



## What Age Can I Smoke Cigarettes?

While smoking tobacco is not illegal, it is a controlled substance under the *Tobacco Products Control Act 2006 (WA)*. The Act prohibits the supply of tobacco products and smoking implements to young people under 18 (young people) as well as regulates the sale and promotion of tobacco products and reduces the exposure of tobacco smoke to other people.

Once you turn 18, can buy cigarettes, cigars and smoking implements (e.g. Cigarette papers, holders, rolling machines, pipe, hookahs).

### Smoking Offences And Young People (Under 18)

It is an offence for a person to sell, supply or deliver a tobacco product or smoking implement to young people (under 18).

It is also an offence for a person to buy a tobacco product or smoking implement for young people (under 18).

It is an offence for a person in charge of the premises to allow a young person (under 18) to buy cigarettes from a vending machine.

It is an offence for a person to sell anything that resembles a tobacco product to young people and adults (e.g. E-cigarettes).

As from 18 September 2020, it is an offence to allow a young person to sell tobacco products in retail outlets

### Tobacco Control Investigators' And Police Powers And Young People (Under 18) Smoking

It is not an offence for a you to smoke a cigarette or cigar.

However, if a you are found smoking by an Investigator or Police Officer then they can:

1. Require you to provide you name or address.
2. Require you to give the name and address of your parent(s)
3. Require you to give information relating to the identity of anyone who supplied the tobacco product or implement to you.
4. If the you are 14 years or over, you must comply with these requirements or risk being fined.
5. If you give false or misleading information in response to these requirements, you can be fined.
6. Your parents can be informed about your smoking
7. You and your parents will be provided with an approved guide,
8. You can be required to produce evidence that you have reached 18 years.
9. If you are unable to produce evidence at the time of request, your tobacco products or smoking implements may be seized. A police officer may seize your tobacco product or smoking implement and use reasonable force to do so.



## More Information

Cancer Council WA – young people: <https://www.cancerwa.asn.au/prevention/tobacco/smokingandyoungpeople/>

Australian Government Department of Health – Smoking & tobacco and young people: <https://www.health.gov.au/health-topics/smoking-and-tobacco/smoking-and-tobacco-throughout-life/smoking-and-tobacco-and-young-people>

**Please note:** Laws are subject to change. Last updated July 2020.

**Important:** The information provided in this infosheet is for information only. It should not be relied on as legal advice.

Please seek legal advice about your particular circumstances.