

# Smoking and vaping

## Young people and the law



In South Australia, it is not a crime for people under 18 to smoke cigarettes or vapes. However, the law limits young people's access to them, and penalties apply to selling and supplying cigarettes and vapes to young people.

This factsheet explains the law in South Australia. For health information about smoking and vaping, visit [www.health.gov.au/give-up-for-good](http://www.health.gov.au/give-up-for-good).

### Buying cigarettes

It is illegal to sell or give cigarettes or vapes to someone under 18 years old.

It is also illegal to give a young person any other tobacco product such as a cigar, snuff, or anything that a tobacco product is contained in (like a cigarette packet).

Even if a product does not actually contain tobacco, it is illegal to sell or supply that product to someone younger than 18 if it is designed to be smoked.

It is against the law to sell to or give a young person any other vape product, including any parts that make up a vape like a battery or cartridge.

Nicotine pouches are banned in South Australia. It is a crime to sell or give nicotine pouches to anyone.

### Confiscating cigarettes

Police and teachers at your school can confiscate your cigarettes or vape products if you are under 18. They must destroy the confiscated items and they do not have to pay you anything for them.

### Did you know?

Vapes and vaping products may only be sold to adults in a pharmacy to help people quit smoking or manage nicotine addiction.



## Smoking and vaping

The law limits where you can smoke. It is an offence to smoke or vape in enclosed public places, workplaces and shared areas.

It is illegal to smoke or vape in a car if there is someone younger than 16 years old inside.

It is also an offence to smoke or vape in or near a range of public areas, including public transport areas (bus stops, tram stops, railway stations, taxi ranks and airports), playgrounds, schools, early childhood centres, hospitals, outdoor swimming pools, and on beaches near jetties and the red and yellow patrol flags.

Keep an eye out for signs like this before lighting up.



**SMOKE-FREE  
AND  
VAPE-FREE  
AREA**

If you are caught smoking or vaping in a smoke-free or vape-free area, you may:

- be given an informal **caution**,
- be given an expiation fee (**fine**) on the spot, or
- need to go to **court** and pay a fine.

If you have been given a fine or have to go to court, call the Legal Helpline between 9:00 am and 4:30 pm Monday to Friday for free legal information and advice.

## Smoking in your school uniform

Some schools have rules about how you should behave when wearing your school uniform. If your school has these rules, you may get in trouble for smoking or vaping in school uniform (even if you are 18).

You can ask your school for information about its uniform and smoking policies.

If you are under 18, your teacher can confiscate cigarettes or vape products from you, even if you are not on school grounds.



**Legal help for all South Australians**

**1300 366 424**

**Legal Helpline**



**Prefer to text?**

Use our Legal Chat at  
[lsc.sa.gov.au](https://lsc.sa.gov.au)