

**From:** Official Information  
**Sent:** Friday, 7 December 2018 1:16 p.m.  
**To:** [REDACTED]  
**Subject:** LGOIMA response - Vaping and E-cigarettes

Dear [REDACTED]

Thank you for your email, received on November 29 2018. You requested the following information, under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

*I have seen a number of people using Vapers and Ecigs on buses, around buses, and in a lot of public places smoking is banned.*

*Do vapers and ecigs have different regulations and therefore can basically be used anywhere? Even on public transport?*

**Response:**

Staff from Red Bus provided the following information:

Red Bus can advise as follows in regards "on buses" and "even public transport":

Red Bus has a partnering agreement with Environment Canterbury which includes the following clause on smoking:

**8.12 Smoking and .....**: The Service Provider will ensure that:

- (a) There is no smoking by its driver or any passenger on a Vehicle;

Further, along with other PT operators in Christchurch, Red Bus supports the attached "code of conduct" for PT users, which advises amongst other matters you will not "smoke" on a bus.

In addition the Red Bus staff policy manual has the following clause:

**21. SMOKING POLICY**

**21.1 Purpose**

*The purpose of this policy is to ensure Red Bus meets the requirements of the Smokefree Environments Act (1990) and protects the health and safety of those who work at or visit this workplace.*

**21.2 Policy on Smoking**

*All internal workplaces are to be 100 percent Smokefree this includes:*

- All buildings
- All vehicles

*This policy is applicable to all Red Bus employees and visitors. This policy also includes "E-cigarettes".*

This is consistent with "smokefree = vapefree" which is the most common approach by regulating jurisdictions (See: Regulations to ban vaping in Indoor Settings – Smokefree Canterbury 2018).

Finally Red Bus has set up a confined and designated "smoking area" at our premises 120 Ferry Road. This is away from public areas.

Any advice of contravention of the above policies on buses or within the Red Bus workplace would be investigated.

Council staff have provided the following response:

- *General information on vaping or e-cigarette products –*

The link below is the Ministry of Health position statement about vaping products (page content posted 27 November 2018) - <https://www.health.govt.nz/our-work/preventative-health-wellness/tobacco-control/vaping-and-smokeless-tobacco>

Additional information on vaping products posted on Ministry of Health website (posted June 2018) includes –

The smoking ban in indoor workplaces (Smokefree Environments Act) only applies to smoking and does not apply to vaping or the use of other products that are not smoked. Individual employers and business owners can decide whether they want to include vaping in their smokefree policies.

For the benefit of external client, other information related to vaping/e-cigarette products (e.g. regulatory updates, etc.) may also be provided by the Canterbury District Health Board or Community and Public Health staff.

- *Vaping in buses -*

As the reported vaping or use of e-cigarettes incidents were seen in buses, this issue could be best responded to by Environment Canterbury. ECAN is managing the bus services running within Christchurch.

- *Vaping in public places -*

The Council's Smokefree Public Places Policy 2009 is silent on vaping or use of e-cigarettes. The policy encourages smokers to refrain from smoking in a range of Council-owned public places. It is promoted as voluntary and non-regulatory in nature. The CCC Smokefree Workplace Policy approved by Council Executive Leadership Team in February 2016, however, prohibits the use of e-cigarettes within any Council buildings/facilities or at least five metres from the principal entrances and exits.

The treatment of vaping in relation to the Council's smokefree policy will continue to be considered as we take advice or clear guidance on vaping matter.

I also recommend that you contact Community and Public Health who might also be able to provide you with information and guidance. You can call their office on 364 1777

You have the right to ask the Ombudsman to investigate and review our decision. Complaints can be sent by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz), by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

#### Publication of responses to LGOIMA requests

Please note: our LGOIMA responses may be published on the Christchurch City Council website a month after they have been responded to, with requesters' personal details withheld. If you have any concerns about this please contact the Official Information team on [officialinformation@ccc.govt.nz](mailto:officialinformation@ccc.govt.nz).

Yours sincerely,

**Ana Macadie**

Information Advisor  
Office of the Chief Executive  
Christchurch City Council  
53 Hereford Street, Christchurch 8011



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**From:** [noreply@ccc.govt.nz](mailto:noreply@ccc.govt.nz) [<mailto:noreply@ccc.govt.nz>]  
**Sent:** Thursday, 29 November 2018 7:49 a.m.  
**To:** Official Information <[OfficialInformation@ccc.govt.nz](mailto:OfficialInformation@ccc.govt.nz)>  
**Subject:** LGOIMA request

**First name**

Aaron

**Last Name**

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0220213283

**How do you prefer to be contacted? (please tick one)**

Email

**Please enter details of your request, being as specific as possible**

Hi

I have seen a number of people using Vapers and Ecigs on buses, around buses, and in a lot of public places smoking is banned.

Do vapers and ecigs have different regulations and therefore can basically be used anywhere? Even on public transport?

**If you would like a copy of your completed request form emailed to you, please enter your email address here:**

[ajt182@outlook.co.nz](mailto:ajt182@outlook.co.nz)