlands	
General Workplace Enclosed Public Places Health Care Facilities Education Facilities Public transport Hotels and Accommodation Prisons	Banned, except in designated smoking rooms.
Restaurants Bars	Banned, except in separate smoking rooms with no service.
Residential Care	Smoking allowed in half the number of rooms in mental, disabled, and elderly care homes where there is more than one room.
Outdoor Areas	
Future developments	Owner-run bars with no staff and only one catering outlet with a usable area of less than $70m^2$ are exempt from the ban.
Poland	
General Workplace Public transport Prisons	 Smoking banned except in: Smoking rooms (a separate premise used exclusively for smoking, provided with mechanical exhaust ventilation or filtration system, so that tobacco smoke does not penetrate other premises) The Ministers of National Defense, Internal Affairs and Justice will issue specific regulations for facilities and the means of transport they are in charge of, taking into account the need to keep these facilities smoke-free and protect non-smokers from tobacco smoke
Enclosed Public Places Health Care Facilities	Total ban
Education Facilities	Total ban but smoking rooms possible in higher education system
	system
Restaurants	Smoking banned, except in:
Restaurants Bars	
	 Smoking banned, except in: Smoking rooms used exclusively for smoking In venues where at least 2 rooms exist, one may be designated for smoking, provided there is ventilation preventing tobacco smoke penetrating other rooms.

	smoking.
Outdoor Areas	Smoking banned around bus stops and playgrounds
Portugal	
General Workplace Enclosed Public Places	In workplaces and most public places, smoking is banned, except for enclosed rooms, or designated areas that prevent tobacco smoke from spreading into adjacent areas.
Restaurants Bars	 In venues with an area for clients less than 100m2, the owner may permit smoking, as long as the smoking area: is clearly designated physically detached from remaining facilities or have an autonomous ventilation mechanism has a direct ventilation to the exterior which is assured by an air extraction system
	• In venues with a total area of 100m2 or more, owners may designate up to 30% of their total area for clients as a smoking area or up to 40% in case of an enclosed smoking room, as long as the conditions mentioned above are fulfilled and the area does not include spaces destined exclusively for workers or areas where workers have to be permanently.
Public Transport	Total ban
Education Facilities	Total ban. In higher education system, smoking is allowed in enclosed rooms, or designated areas that prevent tobacco smoke from spreading into adjacent areas.
Health Care Facilities Residential Care	Smoking banned, except in hospitals and psychiatric services, smoking allowed in enclosed rooms or designated areas that prevent tobacco smoke from spreading into adjacent areas.
Hotels and Accommodation	 Owners may permit smoking, as long as the smoking area: is clearly designated physically detached from remaining facilities or have an autonomous ventilation mechanism has a direct ventilation to the exterior which is assured by an air extraction system Hotels may designate no more than 40% of the total accommodation for smokers as long as the conditions mentioned above are fulfilled
Prisons	Total ban
Outdoor Areas	Smoking banned in outdoor spaces of childcare and educational establishments
Romania	
General Workplace Enclosed Public Places Education Facilities Residential Care	Ban, except in separately ventilated smoking rooms, which are reserved only for smoking

Prisons	
Restaurants Bars Hotels and Accommodation	 Smoking rooms must cover under half the floor space, and be equipped with functional ventilation equipment. In venues with a surface of less than 100m², owners may permit smoking, with clear signage.
Health Care Facilities Public Transport	Total ban
Outdoor Areas	
Slovakia	
General Workplace Hotels and Accommodation Prisons	Banned in places where non-smokers work.
Enclosed Public Places Health Care Facilities Education Facilities	Total ban
Restaurants	Smoking is allowed only in separate smoking rooms (which cannot occupy more than 50% of the overall surface).
Bars	Establishments not serving food can decide themselves whether to be smoking or non-smoking.
Public transport	Smoking banned altogether except reserved cars in trains
Residential Care	Banned, except for designated smoking rooms for employees.
Outdoor Areas Slovenia	
General Workplace Enclosed Public Places Restaurants Bars Public Transport	 Smoking allowed only in separate smoking rooms, used exclusively for smoking. Smoking rooms will not allow eating or drinking, nor should they cover more than 20% of the overall surface. If no smoking room is available, then a total indoor ban exists.
Health Care Facilities Education Facilities	Total ban
Hotels and Accommodation	Smoking is permitted in designated hotel rooms.
Residential Care	 Smoking rooms allowed in psychiatric wards. Smoking allowed in other residential care facilities in rooms occupied by smokers, and not intended for common use.
Prisons	Smoking permitted in rooms occupied by smokers and not intended for common use.
Outdoor Areas	Smoking banned in outdoor space of childcare and educational establishments.
Spain Concred Workplace	Total han
General Workplace Enclosed Public Places	Total ban
Restaurants	Exception:
Bars	Smoking allowed only in private smoking clubs, which must be
Health Care Facilities	constituted as a legal body, be non-profit making, and must not

Education Facilities	include amongst their activities the sale of any goods or
Public Transport	consumables. Minors are not allowed in private smoking clubs.
Hotels and Accommodation	Up to 30% of a hotel's rooms may be set aside for smoking.
Residential Care	Smoking rooms with independent ventilation may be provided,
Prisons	but only for residents (not allowed for visitors or staff).
Outdoor Areas	Smoking banned in playgrounds and outdoor areas of healthcare and educational facilities (except for those dedicated exclusively to adult education)
Sweden	
General Workplace	Employer is obliged to ensure than employees are not exposed to tobacco smoke against their will
Enclosed Public Spaces	Smoking allowed in separately ventilated smoking rooms.
Health Care Facilities	
Restaurants	Smoking permitted in outdoor areas and in separate smoking
Bars	rooms. No serving or consumption of food and drinks is allowed inside the smoking room.
Education Facilities	Smoking allowed in separately ventilated smoking rooms for staff only.
Hotels and Accommodation	Smoking permitted in a certain number of hotel rooms.
Residential Care	Smoking allowed in separately ventilated smoking rooms.
Prisons	
Outdoor Areas	Smoking banned in outdoor space of childcare and educational establishments (except for those dedicated exclusively to adult education
United Kingdom	
General Workplace	Total ban
Enclosed Public Places	
Restaurants	
Bars	
Education Facilities	
Health Care Facilities	
Public Transport	
Hotels and Accommodation	Smoking permitted in a certain number of hotel rooms.
Residential Care	Smoking permitted in designated rooms
D :	• Walase total han an smalling
Prisons	Wales: total ban on smoking
Prisons	England, Scotland: smoking allowed in designated rooms
Prisons	