

## **Table of Contents**

PREAMBLE .....	1
CHAPTER 1: PRELIMINARY .....	2
CHAPTER 2: PROTECTION FROM EXPOSURE TO TOBACCO SMOKE .....	3
CHAPTER 3: TRADE AND COMMERCE OF TOBACCO PRODUCTS .....	6
CHAPTER 4: TOBACCO ADVERTISEMENT, PROMOTION AND SPONSORSHIP .....	9
CHAPTER 5: EDUCATIONAL MEASURES .....	11
CHAPTER 6: TOBACCO DEPENDENCE AND CESSATION .....	13
CHAPTER 7: THE TOBACCO CONTROL BOARD .....	14
CHAPTER 8: THE TOBACCO CONTROL OFFICE .....	18
CHAPTER 9: RESPONSIBILITIES OF IMPLEMENTING AGENCIES .....	21
CHAPTER 10: ENFORCEMENT MEASURES .....	25
CHAPTER 11: OFFENCES AND PENALTIES .....	28
CHAPTER 12: MISCELLANEOUS .....	31

## **PREAMBLE**

The Royal Government and People of Bhutan

*Concerned* with the physical health and wellbeing of the people of Bhutan which are important elements of the development principle of Gross National Happiness,

*Recognizing* the harmful effects of tobacco consumption and exposure to tobacco smoke, from a spiritual and social health point of view,

*Recalling* that the National Assembly of Bhutan during the 82<sup>nd</sup> session held on 12<sup>th</sup> August 2004 ratified the WHO Framework Convention on Tobacco Control (FCTC),

*And acknowledging* that as a party to the WHO Framework Convention on Tobacco control, Bhutan is implied by its provisions to implement it through national legislation and policies to fulfill the obligations and to ensure the effective control of tobacco and tobacco related products,

Parliament of Bhutan hereby enact the Tobacco Control Act of Bhutan on the 19<sup>th</sup> Day of 4<sup>th</sup> Month of Male Iron Tiger Year of

the Bhutanese Calendar corresponding to the 6<sup>th</sup> Day of June, 2010 at its 5<sup>th</sup> Session of the First Parliament as follows:

## **CHAPTER ONE PRELIMINARY**

### **Title, Commencement and Extent**

1. This Act shall:
  - a) Be called the Tobacco Control Act of Bhutan 2010;
  - b) Come into force on the 4<sup>th</sup> Day of 5<sup>th</sup> month of Male Iron Tiger Year of the Bhutanese calendar corresponding to 16<sup>th</sup> Day of 6<sup>th</sup> Month of the Year 2010; and
  - c) Extend to the whole of Bhutan.

### **Repeal**

2. Any provision of any law, rule or regulation, government directives, circulars and announcements that are inconsistent with this Act shall be repealed.
- 2A. The Tobacco Control (Amendment) Act of Bhutan

2012 is hereby repealed<sup>1</sup>.

## CHAPTER TWO

### PROTECTION FROM EXPOSURE TO TOBACCO SMOKE

#### **Non-smoking areas**

3. No person shall smoke outside the designated smoking areas in the following public places but not limited to:<sup>2</sup>
  - a) Commercial centers: all shops, shopping complexes, supermarkets, showrooms, exhibition halls, lobbies and places to which public have access in hotels, motels, guest houses, inns and lodging, bars and restaurants, clubs, internet cafes;
  - b) Recreation centers: discotheques, snooker rooms, health clubs, sports and game centers, playing fields and related offices, cinema, theatre, video halls and

---

<sup>1</sup> New section as inserted by Tobacco Control (Amendment) Act of Bhutan 2014

<sup>2</sup> Section as amended by Tobacco Control (Amendment) Act of Bhutan 2014



other buildings of entertainment;

- c) Institutions: all offices including those in the private sector, dzongs, monasteries, museums, health, educational, religious and training centers and their vicinity;
- d) Public gatherings/spaces: public meetings, Tshechu, festivals and traditional celebrations, vegetable markets, bus and taxi stands, airports;
- e) Public transportation: all buses and taxis, all forms of motor vehicles and aircrafts for passenger transport; and
- f) Any other public places or areas as may be declared by the Tobacco Control Board.

#### **Duties of the person-in-charge**

- 4. The person-in-charge may designate a smoking area and shall display notices indicating smoking is prohibited in all other areas.<sup>3</sup>

---

<sup>3</sup> Section as amended by Tobacco Control (Amendment) Act of Bhutan 2014

5. The person-in-charge shall supervise and carry out measures to ensure that no person smokes in violation of the provisions of this Act.
6. The person-in-charge who finds a person smoking in contravention of Section 3 shall request the offending person to refrain from smoking and if the offending person continues to smoke, the person-in-charge shall demand the offender to leave the place or transport.
7. Where the offending person refuses to stop smoking or leave, the person-in-charge shall report to an authorized officer or law enforcement personnel.
8. The person-in-charge shall accept the inspection by the authorized officer or by the supervisory body and provide necessary assistance for inspection.
9. The person-in-charge of the hotels, motels, guest-houses, inns and lodgings shall arrange smoking floors or smoking rooms/spaces as appropriate.

10. The person-in-charge may install smoke detector in all the non smoking areas mentioned under section 3.

### **CHAPTER THREE**

### **TRADE AND COMMERCE OF TOBACCO**

### **PRODUCTS**

#### **Cultivation and manufacture of tobacco products<sup>4</sup>**

11. No person in the country shall:
- a) Cultivate, harvest or manufacture tobacco or tobacco products;<sup>5</sup>
  - b) Repealed.<sup>6</sup>
  - c) Repealed.<sup>7</sup>

---

<sup>4</sup> Sub- title as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>5</sup> Sub-section as amended by Tobacco Control (Amendment) Act of Bhutan 2014

<sup>6</sup> Sub-section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>7</sup> Sub-section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

d) Repealed.<sup>8</sup>

e) Repealed.<sup>9</sup>

### **Import and taxation**

12. A person may import tobacco and tobacco products for personal consumption or commercial purpose.<sup>10</sup>
13. A person importing tobacco and tobacco products for personal consumption or commercial purpose shall pay duties and taxes as prescribed by Parliament.<sup>11</sup>
14. Any person with the possession of tobacco and tobacco products for personal consumption or commercial purpose

---

<sup>8</sup> Sub-section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>9</sup> Sub-section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>10</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>11</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

on demand shall provide proof of tax and duty payments.<sup>12</sup>

15. All tobacco and tobacco products imported for personal consumption or commercial purpose shall show the country of origin and appropriate health warnings.<sup>13</sup>
16. Repealed.<sup>14</sup>
17. All tobacco and tobacco products imported for personal consumption or commercial purpose shall not promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions and any other indications that creates the false impression that a particular tobacco product is less harmful than other

---

<sup>12</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>13</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>14</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2014

tobacco products.<sup>15</sup>

## **CHAPTER FOUR**

### **TOBACCO ADVERTISEMENT, PROMOTION AND SPONSORSHIP**

#### **Tobacco advertisement, promotion and sponsorship**

18. No person shall:

- a) advertise tobacco and tobacco products through any medium;
- b) sell or authorize to sell a film or video tape containing advertisement of tobacco and tobacco products;
- c) distribute samples of tobacco and tobacco products;
- d) promote, sponsor or render service to hold any educational, cultural, social or sporting organization or event such as athletic games, funfairs, fashion and model shows, school functions and international events to promote consumption of tobacco and tobacco products;

---

<sup>15</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

- e) be allowed to advertise any goods using the name or trade mark of tobacco and tobacco products;
  - f) Be allowed to manufacture, import, sell or distribute toys, edibles, wares or any other goods showing the name, trademark or label of tobacco and tobacco product; and
  - g) Be allowed to exchange tobacco and tobacco products with other goods or services.
19. Scenes depicting tobacco use including smoking should be strictly prohibited from domestic production of videos, movies and cultural shows except in educational clips produced for the purpose of health promotion.

## CHAPTER FIVE

### EDUCATIONAL MEASURES

#### **Education, information, training and public awareness**

20. The Royal Government shall designate relevant agencies to promote:
- a) access to effective and comprehensive educational and public awareness programmes on the health risks including the addictive characteristics of tobacco consumption and exposure to tobacco smoke;
  - b) the benefits of the cessation of tobacco use and tobacco-free lifestyles;
  - c) effective and appropriate training or awareness programmes on tobacco control addressed to persons such as health workers, community workers, social workers, media professionals, educators, decision-makers, administrators and other concerned persons;
  - d) awareness and participation of private agencies and non-governmental organizations in developing



and implementing inter sectoral programmes and strategies for tobacco control; and

- e) access to information on the adverse health hazards on individual, family, society and environmental consequences of tobacco consumption.

**Research, surveillance and recording**

- 21. The Tobacco Control Board through the Tobacco Control Office and in collaboration with relevant agencies shall:
  - a) initiate and conduct research and scientific assessments on tobacco control addressing the consequences of tobacco consumption and exposure to tobacco smoke;
  - b) establish tobacco surveillance programme and integrating it into national, regional and global health surveillance programmes;
  - c) establish progressively a national system for the epidemiological surveillance of tobacco consumption and health indicators;

## **CHAPTER SIX**

### **TOBACCO DEPENDENCE AND CESSATION**

#### **Tobacco dependence and cessation**

22. The Tobacco Control Board through the Tobacco Control Office shall take effective measures to promote cessation of tobacco use and adequate treatment for tobacco dependence.
23. The Tobacco Control Board through the Tobacco Control Office shall:
  - a) design and implement effective cessation programme in the health care facilities;
  - b) collaborate with rehabilitation centers and organize programme for diagnosing, counseling, preventing and treating tobacco dependence; and
  - c) collaborate with international agencies to facilitate accessibility and affordability for treatment of tobacco dependence including pharmaceutical products.

## **CHAPTER SEVEN**

### **THE TOBACCO CONTROL BOARD**

#### **Formation of the Tobacco Control Board**

24. The Royal Government of Bhutan shall constitute a “Tobacco Control Board” to take all measures for tobacco control for the purpose of preventing the people of Bhutan from the health, social, and environmental consequences of tobacco consumption and exposure to tobacco smoke.

#### **Board Members**

25. Bhutan Narcotic Control Board shall also function as the Tobacco Control Board.

#### **Powers of the Board**

26. The Board may exercise necessary powers for tobacco control as follows:
- a) authorize designated officials of any department or agency, in coordination with the relevant law enforcement agencies, to search and seize of any premises, conveyance and properties if it has reason

to believe that an offence has been committed against any provision of this Act, in accordance with Civil and Criminal Procedure Code of Bhutan;

- b) board may designate smoking rooms/areas in public places under section (3) from time to time;<sup>16</sup>
- c) facilitate to fulfill the obligations under the WHO Framework Convention on Tobacco Control and its protocols to which Bhutan is a Party;
- d) approve rules framed under this Act; and
- e) constitute demand and supply reduction committee from relevant agencies to implement the provisions of this Act. The Board may also constitute such other committees as deemed necessary.

---

<sup>16</sup> Sub-section as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

### **Functions of the Board**

27. The Board shall:

- a) provide effective leadership and coordination in implementing this Act;
- b) formulate and implement national tobacco control strategy;
- c) provide guidance and direction to the Tobacco Control Office and other law enforcement agencies relating to the effective implementation of this Act;
- d) co-operate and co-ordinate with the relevant Government agencies for enabling measures for tobacco control;
- e) provide direction to network with international organizations, regional organizations, local and foreign non governmental organizations for carrying out tobacco control effectively;
- f) monitor the enforcement of the provisions under this Act; and
- g) propose amendments to this Act as and when necessary to the Parliament.

**Procedures of the Board**

28. The Board shall regulate its own procedure as follows:

- a) The Board shall meet at least three times a year.
- b) The Chairperson shall convene the meeting and in the absence of the Chairperson, the Vice Chairperson shall convene the Board meeting.
- c) At every meeting of the Board, the Chairperson shall preside, and in his absence, the Vice Chairperson shall preside.
- d) The Tobacco Control Office shall maintain records of the proceedings. The minutes of all meetings of the Board shall be dated and signed by the Chairperson.
- e) The quorum for the board meetings shall be two third of the members;
- f) The Board shall report to the Government periodically.

## **CHAPTER EIGHT**

### **THE TOBACCO CONTROL OFFICE**

#### **Establishment of the Office**

29. The Royal Government of Bhutan shall direct the Bhutan Narcotic Control Agency also to serve as the Secretariat to the Tobacco Control Board and to implement the provisions of this Act.

#### **Head of the Office**

30. The Executive Director of Bhutan Narcotic Control Agency, ex officio, shall be the head of Tobacco Control Office.

#### **Staff of the Office**

31. The Office may employ such staff as per the Civil Service Act.

#### **Functions of the Office**

32. The Office shall;
- a) carry out such activities as the Board may assign;
  - b) develop, implement and monitor the tobacco control activities in coordination with relevant agencies and

individuals under the guidance of the Board;

- c) develop guidelines and standards for tobacco control under the guidance of the Board;
- d) acquire information from all relevant agencies relating to the implementation or enforcement of the provisions of this Act
- e) record and report tobacco control activities to the Tobacco Control Board periodically.
- f) carry out measures for effective enforcement of the provisions of this Act under the guidance of the Board;
- g) conduct research works in the area of tobacco control;
- h) coordinate and communicate with relevant agencies, regional, sub-regional and international organizations for tobacco control.
- i) develop training materials and conduct training of trainers for law enforcement personnel, health workers, media, government service personnel, employers and employees in the private sector.
- j) develop and produce captions and signs for non-



smoking areas;

- k) assist the law enforcement agencies in promoting contact details for the public complaints, comments and notifications;
- l) Repealed.<sup>17</sup>
- m) progressively establish and maintain an updated database of laws and regulations on tobacco control and information about their enforcement ; and
- n) cooperate in regional and international inter governmental organizations and financial and development institutions for technical and financial assistance on research, surveillance and exchange of information.

---

<sup>17</sup> Sub-section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

## **CHAPTER NINE**

### **RESPONSIBILITIES OF IMPLEMENTING AGENCIES**

#### **Functions of the Ministry of Health**

33. The Ministry of Health has the responsibility to:
- a) promote awareness on the dangers of tobacco and health hazard to the public and all institutions;
  - b) establish effective cessation programmes in the health institutions;
  - c) carry out research on the ill effects of tobacco consumption on health; and
  - d) implement health promotion measures through all forms of media and through community based programmes.

#### **Functions of the Ministry of Economic Affairs**

34. The Ministry of Economic Affairs has the responsibility to:
- a) ban production and manufacturing of tobacco and

tobacco products in the Kingdom;<sup>18</sup>

- b) control illicit trade of tobacco and tobacco products;

#### **Functions of the Ministry of Finance**

35. The Department of Revenue and Customs has the responsibility to:

- a) Repealed.<sup>19</sup>
- b) Enforce as per section 13 of this Act; and
- c) control illicit trade on tobacco and tobacco products.

#### **Functions of the Ministry of Education**

36. To conduct awareness and education programme on ill effects of tobacco consumption for in-school and out of school youths.

---

<sup>18</sup> Sub-section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>19</sup> Sub-section as repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

### **Functions of Dzongkhag Tshogdu, Gewog Tshogde and Thromde Tshogde<sup>20</sup>**

37. The Dzongkhag Tshogdu, Gewog Tshogde and Thromde Tshogde shall provide support and cooperation for co-ordination and conduct awareness programs on tobacco control.<sup>21</sup>

### **Functions of the Royal Bhutan Police**

38. The Royal Bhutan Police have the responsibility to:

- a) enforce the provisions under Section 3 of this Act;
- b) assist the relevant agencies on prohibition of production and manufacturing of tobacco and tobacco products;<sup>22</sup>
- c) assist the relevant agencies on prohibition of tobacco advertisement, promotion and sponsorship; and
- d) assist the relevant agencies on control of illicit trade

---

<sup>20</sup> Sub heading as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>21</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>22</sup> Sub-section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

of tobacco and tobacco products.

#### **Functions of Thromde**

39. Repealed.<sup>23</sup>

#### **Functions of Road Safety and Transport Authority of Bhutan**

40. The Road Safety and Transport Authority shall coordinate and conduct awareness programs on tobacco control within the public and private transport system.<sup>24</sup>

#### **Functions of Civil Society Organization**

41. Any Civil Society organization may conduct awareness programs on the ill effects of tobacco consumption.<sup>25</sup>

---

<sup>23</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>24</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>25</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

## CHAPTER TEN

### ENFORCEMENT MEASURES

42. The Tobacco Control Board shall identify Authorized Officers from relevant agencies to enforce the provisions of this Act.

#### **Powers of Authorized Officer**

43. (1) Wherein an Authorized Officer has reasonable grounds to believe that there has been a violation of any provision of this Act or of any regulation made there under, he may:
- a) at any reasonable time enter and inspect any place where he/she believes tobacco and tobacco product is cultivated, harvested or manufactured;<sup>26</sup>
  - b) at any reasonable time enter any place with a search warrant that he/she believes contains/

---

<sup>26</sup> Sub-section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

stores tobacco and any tobacco products;

- c) Repealed.<sup>27</sup>
- d) at any reasonable time stop any person with the possession of tobacco and tobacco products and demand for proof of tax and duty payment;
- e) Repealed.<sup>28</sup>
- f) detain and seize tobacco products for such time as may be necessary or as recommended by the Tobacco Control Board;
- g) at any reasonable time enter any place where any advertisement of the tobacco and tobacco products has been made or is being made; and
- h) at any reasonable time enter any place in section

---

<sup>27</sup> Sub-section as repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>28</sup> Sub-section as repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

- (3) where smoking is not allowed.
- (2) An Authorized Officer acting under this section may, if so required, produce his/her authority/identity card.
- (3) The person-in-charge of a place shall provide necessary assistance to the Authorized Officer in carrying out his or her duties under this section.

#### **Confiscation**

- 44. The Court may order confiscation of any property derived directly or indirectly through the commission of a criminal offence against this Act or a relevant offence in the Penal Code of Bhutan.

#### **Search and seizure**

- 45. Any authorized officer shall have the power of search and seizure in accordance with the provisions of the Civil and Criminal Procedure Code of Bhutan.

#### **Disposal**

- 46. An Authorized officer shall dispose seized tobacco or



tobacco products in accordance with the Rules framed by the Tobacco Control Board.<sup>29</sup>

## **CHAPTER ELEVEN**

### **OFFENCES AND PENALTIES**

47. The Board shall have the authority to impose fines on the offenders and may revise the fines when necessary.<sup>30</sup>
48. A person smoking in any non-smoking area designated under section 3 shall be fined with an amount specified by Tobacco Control Board.
49. In a public gathering place the person in charge/proprietor shall designate an area for smokers. If this is not specified and if a person is found smoking in non-smoking area, the person in charge of that place shall be fined with an amount specified by Tobacco Control Board.

---

<sup>29</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>30</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

50. Any person who contravenes section 11(a) shall be punished with misdemeanor as per the Penal Code of Bhutan and pay a fine equivalent to a minimum of 12 months and maximum of 35 months of minimum wage.<sup>31</sup>

50A. Any person who contravenes section 11 (a) of this Act for the second time shall be punished with a felony of fourth degree as per the Penal Code of Bhutan.<sup>32</sup>

51. Repealed.<sup>33</sup>

51A. Repealed.<sup>34</sup>

51B. Repealed.<sup>35</sup>

---

<sup>31</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>32</sup> Section as amended by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>33</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>34</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>35</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

51C. Repealed.<sup>36</sup>

52. Repealed.<sup>37</sup>

53. Any person who contravenes the provision of section 19 shall be punishable with a petty misdemeanor and shall be penalized as per the Penal Code of Bhutan.

54. Repealed.<sup>38</sup>

54A. A person who violates any provision of this Act shall have his or her tobacco or tobacco products confiscated.<sup>39</sup>

54B. Repealed.<sup>40</sup>

---

<sup>36</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>37</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>38</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>39</sup> New section as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>40</sup> Section repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

## **CHAPTER TWELVE**

### **MISCELLANEOUS**

#### **Financial Resources**

55. The Government shall provide adequate financial support to implement the provisions of this Act.
56. All relevant potential and existing resources comprised of both public and private that are available for tobacco control activities, should be mobilized and utilized for implementing the provisions of this Act.

#### **Rules Making Power**

57. The Tobacco Control Board may make rules for the effective implementation of this Act.

#### **Authoritative Text**

58. The Dzongkha text shall be the authoritative text, if there exists any difference in meaning between the Dzongkha and the English text.

### **Amendments**

59. The amendment of this Act by way of addition, variation or repeal shall be effected by a simple majority of the respective Houses or vote of not less than two-third of the total members of parliament present and voting on a motion submitted by one-third of the members of either Houses, provided that the amendment does not undermine the functions and effectiveness of Bhutan Narcotic Control Agency.

### **Definitions**

60. In this Act, unless the context otherwise requires, the following definitions shall apply throughout the Act:
- a) **“Agencies”** means Government, Non- Government Organization, Private, Public
  - b) **“Authorized officer”** means an officer duly assigned by the Tobacco Control Board from relevant agencies to carry out the provisions for the purposes of this Act.
  - c) **“Cultivate”** means to farm or to grow tobacco plant

for use as tobacco or tobacco products.<sup>41</sup>

- d) **“Harvest”** means to gather leaves or any part of a tobacco plant for use as tobacco or tobacco products.<sup>42</sup>
- e) **“Label”** means a name, sign, shape or mark denoted by any means to make known any kind of tobacco product;”
- f) Repealed.<sup>43</sup>
- g) **“Person- in- charge”** means an owner, manager, supervisor or a person responsible for the operation of the public place or public transport designated in section 3.
- h) **“Production”** means the making of tobacco products in the form of cigarettes, cigars, bidis, cigarette tobacco, pipe tobacco, hookah tobacco, chewing tobacco, pan masala or any chewing material having tobacco as one of its ingredients or snuff;

---

<sup>41</sup> Definition as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>42</sup> Definition as amended by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>43</sup> Definition repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

- i) **“Smoking”** means inhaling and exhaling the smoke of any tobacco product whether in the form of cigarette, cigar, pipe, bidi or otherwise and shall include the holding of or controlling any ignited tobacco product;
- j) **“Tobacco and tobacco product”** means any raw material or any material prepared from the whole or part of the tobacco plant (*Nicotiana glauca*) or (*Nicotiana glauca*) leaf or stalk of the same, to be smoked, sniffed, sucked or chewed.
- k) **“Thromde”** means an urban area or a municipality as specified in the Local Government Act.
- l) **“Manufacture”** means any process of converting tobacco to a consumable tobacco product.<sup>44</sup>
- m) **“Distribute”** means to make available or to provide tobacco or tobacco products for commercial purposes.<sup>45</sup>
- n) **“Transport”** means to convey tobacco or tobacco

---

<sup>44</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>45</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

products using any mode of transportation.<sup>46</sup>

- o) Repealed.<sup>47</sup>
- p) **“Public Place”** means an area, permanent or temporary, that is accessible to the general public or for collective use by the general public regardless of ownership or right of access.<sup>48</sup>
- q) **“Tobacco Advertising and Promotion”** means any form of commercial communication, recommendation, or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly.<sup>49</sup>
- r) **“Tobacco Sponsorship”** means any form of contribution to any event, activity or individual with

---

<sup>46</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>47</sup> Definition repealed by the Tobacco Control (Amendment) Act of Bhutan 2021

<sup>48</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>49</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014



the aim, effect or likely effect of promoting a tobacco product or tobacco use directly or indirectly.<sup>50</sup>

## **Annexure I**

Repealed<sup>51</sup>

---

<sup>50</sup> New definition as inserted by the Tobacco Control (Amendment) Act of Bhutan 2014

<sup>51</sup> Annexure repealed by the Tobacco Control (Amendment) Act of Bhutan 2021