

Where can customers smoke?

Waterpipes can be smoked in open air when there is no roof or ceiling above the smoker. They can also be smoked in some circumstances where there is a roof or ceiling, but only if at least 50 per cent of the walls of the structure are permanently open. Any opening that can be closed - for example by a door, window, or shutter - is counted as closed.

As with smoking a cigarette the smoking of shisha/water pipe is not permitted within substantially and fully enclosed public spaces or workplaces because of the Smoke Free laws. These smoking laws apply to waterpipes whether or not the shisha product being smoked contains tobacco or not. So, unless your business has access to a legal smoking area you will not be able to supply shisha in waterpipes.

What are the offences?

Failure to display a no smoking sign - up to £1,000 if prosecuted and convicted by a court or £200 fixed penalty notice on whoever manages or occupies the premises.

Smoking in a no smoking place - up to £200 if prosecuted and convicted or a penalty notice of £50 on the person smoking.

Failing to prevent smoking in a Smoke Free place - up to £2,500 maximum fine on whoever manages or occupies the premises if prosecuted and convicted.

What warnings do I have to display?

Any premises selling tobacco products must display large notices stating: "It is illegal to supply tobacco products to anyone under the age of 18." This notice should be displayed in areas where customers can receive tobacco.

The waterpipes themselves should be labelled with the same written and picture warnings that are on cigarette packs if they are supplied with a tobacco product in them.