

Key Points of Facilities Subject to the Health Promotion Act and Tokyo Metropolitan Ordinance

■ No smoking on the premises/ No smoking indoors (Smoking area installation not allowed)

Specified outdoor smoking areas can be installed outdoors

■ Schools, hospitals, clinics, child welfare facilities, government administrative agencies, etc

*However, it is **prohibited (as a duty to make efforts)** to install smoking areas outdoors
at **kindergartens, nursery schools, and elementary, junior high, and high schools.**

*Buses, taxis, and airplanes are non-smoking inside the car (or airplane).



■ No smoking indoors/ Non-smoking or the establishment of a designated smoking room or a designated heated tobacco smoking room

■ Facilities used by 2 or more people

Offices, factories, hotels, Ryokans, passenger ships,
passenger trains, and restaurants **with** employees

***Restaurants without employees** can choose between no indoor smoking
or smoking.



Facility types (overview)

The part enclosed in is stipulated by the Tokyo Metropolitan Ordinance

	Types of facilities	Health Promotion Act and Tokyo Metropolitan Ordinance
Type I facilities and others	Nursery schools, kindergartens, elementary schools, junior high schools, high schools, etc.	No smoking on the premises (Smoking area installation not allowed outdoors *duty to make efforts)
	Universities	No smoking on the premises (Smoking areas can be installed outdoors)
	Hospitals, clinics	
	Child welfare facilities (excluding the above-mentioned nursery schools, etc.)	
	Government office buildings	
	Buses, taxis and airplanes	
Type II facilities and others	Facilities, etc. used by 2 or more people other than those mentioned above Example: Offices, factories, hotels, Ryokans, senior welfare facilities, sports facilities, passenger ships, passenger trains, restaurants with employees	Smoking is generally prohibited indoors (Smoking is permitted only in designated smoking rooms or designated heated tobacco smoking rooms)
	Restaurants having no employees	If you are not employing employees, you can choose between a non-smoking or smoking. (= Metropolitan Designated Specific Food and Beverage Provision Facility)

*If you install a smoking room you are obliged to post appropriate signs at the entrance and exit of the smoking room and at the storefront.

In addition, restaurants are also obliged to post non-smoking signs at the storefront if they are non-smoking.

Facility types (detailed)

■ Specified facilities: Type I facilities, Type II facilities, and facility for smokers

Type I facilities	a) Facilities that are mainly used by people who are at high risk of suffering ill health due to second-hand smoke, such as schools, hospitals, child welfare facilities, etc. b) National and local government administrative agency office buildings (Limited to facilities used by government administrative agencies to conduct their affairs.)
Type II facilities	All facilities used by 2 or more people, excluding Type I facilities and facility for smokers
Metropolitan Designated Specific Food and Beverage Provision Facility (Tokyo Metropolitan Ordinance, Article 2-6)	Facilities such as restaurants and coffee shops that meet the following four requirements 1) As of April 1, 2020, the business was already in operation, 2) having a seating area of 100 square meters or less, 3) operated by a small or medium-sized enterprise (with capital or total investment not exceeding 50 million yen) or individually, 4) and is a facility that does not employ employees (workers as defined in Article 9 of the Labor Standards Act). *Those who are paid wages (excluding cohabiting relatives, etc.)
Facility for smokers	a) Indoor public smoking areas b) Bars, snack bars, etc. where smoking is the main purpose *Refers to restaurants, etc. whose main purpose is to provide a space for smoking and that sells tobacco face-to-face (including traveling sales) without mainly providing “meals that are recognized as staple foods.” General izakayas and restaurants do not apply. c) Tobacconist shops allowing smoking inside * Selling tobacco or smoking apparatus (regarding tobacco, limited to face-to-face sales), Not doing business to provide conveniences for customers to eat and drink

■ Specified outdoor smoking area: Part of the outdoor area of a Type I facility that has been demarcated as a non-smoking area by the managing authority and where the necessary measures to prevent second-hand smoke (*), as stipulated by regulations, have been implemented

* Measures necessary to prevent second-hand smoke in specified outdoor smoking area [Article 15 of the Enforcement Regulations of the Health Promotion Act]

- 1) There must be a notice indicating that this is a smoking area
- 2) It must be installed in a place where users of the Type I facilities don't usually enter