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Notification

Date: 15 Poush, 1432 Bengali Year / December 30, 2025 AD

No. 80 (Printing and Publication):—The following ordinance enacted by the President of the People's Republic of Bangladesh on 15 Poush, 1432 Bengali Year / December 30, 2025 AD is hereby published for general information.

Ordinance No. 80, 2025

An Ordinance enacted to further amend the Smoking and Tobacco Products Usage (Control) Act, 2005

Whereas it is appropriate and necessary to further amend the Smoking and Tobacco Products Usage (Control) Act, 2005 (Act No. 11 of 2005) to fulfill the objectives mentioned below; and

Whereas it is appropriate and necessary to repeal the Bidi Manufacture (Prohibition) Ordinance, 1975 (Ordinance No. LVII of 1975) and incorporate the necessary provisions, with modifications, into the Smoking and Tobacco Products Usage (Control) Act, 2005; and

Whereas the Parliament has been dissolved and it has been satisfactorily demonstrated to the President that the circumstances exist which require immediate action;

Therefore, by the power vested in the President under Article 93(1) of the Constitution of the People's Republic of Bangladesh, the President has enacted and promulgated the following ordinance, namely:-

- 1. Short Title and Commencement.**—(1) This Ordinance may be called the **Smoking and Tobacco Products Usage (Control) (Amendment) Ordinance, 2025**.

(14113)

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(2) This shall come into immediate effect.

2. Amendment of the Preamble of Act No. 11 of 2005.— In the Smoking and Tobacco Products Use (Control) Act, 2005 (Act No. 11 of 2005), hereinafter referred to as the said Act, in the second paragraph of its proposal, the word "Eng" (ইং) mentioned twice shall be replaced by the word "AD" (অ্যাসার্ড)।

3. Amendment of Section 2 of Act No. 11 of 2005.—In Section 2 of the said Act—

(a) After clause (a), clause (aa) shall be inserted as follows, namely:—

“(aa) ‘Kumbhi leaf or Tendu leaf bidi’ means bidi wrapped or made from Kumbhi leaf or Tendu leaf and bidi wrapped or made from leaves of any other tree shall also be included, but bidi wrapped in paper shall not be included;”;

(b) Clause (b) shall be replaced by the following clause (b), namely:—

“(b) ‘Tobacco’ means any plant classified under Nicotiana tabacum or Nicotiana rustica or any other related plant or any of their leaves or fruits, roots, branches or any part thereof;”;

(c) Clause (c) shall be replaced by the following clause (c), namely:—

“(c) ‘Tobacco product’ means any product prepared from tobacco, tobacco leaves or their extract, which can be consumed by sucking or chewing or inhaled through smoking or consumed in any other way and includes bidi, cigarette, cheroot, gul, zarda, khaini, sadapata, cigar, hookah or pipe mixtures and emerging tobacco products such as e-cigarette or electronic nicotine delivery system (ENDS), heated tobacco products (HTP), nicotine pouches, and any other nicotine products declared by the government from time to time, by whatever name called;

Explanation— (1) ‘Electronic Nicotine Delivery System (ENDS)’ means such electronic devices which heat nicotine-containing or nicotine-free flavored substances to produce smoke, vapor or aerosol and are inhaled by the user through the mouth, such as electronic or e-cigarettes, e-hookah and similar devices, by whatever name called, are included;

(2) ‘Heated Tobacco Product’ means such tobacco products which produce nicotine and other chemical-containing aerosol by generating heat through electronic devices and are inhaled by the user through the mouth;’

(d) Clause (e) shall be repealed and thereafter clauses (ee) and (eee) shall be inserted as follows:—

“(ee) ‘Nicotine’ means any type of nicotine naturally produced or artificially or otherwise prepared, whether solid, liquid or gaseous;

(eee) 'Nicotine product' means a nicotine-containing product or its mixture prepared for human use; however, nicotine products used for the purpose of nicotine replacement therapy as approved by the Directorate General of Drug Administration and provided according to the prescription of a registered physician for the purpose of assisting tobacco cessation shall not be included herein;";

(e) Clause (f) shall be replaced by the following clause (f), namely:—

"(f) 'Public place' means any place used collectively by the public regardless of government or private ownership, such as: educational institutions, government offices, semi-government offices, autonomous offices and private offices, libraries, lifts, covered workplaces (indoor work place), hospital buildings, clinic buildings and diagnostic center buildings, court buildings, airport buildings, seaport buildings, river port buildings, railway station buildings and platforms, bus terminal buildings, auditoriums, exhibition centers, theater halls, shopping complexes, any type of hotels, restaurants, food shops, coffee houses and the premises of the mentioned public places, community centers including any type of social event venues, public toilets, children's parks, fairs, any queue for passengers waiting to board public transport or for receiving services, any queue or all places declared from time to time by government or local government institutions by general or special order;"

Explanation— The definition of Public Place includes all verandas, entrances and exit gates of buildings and the areas related to the buildings, whether covered or open, the fields, open spaces or gardens in front of and behind the buildings will also be included therein;";

(f) In clause (g), the word 'mechanical' will be replaced by the words 'mechanical and non-mechanical';

(g) The word 'and' at the end of clause (h) will be omitted; and

(h) Clause (i) will be replaced by the following clause (i), namely:—

"(i) '**Person**' means an individual, company, association, organization or group of persons, whether incorporated or not, and also includes manufacturers or distributors of tobacco products;"

(i) After clause (i), the following clause (j) will be added, namely:—

"(j) '**Standard Packaging**' means the packaging of tobacco products prepared according to government instructions regarding the shape, size, packaging material, packaging process, and the quantity and numerical amount of tobacco products in the package."

4. Amendment of Section 3 of Act No. 11 of 2005. The numbers, words and brackets "(Act No. 24 of 2009)" mentioned in Section 3 of the said Act shall be supplemented by the words, numbers, symbols and brackets ", Gazipur Metropolitan Police Act, 2018 (Act No. 19 of 2018), Rangpur Metropolitan Police Act, 2018 (Act No. 20 of 2018)".

5. Amendment of Section 4 of Act No. 11 of 2005.—In Section 4 of the said Act—

- (a) In the marginal note, the word 'smoking' shall be replaced by the words 'smoking and use of tobacco products';
- (b) Sub-section (1) shall be replaced by the following Sub-section (1), namely:—
 - (1) No person shall smoke or use tobacco products in any public place and public transportation:
Provided that the government may issue necessary guidelines for designating areas for smoking in any public place."; and
- (c) In Sub-section (2), the words 'three hundred taka' shall be replaced by 'two thousand taka'.

6. Amendment of Section 5 of Act No. 11 of 2005.—In Section 5 of the said Act—

- (a) In Sub-section (1)—
 - (A) Clauses (d), (e), (f), (g) and the explanation shall be replaced by the following clauses (d), (e), (f), (g) and explanations, namely:—
 - (d) promote or cause to be promoted any advertisement related to tobacco or tobacco products in any cinema hall, print and electronic media, internet medium, website, webpage, electronic mail, and social media;
 - (e) promote, display or describe, or cause to be promoted, displayed or described, any scenes showing the use of tobacco products and electronic nicotine delivery systems in any film, drama or documentary produced or available and broadcast in Bangladesh or produced abroad, and tobacco products or their packaging on television, radio, internet, OTT (Over The Top OTT) platforms, apps, stage programs or any other mass media;
 - (f) produce, sell, or distribute, or cause to be produced, sold or distributed, any packaging, packets, or container of any other product or goods similar or identical to brand names or packaging, packets, or container of tobacco products, and produce, sell, or distribute, or cause to be produced, sold or distributed, any packaging, packets, or container of tobacco products and electronic nicotine delivery systems similar or identical to the brand names or packaging, packets, or container of any other product;
 - (g) No person shall advertise or cause to be advertised tobacco products in any manner, including displaying any type of packet, container, empty or sample packaging of tobacco products at the point of sales;"

Explanation.—For the purpose of fulfilling this sub-section—

- (a) **"Advertising of tobacco products"** means conducting any kind of commercial activity directly or indirectly aimed at promoting any tobacco product or the use of tobacco;

- (b) “**Internet**” shall mean the Internet as defined in clause (8) of section 2 of the Information and Communication Technology Act, 2006;
- (c) “**Electronic mail**” shall mean electronic mail as defined in clause (9) of section 2 of the Information and Communication Technology Act, 2006.”;
- (B) After clause (g), the following clause (h) shall be added, namely:—
“(h) All types of tobacco products or their wrappers or packets, except at the time of sale to the buyer, must be kept out of sight at the point of sales.”;
- (b) Sub-section (3) shall be substituted by the following sub-section (3), namely:—
“(3) Notwithstanding anything contained in any other law, no name, sign, trademark, or symbol of any tobacco or tobacco product manufacturing establishment shall be used in the name of Corporate Social Responsibility programs, and no commercial group or institution or any event or program shall be provided any kind of support.”; and
- (c) In sub-section (4), the words ‘one hundred thousand taka’ shall be replaced by the words ‘five hundred thousand taka’.

7. Insertion of new sections 6b, 6c, 6d, and 6e in Act No. 11 of 2005.—After section 6(a) of the said Act, the following new sections 6b, 6c, 6d, and 6e shall be inserted, namely:—

“6b. Sale of tobacco and tobacco products is prohibited within the boundaries of educational institutions, hospitals, clinics, sports grounds, etc.—(1) No person shall sell or cause to be sold tobacco and tobacco products within 100 meters of the boundaries of educational institutions, hospitals, clinics, sports grounds, and children's parks.

(2) The government or local government institutions may, from time to time, by general or special order, increase the boundary limits mentioned in sub-section (1).

(3) If any person violates the provisions of sub-section (1), he shall be punishable with a fine not exceeding five thousand taka, and if the same person commits the same type of offense for the second or subsequent time, he shall be punishable with double the amount of the said fine progressively.

6c. Electronic Nicotine Delivery Systems, Emerging Tobacco Products, etc. are prohibited.—(1) No person shall produce, import, export, store, advertise, promote, incentivize, sponsor, market, distribute, buy-sell, or transport electronic nicotine delivery systems, their parts or specific components (e-cigarettes, vape, vaping, vapor, and e-liquid, etc.), heated tobacco products, or emerging tobacco products by whatever name they may be called, or cause the same to be done.

(2) If any person violates the provisions of sub-section (1), he shall be punishable with simple imprisonment for a term not exceeding 3 (three) months or a fine not exceeding 200,000 (two hundred thousand) taka or both, and if the same person commits the same type of offense for the second or subsequent time, he shall be punishable with double the amount of the said punishment progressively.”

(3) If any person committing an offense under this section is a company, then the relevant goods of the company shall be seized and the owner, manager, or responsible person of the company shall be punishable with simple imprisonment for a term not exceeding 6 (six) months or a fine not exceeding 500,000 (five hundred thousand) taka or both, and if such person commits the same type of offense for the second time or repeatedly, he shall be punishable with double the penalty in stages and the company's license for the production and sale of tobacco and tobacco products shall be canceled.

(4) No person shall use electronic nicotine delivery systems, their parts or components (e-cigarettes, vape, vaping, vapor, etc.), heated tobacco products, whatever they may be called.

(5) If any person violates the provisions of sub-section (4), he shall be punishable with a fine not exceeding 5,000 (five thousand) taka.

6d. Kumbhi leaves, Tendu leaf bidi etc. are prohibited.—(1) No person shall produce, import, store, merchandise, distribute, transport, market, or buy-sell bidi wrapped with Kumbhi leaves, Tendu leaves, or any other tree leaves or cause to do so.

(2) If any person violates the provisions of sub-section (1), he shall be punishable with simple imprisonment for a term not exceeding 3 (three) months or a fine not exceeding 200,000 (two hundred thousand) taka or both, and if such person commits the same type of offense for the second time or repeatedly, he shall be punishable with double the penalty in stages.

(3) If the person committing any offense under this section is a company, the license of the company shall be canceled, financial transactions shall be suspended or seized, and a financial penalty shall be imposed.

(4) No person shall use bidi wrapped with Kumbhi leaves, Tendu leaves, or any other tree leaves.

(5) Any person violating the provision of sub-section (4) shall be punishable with a fine not exceeding 5,000 (five thousand) taka.

6e. Use of addictive substances with tobacco products is prohibited.—(1) No person shall add or cause to be added any harmful addictive substance or any mixture to tobacco and tobacco products.

(2) Any person violating the provision of sub-section (1) shall be punishable with simple imprisonment for a term not exceeding 6 (six) months or a fine not exceeding 500,000 (five hundred thousand) taka or both, and if the person commits the same type of offense for the second or subsequent time, he shall be punishable with double the amount of the said penalty progressively.

8. Repeal of sections 7 and 7a of Act No. 11 of 2005.—Sections 7 and 7a of the said Act shall be repealed.

9. Amendment of section 8 of Act No. 11 of 2005.—In section 8 of the said Act,

- (a) The words and numbers 'outside the area designated or specified as a smoking area under section 7' mentioned in sub-section (1) shall be omitted; and
- (b) The words 'one thousand taka' mentioned in sub-section (2) shall be replaced by the words 'five thousand taka'.

10. Amendment of Section 9 of Act No. 11 of 2005. In Section 9 of the said Act—

- (a) In sub-section (1), the words 'any public place and public transport' shall be replaced by the words 'any public place, public transport, and tobacco and tobacco product selling places and selling establishments';
- (b) After sub-section (3), a new sub-section (3a) shall be inserted as follows:
"(3a) If any person violates the provisions of this Act by advertising, displaying, or promoting any tobacco product at a tobacco product sales center or elsewhere, the authorized officer may order the cessation of such illegal promotion and direct the concerned person to remove the promotional materials or items. If despite such order the illegal promotion is not stopped and the promotional materials or items are not removed, the authorized officer may take legal action to stop the advertisement or remove the materials and, if necessary, may seek assistance from law enforcement agencies."; and
- (c) In sub-section (4), the words, marks, numbers, and brackets 'under sub-section (3)' shall be replaced by the words, marks, numbers, and brackets 'under sub-sections (3) and (3a)'.

11. Amendment of Section 10 of Act No. 11 of 2005. In Section 10 of the said Act—

- (a) Sub-section (1) shall be replaced by the following sub-section (1):
"(1) On both sides of the principal display panel or, in the case of packets without two principal side panels, on the upper part of the principal display panel of all types of packets, wrappers, cartons, bags, and containers of tobacco products, a health warning related to the harm caused by the use of tobacco products, containing colored pictures and text, shall be printed in Bengali in the manner prescribed by Rules, occupying at least seventy-five percent (75%) of the space."
- (b) After the word 'statement' mentioned in sub-section (3), the words 'and including the date of manufacture' shall be inserted;
- (c) After the word 'statement' mentioned in sub-section (5), the words 'and the date of manufacture' shall be inserted;
- (d) After sub-section (6), the following sub-section (7) shall be added, namely:—
"(7) If the person committing any offense under this section is a company, the relevant goods of the company shall be seized, and the owner, manager, or responsible person of the company shall be punishable with simple imprisonment for a term not exceeding six (6) months or a fine not exceeding five hundred thousand (500,000) taka or both. If such person commits the same type of offense for the second time or repeatedly, he shall be punishable with double the penalty in stages, and the company's license for the production and sale of tobacco and tobacco products shall be canceled."

12. Insertion of new section 10a in Act No. 11 of 2005.—After section 10 of the said Act, a new section 10a shall be inserted as follows:

"10a. Restrictions on the sale of tobacco products except in standard packaging.—(1)

Notwithstanding anything contained in any other law, no person shall sell or cause to be sold any tobacco product without packaging or container.

(2) For the purpose of sub-section (1), matters relating to the size, volume, and weight of the packet, packaging, and container of tobacco products, the number and quantity of tobacco and tobacco products therein, the date of manufacture, and the Quitline help number to be printed shall be determined by rules.

(3) Whoever violates the provisions of this section shall be punishable with simple imprisonment for a term not exceeding 1 (one) month or a fine not exceeding 5,000 (five thousand) taka or both, and if the same person commits the same type of offense for the second or subsequent time, he shall be punishable with double the aforesaid punishment progressively.

(4) If the offender under this section is a company, the relevant goods of the company shall be seized and the owner, manager, or responsible person of the company shall be punishable with simple imprisonment for a term not exceeding 6 (six) months or a fine not exceeding 200,000 (two hundred thousand) taka or both, and if the same person commits the same type of offense for the second or subsequent time, he shall be punishable with double the aforesaid punishment progressively, and the license of the company for the production and sale of tobacco and tobacco products shall be canceled."

13. Amendment of Section 14 of Act No. 11 of 2005. Sub-section (2) of Section 14 of the said Act shall be repealed and thereafter the following sub-section (3) shall be added, namely:—

"(3) In the case of filing any complaint and settlement of any case under this Act, the Code of Criminal Procedure shall apply."

14. Amendment of Section 18 of Act No. 11 of 2005. At the end of clause (aa) of sub-section (1) of Section 18 of the said Act, the word "and" shall be omitted and thereafter the following clause (aaa) shall be inserted, namely:—

"(aaa) The Bidi Manufacture (Prohibition) Ordinance, 1975 (Ordinance No. LVII of 1975);".

Date: 15 Poush, 1432 Bengali Era
December 30, 2025 AD

Md. Sahabuddin
 President
 People's Republic of Bangladesh

Dr. Hafiz Ahmed Chowdhury
 Secretary.

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