

NO SMOKING IN AUSTRIAN RESTAURANTS STARTING IN 2018



A complete smoking ban in all Austrian restaurants and other food providers has been passed by the national authorities. It will start on May 1st, 2018. Hotels and other accommodation services will have the option to provide strictly separated smoker rooms. Violations can lead to fines of up to 2000 Euros.

As an incentive for an early and voluntary switch before July 1st 2016, companies will be eligible for a fiscal premium of 30 percent for effected conversion investments. According to the parliamentary correspondence, this regulation will also affect water pipes and similar products such as e-cigarettes on top of traditional tobacco products. **A breach of this law will lead to fines of up to 2000 Euros for restaurant owners and 1000 Euros for smokers.**

Health minister, Sabine Oberhauser, regards this as an important step for employees and hopes that many locals use these tax benefits to make an early switch. Austria should not be called the „Europe’s ashtray“ anymore.

According to the draft bill, the hotel industry will have a complete smoking ban for all guest rooms. However, due to the generally long duration of hotel stays, they are also to be given an opportunity to build strictly separated smoking rooms for guests. This exception does not apply to restaurants and other businesses in the food service industry.

These food service industry related non-smoking regulations affect all public places where food and drinks are being made, processed, delivered or consumed - which includes gatherings in churches, non-location-based facilities such as tents, multi-purpose facilities and schools including open spaces where children and adolescents are being accommodated. This also regards club pubs, as long as their usual proceedings are carried out with children or adolescents nearby.

Free representative of the people Peter Wurm heavily criticized this draft, calling it “dictatorial decrees”. According to him, every adult should be able to choose what to do and which restaurant to visit. With this smoking ban, an entire industry is going to be ruined and jobs are destroyed. SPÖ party member Erwin Spindelberger noted, that not a single pub had to be closed in Ireland since their strict smoking ban was introduced. **In New York, restaurant owners experienced a surplus of nine percent after the regulation had become active.**

Erwin Rasinger, a politician, is looking forward to the new bill, which follows the international trend. Considering that nearly 14,000 people die from long-term smoking effects in Austria every year, one could only approve this draft.

Gerald Locker of the NEOS emphasized that naturally, his party supports the protection of non-smokers and especially employees in the food service industry. But several points in this law could have been handled better as currently, only restaurants which are part of hotels, have the option to create smoking rooms. Another point to note is that other establishments such as shisha bars would completely lose their business.

Representative Ulrike Weigerstorfer of Team Stronach declined this draft with the reasoning that it would patronize society and endanger freedom of choice. Especially rural businesses were to face

heavy damages.

Another party who approved of this draft was Die Grünen, despite representative Eva Mückstein's desire for a shorter transition period. According to her, due to Austria's large amounts of young smokers, strict regulations as found in other countries are largely overdue.

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