

KARADENİZ TECHNICAL UNIVERSITY SMOKE-FREE AIRSPACE DIRECTIVE

CHAPTER ONE Preliminary Provisions

Purpose

ARTICLE 1- (1) The purpose of this Directive is to establish the principles and procedures to be implemented to protect Karadeniz Technical University's staff, students, guests, and other stakeholders from the harmful effects of tobacco products, and to ensure clean air within the University's campuses.

Scope

ARTICLE 2- (1) This Directive covers all open and closed areas within Karadeniz Technical University campuses and applies to all academic and administrative personnel, students, guests, and other stakeholders concerning the implementation of the smoke-free airspace practices.

Legal Basis

ARTICLE 3- (1) This Directive has been prepared based on Law No. 4207 on the Prevention and Control of the Harmful Effects of Tobacco Products, the Regulation on the Procedures and Principles for the Implementation of Administrative Sanctions for Individuals Consuming Tobacco Products in Public Institutions and Organizations, and Circular No. 2015/6 on Tobacco Control Practices issued by the Public Health Institution of the Ministry of Health of the Republic of Turkey.

Definitions

ARTICLE 4- (1) The following terms, wherever they appear in this Directive, shall have the meanings set forth below::

- a) **Inspection Team:** Groups of personnel assigned by the General Secretariat to conduct inspections throughout the University, particularly to monitor smoke-free airspace implementation and identify violations.
- b) **Administrative Sanction Record Book:** The register in which administrative sanction decisions are recorded.
- c) **Smoke-Free Airspace:** The public awareness campaign initiated under Law No. 4207 known as the "Smoke-Free Airspace" campaign.
- d) **General Secretariat:** The General Secretariat of Karadeniz Technical University.
- e) **KTU Addiction Prevention Commission:** The commission chaired by the Vice-Rector and composed of representatives from faculties, schools, and vocational schools.
- f) **Rector:** The Rector of Karadeniz Technical University.
- g) **Senate:** The Senate of Karadeniz Technical University.
- h) **Report:** The Administrative Sanction Report prepared upon identification of a violation.
- i) **Tobacco:** Any product containing nicotine that may be smoked, chewed, absorbed, or otherwise consumed and that is wholly or partly made from the leaf of the tobacco plant, including cigarettes, electronic cigarettes, hookahs, and similar products.

CHAPTER TWO

Smoke-Free Airspace Policy, Principles, and Objectives

Policy

ARTICLE 5- (1) Karadeniz Technical University implements an effective policy to protect its personnel, students, guests, and all stakeholders from the harms of tobacco products and to prevent exposure to tobacco smoke. Within this framework, the University supports the “Smoke-Free Airspace” projects, policies, and practices implemented by the Presidential High Council for Combating Addiction, the Ministry of Health, and the Council of Higher Education. All smoke-free areas within University campuses are clearly designated and announced. The use, sale, or promotion of tobacco and tobacco products is prohibited in all campus areas other than designated Tobacco Areas. Violations of this policy are subject to administrative fines pursuant to Law No. 4207 and the Misdemeanor Law No. 5326, as well as disciplinary action under the University’s internal regulations.

Principles

ARTICLE 6- (1) In implementing smoke-free airspace practices, the University adopts a management approach that is applicable on both national and international scales. Through the KTU Addiction Prevention Commission, the University prioritizes the protection of all stakeholders’ health (staff, students, guests, etc.) and acts in collaboration with relevant institutions and organizations to serve as an exemplary higher education institution.

Objectives

ARTICLE 7- (1) The objectives of this Directive are as follows:

- To create healthy, safe, and clean-living environments within University campuses.
- To prevent passive exposure and harm caused by tobacco use.
- To limit the use of tobacco and tobacco products within campuses and prevent situations that may lead young people to emulate such behavior.
- To prevent the disposal of cigarette butts, ashes, packages, or other waste within campus grounds and thereby prevent environmental pollution.
- To raise awareness among students and staff on smoke-free living.
- To instill a smoke-free university culture consistent with national policies.

CHAPTER THREE

Prohibited and Permitted Areas for Tobacco Use

Prohibited Areas

ARTICLE 8- (1) University staff, students, visitors, and other stakeholders are prohibited from using tobacco products in the following areas:

- All open areas except for designated Tobacco Areas,
- All indoor spaces of public service buildings (administrative offices, classrooms, laboratories, workshops, and similar enclosed areas of university units),
- All indoor and outdoor areas intended for educational, cultural, or social purposes (libraries, conference halls, cinemas, theaters, exhibition halls, student clubs, and the open spaces such as courtyards and gardens attached to such facilities),

- Health service areas (including University hospitals, health centers, medical-social units, infirmaries, clinics, pharmacies, and all similar indoor areas),
- Areas designated for children (parks and playgrounds, as well as the indoor and outdoor spaces of university-affiliated childcare centers),
- Sports facilities (indoor and outdoor sports areas, stadiums, stands, and exercise areas used by students and staff),
- Public transportation and service vehicles (official University vehicles and all vehicles leased or contracted by the University),
- Any other closed areas or vehicle interiors where tobacco use is prohibited under Law No. 4207.

(2) Warning signs regarding this prohibition and the legal consequences of non-compliance shall be displayed prominently in all such areas.

Permitted Areas

ARTICLE 9- Tobacco and tobacco products may only be consumed in designated open “Tobacco Areas” clearly marked with yellow lines or enclosed as special zones. Outside these designated areas, the use of tobacco products is strictly prohibited within the campus.

(2) Tobacco Areas shall not exceed 30% of the total open area of a campus and must be located at least ten (10) meters away from building entrances, exits, and facades. These areas shall be selected to avoid encouraging tobacco use and shall be situated in low-traffic locations.

(3) Warning and informational signs describing the health risks associated with tobacco use shall be visibly displayed in all Tobacco Areas.

CHAPTER FOUR

Inspection Teams, Duties, and Inspection Process

Formation of Inspection Teams

ARTICLE 10- (1) To ensure the continuity of smoke-free airspace practices and to detect violations, an adequate number of Inspection Teams shall be established within the University. Preferably, non-smoking staff members are appointed to these teams. The teams are assigned by the General Secretariat or by unit heads authorized by the General Secretariat.

(2) Each Inspection Team shall consist of at least two (2) members. Each member shall be issued an official “Smoke-Free Airspace Inspector” identification card indicating their authority.

(3) Contact information for team supervisors shall be included on public information and warning posters for accessibility.

Duties of Inspection Teams

ARTICLE 11- (1) The Inspection Teams shall perform the following duties to maintain the smoke-free airspace:

- **Conduct regular inspections:** Carry out planned and continuous inspections in their assigned areas, identify violations, and record inspection activities.
- **Ensure visibility of warnings:** Verify that legal warning signs and yellow boundary markings are displayed in visible locations; notify the relevant units to correct deficiencies.
- **Maintain environmental cleanliness:** Check for cigarette butts, packaging, or other tobacco-related waste; notify cleaning units as necessary.
- **Take action in case of violations:** Identify individuals using tobacco in prohibited areas, prepare an Administrative Sanction Report upon confirmation, and notify the General Secretariat for the imposition of administrative fines under Law No. 5326.

Inspection Process

ARTICLE 12- (1) If a violation is detected directly by an Inspection Team or reported by others, the team shall immediately initiate an investigation into the location and timing of the alleged violation.

(2) If sufficient evidence is found, an **Administrative Sanction Report** (Appendix 1) shall be prepared. Supporting evidence (such as witness statements, photographs, or video recordings) shall be collected where possible.

(3) The report shall be prepared legibly in three (3) copies and signed by at least two authorized personnel. One copy is delivered to the violator, one retained by the implementing unit, and one sent to the competent tax office or relevant authority.

(4) Inspection Teams shall ensure that the violator is informed in writing of the administrative fine and legal rights under Law No. 5326.

(5) All inspection and sanction actions shall be recorded in the **Administrative Sanction Record Book**, and results shall be reported periodically to the University's senior management.

CHAPTER FIVE

Enforcement Procedures

Struggle Method

ARTICLE 13- (1) To ensure the effectiveness of smoke-free airspace practices, the managers or persons responsible for the areas or vehicles where the prohibition applies, as well as all University staff, students, guests, and other stakeholders, are obliged to act in accordance with the law and to ensure compliance with the prohibition. Within this scope, staff members and area supervisors who observe any individual attempting to use tobacco products within their area of responsibility or inside a vehicle shall act as follows:

- a) **Warning:** The person concerned shall be informed that the area is designated as a smoke-free airspace, shown the "Smoking is Prohibited" warning, and immediately requested to extinguish the tobacco product. Furthermore, both the official and the violator shall be verbally informed that such conduct constitutes a breach of law and that continuation of the act may result in legal and administrative sanctions.
- b) **Collection of Evidence:** If the individual continues to use tobacco despite the warning, the responsible personnel shall, where possible, document the violation by means of video or photographic evidence, clearly indicating where, when, and by whom the violation occurred.
- c) **Notification:** All collected information, documents, and records shall be promptly transmitted to the University's General Secretariat as an official notification of the incident. Upon receipt, the General Secretariat shall immediately initiate the necessary administrative procedures and inform the relevant Inspection Team.
- d) **Notification of Administrative Fine:** When an administrative fine is imposed, the individual shall be informed that the fine must be paid within one (1) month; that they have the right to appeal the administrative sanction to the Criminal Court of Peace within fifteen (15) days from the date of notification or communication of the decision, either personally or through a legal representative or attorney; and that failure to appeal within this period will render the decision final.
- e) **Refusal to Sign:** If the individual refuses to sign, this shall be indicated in the section titled "Signature of the Person Subject to Administrative Sanction" on the Administrative Sanction Report. One copy of the Administrative Sanction Report shall be delivered to the person concerned.
- f) **Payment and Installment Provisions:** If the person subject to the administrative fine agrees to pay the penalty immediately or voluntarily before initiating any legal proceedings, the payment shall be collected by the accounting officer's cashier designated as the collection officer. The receipt shall clearly specify the total amount of the administrative fine, the discount applied, and the amount collected.

If the individual's financial situation is not sufficient and an application is made within one month, the administrative fine may be paid in four equal installments within one year, provided that the first installment is paid in advance. Should the installments not be paid in full and on time, the remaining balance of the administrative fine shall be referred to the tax office for collection. Applications for installment payment must be submitted to the authority that issued the administrative sanction decision within one (1) month of notification, and such applications shall be reviewed and finalized by that authority.

- g) Repeated or Multiple Offences: If the same offence is committed more than once by a student or staff member, or if different offences are committed by the same person, a separate Administrative Sanction Report shall be issued for each offence, and a disciplinary investigation may also be initiated.

CHAPTER SIX

Miscellaneous and Final Provisions

Unregulated Cases

ARTICLE 14- (1) In cases not covered by this Directive, the provisions of Law No. 4207, Law No. 5326, Law No. 6331 on Occupational Health and Safety, and related regulations and communiqués shall apply.

Entry into Force

ARTICLE 15- (1) This Directive shall enter into force on the date of its approval by the Senate of Karadeniz Technical University.

Execution

ARTICLE 16- (1) The provisions of this Directive shall be executed by the Rector of Karadeniz Technical University.



Ek 1. İdari Yaptırım Karar Tutanağı - *Administrative Sanction Report*

İDARİ YAPTIRIM KARAR TUTANAĞI	
I. KİMLİK BİLGİLERİ	
T.C Kimlik No /Pasaport No:	
Adı Soyadı:	
Cinsiyeti	
Uyruğu	
İkamet Adresi	
Cep Tel	
Eposta	
Niteliği	<input type="checkbox"/> İdari Personel <input type="checkbox"/> Akademik Personel <input type="checkbox"/> Öğrenci <input type="checkbox"/> Misafir <input type="checkbox"/> Yerleşme içi işletme çalışanı <input type="checkbox"/> Toplu Taşıma şoförü <input type="checkbox"/> Diğer
II. İŞLENEN KABAHAT İLE İLGİLİ BİLGİLER	
1. Kabahat Fiili :	
2. Kabahatin İşlendiği Yer :	
3. İşlendiği Tarih ve Saat :	
4. Kabahatle İlgili Elde Edilen Kanıtlar :	
5. Uygulanan Yaptırımlar İdari Para Cezasının Miktarı : Ödeme Yapılmışsa Alınan Miktar : Makbuz Belge No:	
6. Kişinin huzurunda / gıyabında alınan idari yaptırım kararı gereği hazırlanan işbu tutanak yukarıda açık kimliği belirtilen şahsa/...../20 ... tarihinde aşağıda isimleri sıralanan yetkili görevliler tarafından tebliğ edilmiştir.	
7. İdari Yaptırım Uygulanan Şahsın İmzası (Tebellüğ Eden)	
8. İdari Yaptırım Karar Defteri Sıra Numarası:	
III. İDARİ YAPTIRIM KARARINI UYGULAYAN KAMU KURUM VE KURULUŞU GÖREVLİLERİ	
Görevli: 1	Görevli : 2
1. Adı Soyadı	
2. Unvanı	
3. Birimi	
4. İmza	
YASAL UYARILAR:	
1 - İşbu idari yaptırım tutanağına karşı, kararın şahsınıza tebliğ edildiği tarihten itibaren en geç 15 gün içerisinde Sulh Ceza Hakimliğine bizzat veya yasal temsilciniz ya da avukatınız aracılığıyla başvurulabilirsiniz. Bu süre içerisinde başvuru yapılmaması halinde idari yaptırım kararı kesinleşir.	
2 - İdari para cezasını bir ay içinde ödemeniz gerekir, kanun yoluna başvurmadan öderseniz cezanın 3/4'ü tahsil edilir. Peşin ödeme, kişinin bu karara karşı kanun yoluna başvurmasını etkilemez.	
3 - Kişinin imzadan kaçınması halinde bu durum tutanağın II.7 nolu bölümünde belirtilir.	
4 - İdari para cezasının kesinleşmesini takiben ödenmemiş tutar 6183 sayılı Kanun uyarınca takip edilecektir.	

