

Law of Health

Prom. - SG 70/10.08.2004, in force from 01.01.2005; amend. SG 50/02.07.2010

Section IV

Activities for impact over factors risky for the health

Art. 56. (Amended – SG 41/2009, in force from 01.06.2010; suppl. SG 42/2010, in force from 04.06.2010) (1) (Suppl. – SG 42/2010, in force from 04.06.2010) Smoking in indoor public places including public transport and indoor workplaces shall be prohibited, as exceptions are allowed only in cases of Para. 2 and Para. 7.

(2) (Revoked – SG 41/2009, in force from 01.06.2010, new, SG 42/2010, in force from 02.06.2010) Smoking shall be allowed as an exception in the following indoor public places:

1. places for accommodation and means for shelter;
2. halls for consumption on the premises at certain catering and entertainment establishments – restaurants, pubs, cafes, coffee clubs (except Internet coffee clubs, game club cafes and cafes in sport halls) and bars;
3. buildings of railway stations, airports, sea and bus stations;
4. vessels.

(3) (New – SG 42/2010, in force from 02.06.2010) Smoking in places under Para. 2 shall be allowed only in separate private rooms that are designated as such and that meet the requirements of this law and the ordinance under Art. 56a, Para. 3. Separate premises cannot be separated in the cases under Para. 4 and Para. 6, first sentence.

(4) (New – SG 42/2010, in force from 02.06.2010) In the cases when a catering and entertainment establishment under Para. 2, item 2 has an area of less than 50 square meters, the owner has the right to choose whether smoking will be allowed in the entire establishment or will be permitted without the formation of separate rooms – a clear designation and in compliance with the requirements specified in the ordinance of Art. 56a, Para. 3.

(5) (New – SG. 42/2010, in force from 02.06.2010) Owners of establishments under Para. 4, in which smoking is permitted, must provide information in all descriptions of the establishments offered for public use (websites, guides, catalogs, etc.). It shall be allowed this information not to be included in the description of the establishments if it is contained in commercial messages and advertisements as and when required by the specific structure of the website directory, catalog and others.

(6) (New – SG, 42/2010, in force from 02.06.2010) In catering and entertainment establishments with night opening hours only, smoking shall be allowed without separating the rooms as stipulated in Para. 3, in conformity with the requirements of Para. 4. In case that the establishment has also other opening hours, Para. 3,4 and 5 shall be applied with respect to allowing smoking at daytime.

(7) (New – SG, 42/2010, in force from 02.06.2010). In buildings with separate working places employers may designate with an order special, separate rooms for smoking only that are marked with the respective signs and meet the requirements of this Law and the Ordinance under Art. 56a, Para.3.

Art. 56a. (New – SG, 42/2010, in force from 02.06.2010) (1) In the indoor public places under Art. 56, Para.2 and the buildings under Art.56, Para.7, the separate rooms where smoking is allowed shall have an area that is smaller than half of the respective total area, in conformity with the requirements for the size and the proportion of the areas stipulated in Para.3.

(2) The separate rooms under Para.1 shall be partitioned off by airproof walls and tightly closing doors and shall have an explicit sign.

(3) The Council of Ministers shall specify in an Ordinance the terms and order, the proportion of the separate rooms to the respective total area, the technical specifications and ventilation requirements as well as the way to designate the rooms under Art.56, Para.3 and the establishments under Art. 56, Para.4.

Art. 56b. (New – SG, 42/2010, in force from 02.06.2010). (1) Persons who are in charge for the administration or utilization of the premises under Para.2, managers of the establishments under Art.56, Para.4 and employers under Art. 56, Para.7 shall provide once in a year a measurement carried out by an accredited laboratory of the ventilation effectiveness of the rooms, where smoking is allowed.

(2) The Protocols from the measurements shall be kept at the premises and shall be submitted to the State Health Inspectors during inspections.

Art. 56c. (New – SG, 42/2010, in force from 02.06.2010). In the separate rooms under Art. 56, Para. 3 and the establishments under Art.56, Para.4 where smoking is allowed, persons under 18 years of age shall not be allowed.