

Smoke Free Workplace

Effective Date: 15/2/2016

Amended: 30/07/2026

1. OBJECTIVE

- 1.1 This policy, procedure and control are set in line with the University's Policy to provide general guidelines to define, regulate and enforce a smoke free and vape free workplace for all staff members, students and the larger University community, in compliance with the Control of Smoking Products for Public Health Act 2024 (Act 852) and the Occupational Safety and Health Act 1994 (Act 514).

2. POLICY STATEMENT

- 2.1 The University is dedicated to provide a healthy, comfortable, and productive workplace for all staff members and students. The health hazards related to smoking and vaping are well-documented. These health hazards impact both the users and the non-users who are exposed to secondhand smoke and vapour. The University values the health of the staff members, students, clients and visitors. To protect the health of the staff members, students, clients and visitors from the harmful effects of secondhand tobacco smoke and electronic cigarette vapour, the Management of Sunway Group has declared that all Sunway Group's company premises, areas and vehicles are smoke free areas.
- 2.2 No person is allowed to smoke any cigarette, cigar or any tobacco products, or vape any electronic cigarette, or use any heated tobacco product or any other smoking gadget, whether or not it contains nicotine, in the above mentioned places. Anyone who violates this policy is subject to disciplinary actions and/or contractual remedies as specified in this policy, in addition to any penalty imposed under the law.

3. SCOPE

- 3.1 The Smoke Free Workplace Policy applies to all staff members, students, interns, visitors (customers and vendors), contractors and consultants and/or their staff members working in the company premises, temporary/casual workers and tourists, at all University premises, areas and vehicles, including University-organised events and activities held at these premises.
- 3.2 This policy also applies to all external parties that provide goods, works or services to the University ("External Parties"), including:-
 - (a) service providers, including cleaning, security, landscaping, catering and food and beverage, transport, maintenance and other outsourced service providers;
 - (b) suppliers of equipment, stationery, furniture, consumables and other goods, including their delivery, installation and servicing personnel;
 - (c) contractors engaged under building, construction, renovation, fit-out and facilities works contracts, including their sub-contractors and site personnel; and
 - (d) tenants, concessionaires and retail operators within University premises.

- 3.3 Compliance with this policy shall be a condition of engagement for all External Parties. The University shall incorporate a smoke free compliance clause in tender documents, quotations, purchase orders, service agreements and building contracts, as provided in paragraph 8.6.

4. DEFINITION

- 4.1 **Smoke Free/ Smoke Free Zones:** An environment which is free from smoking of any kind of tobacco leaves or tobacco products, or the use of any smoking gadget, including electronic cigarettes, vapes and heated tobacco products, within a premises, areas or vehicles.
- 4.2 **Designated Smoking Areas:** An area, if any, specifically designated and signposted by the University with the approval of the Management, which is located outside any area or place declared as a non-smoking area under Act 852.
- 4.3 **Smoking:** Inhaling (breathing in) and exhaling (breathing out) the smoke of any type of tobacco products, or the vapour or aerosol of any electronic cigarette, vape or other smoking gadget, whether or not it contains nicotine, including holding of or having control over any kind of ignited or lighted tobacco products or any activated 'smoking gadgets'. "Smoke" and "vape" shall be construed accordingly.
- 4.4 **Tobacco:** Any product obtained from the leaf of the *Nicotiana Tobacum* plant or other related plants and includes any tobacco product.
- 4.5 **Tobacco Product:** Tobacco, cigarette, cigar, shisha tobacco or any other form of tobacco including any mixture containing tobacco or of any tobacco derivative or substitute, or any form of extraction of tobacco which is designed for human consumption but excludes any medicinal product controlled under the Poisons Act 1952 or the Control of Drugs and Cosmetics Regulations 1984.
- 4.6 **Smoking Product:** Any tobacco product, smoking substance or substitute tobacco product as defined under Act 852, and for the purposes of this policy includes e-liquids and vape liquids, pods and cartridges, and heated tobacco sticks, whether or not they contain nicotine.
- 4.7 **Smoking Gadgets**
- i) Electronic cigarette or vape, including pod systems, vape pens and e-hookah (a battery-powered device which heats a liquid or other substance to produce a vapour or aerosol for inhalation), whether disposable, refillable or rechargeable and whether or not it contains nicotine.
 - ii) Heated tobacco device (a device which heats tobacco without burning it to produce an aerosol for inhalation).
 - iii) Shisha (a single or multi-stemmed instrument for heating/ vaporising and smoking flavoured tobacco called shisha tobacco in which the smoke or vapour is passed through a water basin – often glass-based – before inhalation).
 - iv) Any tools or gadget that is designed to be used for the consumption of tobacco products or smoking products.
 - v) Any other tools/ gadgets which use any tobacco products or smoking products as form for inhalation or that may produce or release any smoke, vapour or aerosol when inhaled.
- 4.8 **University Premises:** All buildings, facilities, grounds, open-air areas, car parks, rooftops, walkways, student accommodation, worksites under

construction or renovation, and vehicles owned, leased, managed or operated by the University.

- 4.9 **Act 852:** The Control of Smoking Products for Public Health Act 2024, including the regulations and orders made under it, as amended from time to time.

5. BENEFITS OF SMOKE FREE WORKPLACE

- i) A smoke-free and vape-free environment helps create a safer, healthier workplace and learning environment.
- ii) Staff members and students who are bothered by smoke or vapour will not be exposed to it at work or study.
- iii) Smokers and vapers who want to quit may have more of a reason to do so.
- iv) A clearly defined process for dealing with smoking and vaping in the workplace.
- v) To uphold the staff members' and students' right for clean and unpolluted air in their workplace and learning environment.
- vi) The risk of fires, including from electronic cigarette batteries, is lower.
- vii) Supports the University's commitment to health and well-being under its sustainability agenda and the United Nations Sustainable Development Goals, in particular SDG 3 (Good Health and Well-being).

6. SMOKE FREE ZONES

- 6.1 The Government, under section 16 of Act 852 and the Control of Smoking Products for Public Health (Declaration of Non-Smoking Area or Place) Order 2024, declares non-smoking areas or places which include, among others, the following:-
- (a) any entertainment centre or theatre;
 - (b) any hospital or clinic;
 - (c) any public lift or toilet;
 - (d) any air-conditioned eating place or shop;
 - (e) any public vehicle or public transport terminal;
 - (f) any airport;
 - (g) any government premise;
 - (h) any area which is used for any assembly activity in a building other than private or residential building;
 - (i) any area in any educational institution or a higher educational institution;
 - (j) any area in a nursery;
 - (k) any school bus;
 - (l) any floor with a service counter in any bank or financial institution, Telekom Malaysia Berhad, Tenaga Nasional Berhad, Pos Malaysia Berhad;
 - (m) any shopping complex;
 - (n) any area in a petrol station;
 - (o) any area in a stadium, sports complex, fitness centre or gymnasium;
 - (p) any building or public place which is used for religious purposes;
 - (q) any area in a library;
 - (r) any area in an internet cafe;
 - (s) National Service Training Centres (PLKN);

- (t) any workplace building, whether in the public or private sector; and
- (u) any other building, place or area declared by the Minister of Health under Act 852.

Where there is any difference between the list above and the Order as gazetted and amended from time to time, the Order shall prevail.

- 6.2 All University premises fall under paragraph 6.1, including items (i) and (t), and as such, smoking and vaping are banned under Act 852.
- 6.3 Apart from paragraph 6.2, The Management of Sunway Group declares that all the Sunway Group's company premises which includes Sunway University, areas and vehicles, including open-air areas, car parks, rooftops, walkways and worksites, are smoke free areas.
- 6.4 Staff members, students, visitors, contractors and consultants and/or their staff members working in company premises, temporary/casual workers, interns, tourists and all External Parties should not smoke, vape or use any smoking gadget at any of the premises and vehicles mentioned in paragraphs 6.2 and 6.3.
- 6.5 No Designated Smoking Area shall be provided within any area declared as a non-smoking area under Act 852. Where the Management approves a Designated Smoking Area, it shall be located outside such areas, away from building entrances, air intakes and pedestrian routes, and shall be clearly signposted.
- 6.6 No person, tenant, concessionaire or External Party shall sell, distribute, display, advertise or promote any smoking product or smoking gadget within University premises, and no University activity shall accept sponsorship from the tobacco or electronic cigarette industry.

7. ROLES AND RESPONSIBILITIES

- 7.1 **Sunway Education Group (SEG) EXCO:** Holds overall accountability for this policy and ensures that adequate resources are provided for its implementation.
- 7.2 **Sustainability Office:** Coordinates the implementation of this policy together with Human Resources and the Occupational Safety and Health (OSH) Committee, facilitates the awareness programme under paragraph 9, and consolidates monitoring data for reporting under paragraph 8.7.
- 7.3 **Human Resources:** Communicates this policy to staff members, including during onboarding, and manages disciplinary action involving staff members.
- 7.4 **Student Services:** Communicates this policy to students, including during orientation and in student accommodation, and manages disciplinary action involving students.
- 7.5 **Campus Security and Facilities Services Department:** Conduct patrols, display and maintain the prescribed signage, ensure that no smoking equipment or facilities are provided, record incidents, and liaise with authorised officers of the Ministry of Health where required.
- 7.6 **Procurement and Contract Owners:** Ensure that the smoke free compliance clause under paragraph 8.6 is included in all engagements with External Parties, brief External Parties on this policy, and act on reported breaches.

- 7.7 **OSH Committee:** Reviews compliance reports, identifies hotspots and related hazards, and recommends improvements to this policy.
- 7.8 **Heads of Department and Line Managers:** Ensure compliance by staff members and persons under their supervision.
- 7.9 **All Persons:** Comply with this policy and are encouraged to remind others politely and to report breaches through the channel under paragraph 8.4.

8. ENFORCEMENT AND MONITORING

- 8.1 **Signage:** In accordance with section 18 of Act 852 and the Control of Smoking Products for Public Health (Warning Sign of Prohibition of Smoking) Regulations 2024, warning signs in the prescribed form shall be displayed prominently at building entrances, lifts, toilets, common areas, car parks and in University vehicles.
- 8.2 **No Smoking Facilities:** No ashtrays, receptacles, shelters or other smoking equipment or facilities shall be provided in any non-smoking area.
- 8.3 **Stopping a Breach:** Any security officer, line manager, contract owner or other person authorised by the University shall ask a person found smoking or vaping to stop immediately. Where the person refuses, he or she may be asked to leave the premises, the incident shall be recorded, and the matter may be referred to the authorised officers of the Ministry of Health.
- 8.4 **Reporting:** Any person may report a breach of this policy to Campus Security or through the University's designated reporting channel. Reports shall be handled confidentially, and no person shall be victimised for making a report in good faith.
- 8.5 **Monitoring:** Campus Security shall conduct routine and random patrols, including at known hotspots, and maintain an incident log. Facilities Services Department shall audit signage and smoke free conditions across University premises at least twice a year.
- 8.6 **External Parties:** Every engagement with an External Party shall include a smoke free compliance clause which provides that the External Party:-
 - (a) acknowledges this policy and shall brief and supervise its personnel and sub-contractors accordingly, including through site induction for building and construction works;
 - (b) shall ensure that no smoking or vaping takes place on University premises, including worksites, site offices and delivery areas;
 - (c) may, upon breach, be subject to a written warning, removal of the personnel concerned from University premises, deductions or other remedies provided in the contract, and suspension or termination of the engagement for repeated breaches;
 - (d) shall bear any fine, compound or cost arising from a breach by its personnel or sub-contractors; and
 - (e) shall have its compliance taken into account in vendor performance evaluation and future tender eligibility.
- 8.7 **Reporting to Management:** The Sustainability Office shall report on compliance to the OSH Committee quarterly and to the Management annually, covering the number of incidents and repeat incidents by category of person, signage audit results, the proportion of new engagements containing the compliance clause, awareness activities and participation, and referrals to quit-

smoking support. These data may be used in the University's sustainability reporting.

- 8.8 **Statutory Penalties:** Any person who smokes or vapes in a non-smoking area is personally liable for any compound or fine imposed under Act 852. The University shall cooperate fully with the authorised officers of the Ministry of Health.

9. AWARENESS AND SUPPORT

- 9.1 This policy shall be communicated through staff onboarding, student orientation, External Party briefings and inductions, and the University's website and intranet (Vine).
- 9.2 The University shall run an annual awareness campaign, including in conjunction with World No Tobacco Day (31 May), with specific attention to the health risks of vaping among students.
- 9.3 Staff members and students who wish to quit smoking or vaping are encouraged to seek support from the University's health and counselling services and the Ministry of Health's quit-smoking services.
- 9.4 Student clubs and staff volunteers may be engaged as smoke free ambassadors to promote compliance and peer support.

10. NON-COMPLIANCE

- 10.1 Where non-compliance of this policy is concerned, anyone who fails to adhere to this policy shall be subjected to the following actions:-
- (a) staff members: disciplinary actions under the University's disciplinary procedures, up to and including dismissal;
 - (b) students: disciplinary actions under the University's student disciplinary regulations;
 - (c) External Parties: the remedies under paragraph 8.6 and the relevant contract; and
 - (d) visitors and other persons: being asked to stop and, where they refuse, being asked to leave and refused further entry to University premises.
- 10.2 Repeated non-compliance shall attract progressively stronger action. Any action taken by the University is without prejudice to any action taken by the authorities under Act 852.

11. REVIEW

- 11.1 This policy shall be reviewed at least once every three (3) years, or earlier upon any amendment to Act 852 or other relevant laws and regulations.