

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

**LAW**

**ON**

**Tobacco Control**

## **Chapter 1**

### **General provisions**

#### **Article 1.-**

. The purpose of this law is to protect public health and to reduce the impacts on health, economy, society and environment caused by tobacco products.

#### **Article 2.-**

This law has the following objectives:

- Determine measures to manage and control tobacco products.
- Promote awareness of the hazards of tobacco use to public and their participation;
- Collaborate with various ministries, national and international agencies, and organizations in partnership to drive education and to reduce tobacco products use.

#### **Article 3.-**

This law has its scope covering all acts related to all types of tobacco products which are locally manufactured or imported from foreign countries and distributed, sold and used in the Kingdom of Cambodia.

#### **Article 4.-**

Essential terminologies used in this law shall have the following definitions:

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|---|---|
| - Tobacco products                        | refers to all types of products made of tobacco leaf, strands of tobacco or any substance of tobacco produced by tobacco industrialists or by any other means to be used for direct smoking or other forms including sucking, chewing, dipping or snuffing. |
| - Tobacco industrialist                   | refers to tobacco manufacturers, wholesalers and importers of tobacco products.   |
| - Program sponsorship by tobacco industry | refers to any form of contribution to any event, activity or individual with the aim to have effect on or to potentially have effect on the advertisement of a tobacco product or the use of tobacco products either directly or indirectly.                |
| - Package of tobacco product              | refers to box, paper, or outer wrapping or any other material used for packaging tobacco products excluding the farmer's sack or container for holding their tobacco products.  |
| - Health warning message                  | refers to messages in Khmer language and as pictures printed on the package of tobacco products demonstrating the danger of tobacco use and other relevant  |

- Academic institution information.  
refers to educational, academic and training centers from kindergarten level to higher education level regardless of the types being schools, institutes, universities or all level of technical and vocational training centers.
- Health facilities refer to health posts, health centers, hospitals, health clinics both public and private, pharmacies and laboratories for instance.
- Smoke free ambience refers to air which is 100% free from tobacco smoke including the air in which tobacco smoke is not seen, smelled or measured.
- Religious institution refers to pagoda, church, dhamar hall worship house, monk house, pagoda library, Buddhist school, hermitage, center of vipassana meditation and mosque for instance that are used for the purpose of various religious worships and devotion in the Kingdom of Cambodia.

## **Chapter 2**

### **Tobacco Control Authority**

#### **Article 5.-**

The Ministry of Health is the competent agency to control all activities related to all kinds of tobacco products regulated in this law.

#### **Article 6.-**

The Ministry of Health is the national benchmark agency for liaison between the Royal Government of the Kingdom of Cambodia and the state parties to the World Health Organization Framework Convention on Tobacco Control (FCTC), FCTC secretariat, as well as relevant local and international non-governmental organizations.

#### **Article 7.-**

The Royal Government shall establish tobacco control committee to give education and reduce the use of tobacco products.

The tobacco control committee shall be chaired by the Minister of Health and have participation from relevant ministries and agencies.

The establishment and the functioning of tobacco control committee shall be determined by a sub-decree.

## **Chapter 3**

### **Disclosure of constituents in tobacco products and the display of health warning messages**

#### **Article 8.-**

Local tobacco manufacturers and importers of all types of tobacco products to be distributed and sold, in case it is required, shall provide to the Ministry of Health

with the detailed information on the constituents contained in tobacco products and tobacco smoke.

Detailed information on constituents contained in tobacco products and tobacco smoke shall be determined by an announcement of the Minister of Health

**Article 9.-**

The use of attractive and misleading wording including aroma and savory scent, light taste, mild taste, Vitamin taste and Caffeine taste shall be prohibited.

**Article 10.-**

Local tobacco manufacturers and importers of all types of tobacco products to be distributed, sold and consumed in the Kingdom of Cambodia shall print health warning message in Khmer language and as pictures about the hazards of tobacco products use on the package of tobacco products.

The pictorial health warning message shall be at least 50 (fifty) percent in size. The printing of textual and pictorial health warning message shall be determined by a sub-decree.

## **Chapter 4**

### **Measures imposed on the commercial advertisement, sale advertisement and sponsorship by tobacco industrialist**

**Article 11.-**

The advertisement of tobacco products through mass media in the form of picture, text or sound on radio, television, newspaper, magazine, CD, VCD, DVD, postal service, telecommunication service and on other broadcasting systems shall be prohibited.

The advertisement of tobacco products in the form of poster, billboard, banner, drawing, or other publicized tobacco advertising placard in public manner and the advertisement of tobacco products in the form of mobile picture on the wall of a car or on the vehicles and all types of means of transportation shall be banned.

The advertisement of tobacco products to public at any public place such as a concert or sport event or other events and the promotion of the dissemination of tobacco products to the customers either in direct or indirect manner by agents of tobacco manufacturing companies shall be banned.

**Article 12.-**

The display of tobacco products packages is normally allowed at cigarettes points of sale or cigarette kiosk or inside of cigarette shop only.

The volume and quantity of packages of tobacco products displayed or pasted at the point of sale or kiosk or inside of the cigarette shop will be determined by the announcement of the Minister of Health.

**Article 13.-**

The sponsorship in a concert or sport event or other public events in the form of tobacco products or the materials displaying the brand of tobacco products shall be banned.

## **Chapter 5**

### **Cigarette distribution, sale, and point of sale**

#### **Article 14.-**

The control and monitoring of retail, distribution, and wholesale of all kinds of tobacco products shall be determined by a sub-decree.

#### **Article 15.-**

The sale and distribution of all types of tobacco products to persons under 18 (eighteen) years of age and pregnant women shall be banned, if the pregnancy is obviously visible or if known to the seller.

The retail of a package of less than 20 cigarettes shall be prohibited.

#### **Article 16.-**

Bringing along for personal use into the Kingdom of Cambodia more than 200 (two hundred) sticks of cigarette or tobacco products or more than 50 (fifty) sticks of cigars or more than 250 (two hundred and fifty) grams of tobacco shall be banned.

Persons under 18 (eighteen) years of age is not allowed to bring along the cigarette or tobacco products into the Kingdom of Cambodia.

#### **Article 17.-**

Sale and distribution of all types of tobacco products on the premise of academic institutions, health facilities, children parks, religious institutions, museums, cultural and historical resorts, gymnasiums, gas stations and places with high flammability shall be banned.

Sale of all kinds of tobacco products by indirect means, by automated vending machine, mail order and the purchase order through various telecommunication services shall be banned.

## **Chapter 6**

### **Measures to Safeguard Smoke Free Ambience**

#### **Article 18.-**

The Royal Government shall pay attention and take actions to protect people from exposure to secondhand smoke to ensure the rights of non-smokers to smoke free ambience in order to prevent various diseases resulting from inhalation of smoke of tobacco products and health impacts caused by the smoke of tobacco products.

#### **Article 19.-**

The measures banning the smoking and the blowing of smoke of tobacco products at workplaces and public places shall be determined by a sub-decree.

## **Chapter 7**

### **Risks assessment, Monitoring, Evaluation and Research**

#### **Article 20.-**

The Ministry of Health shall collaborate with all relevant agencies to ensure appropriate risks assessment of activities related to tobacco products for monitoring, control and research of the impacts on health, economy, environment and society.

**Article 21.-**

The Ministry of Health and tobacco control committee shall collaborate with relevant agencies to conduct research on the impacts to health, economy, environment and society focusing on the following areas:

- The consumption of tobacco products;
- The quantity of the exported and imported tobacco products, prices and consumption of tobacco, raw materials, machinery, incomes, cultivation of tobacco crop and other information;
- The effectiveness of tobacco control policy implementation.

**Article 22.-**

The Ministry of Health and relevant agencies shall establish team of science experts and laboratory to test tobacco products especially the standard of constituents and the impacts arising from the consumption of tobacco products and, if necessary, shall collaborate with the regional and international team of science experts and laboratory.

## **Chapter 8**

### **Provision of information, awareness raising, and participations from the public**

**Article 23.-**

The Ministry of Health, the tobacco control committee and relevant agencies shall raise awareness, conduct the education and provide adequate information to the public on the impacts on health, economy and environment resulting from the use of tobacco products.

The Ministry of Health and tobacco control committee shall collaborate with competent authorities, local authorities, civil society and private sector not affiliated with the tobacco industrialist to enhance the program to raise the awareness the consequences of tobacco products use.

**Article 24.-**

The Ministry of Health and tobacco control committee shall collaborate with relevant agencies to encourage the participation from the public in the program to raise the public awareness nationwide through education and comprehensive dissemination campaign and help tobacco users to quit the use of tobacco products.

**Article 25.-**

All types of health service providers, both public and private, shall get involved and provide education and disseminate the consequence of tobacco product consumption to the public and their clients.

**Article 26.-**

The Ministry in charge of education sector shall integrate the program to raise the awareness of the consequences of tobacco product use into the curriculum of general education, both public and private.

**Article 27.-**

The Royal Government shall pay attention to the farmers who voluntarily swift from growing tobacco crops to growing other crops.

## **Chapter 9**

### **The Policy of Tax on Tobacco products**

#### **Article 28.-**

The Royal Government shall have policy to impose tax increase on all types of tobacco products according to appropriate situation.

#### **Article 29.-**

The Royal government shall establish tobacco control foundation to reduce the use of tobacco and the impacts of tobacco use, to conduct health education toward abandonment of tobacco use habit, to research and evaluate tobacco control programs and for helping the farmers to give up tobacco crop cultivation and for other purposes in order to serve public health.

This tobacco control foundation shall be established by a sub-decree.

## **Chapter 10**

### **Inspection of Tobacco Products**

#### **Article 30.-**

The Ministry of Health shall assign its expertized officials as inspection officers of tobacco products in order to monitor, control and enforce the law implementation.

#### **Article 31.-**

Within the scope of the operation related to the inspection stipulated in this law, inspection officers of tobacco products have the rights to control and take actions as below:

- Check regularly the consumption, sale, and advertisement of tobacco products as well as the printing of health warning message on the tobacco products by tobacco industrialist
- Request to check and test the constituents of tobacco products contained in the tobacco products and in tobacco smoke
- Take actions to put a temporary ban on the distributions or the circulation on the market of any types of tobacco products experimented and found to contain constituents that cause high risks or that cause serious hazards to human health and the environment.
- Monitor and issue inconvenience fine for non-compliance with other juristic regulation related to tobacco control.
- Confiscate the evidence and put a label and stamp on the evidence of offense
- Fulfill other duties as assigned by the Minister of Health.

The procedure of the inspection of tobacco products shall be determined by the announcement of the Minister of Health.

#### **Article 32.-**

Inspection officers of tobacco products obtain legal qualifications to monitor offenses stipulated in this law in accordance with provisions of the Code of Criminal Procedure.

The formality and procedure of the provision of the legal qualifications to inspection officers of tobacco products shall be determined by a joint announcement of the Minister of Justice and the Minister of Health.

**Article 33.-**

All the operations of offense examination by inspection officers of tobacco products shall be conducted in line with the code of criminal procedure. Inspection officers of tobacco products have rights to ask for assistance from territorial authorities of all levels and armed force units or other relevant competent authorities to take part in the subduing of the offenses stipulated in this law.

**Article 34.-**

During the law enforcement operation, inspection officers of tobacco products shall dress in uniform and possess identification cards as well as the letter of authorization for mission execution.

The uniform and identification card of inspection officers of tobacco products shall be determined by the announcement of the Minister of Health.

**Article 35.-**

Individual who does not accept any measure taken by inspection officers of tobacco products may submit a complaint to contest it within 30 (thirty) working days to the Minister of Health from the date of receipt of the decision or the date of confiscation.

The Minister of Health shall decide on the complaints within 45 (forty five) working days at the latest from the date of receipt of the complaint.

In case any individual does not feel receptive to the decision of the Minister of Health, such individual has rights to submit the complaint to the court in accordance with the legal procedure.

**Article 36.-**

During the operation to enforce this law, in case the exhibit of the offense is a prohibited or dangerous product, inspection officers of tobacco products have rights to request for an order from prosecutor to destroy the products by conforming with the legal procedure in force and effect.

The expenditure on the destruction of the exhibit as stipulated above shall be the burden of the owner of the exhibit of the offenses.

**Article 37.-**

The payment of inconvenience fines shall be paid to the government budget. The Royal Government may decide to provide incentives to officers who take part in any instance of specific offense subdual stipulated in this law.

## **Chapter 11 Penalty Clause**

**Article 38.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 8 of this law shall be condemned to imprisonment from 1 (one) month to 6 (six) months and shall be fined in cash from 4,000,000 (four million) to 20,000,000 (twenty million) riels.

In case of recidivism, the penalty shall be double.



**Article 39.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 9 of this law shall be condemned to a fine in cash from 1,000,000 (one million) to 4,000,000 (four million) riels.

In case of already having undergone condemnation to a fine completely and repeating the same offense within 2 (two) years, the fine shall be double.

**Article 40.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 10 of this law shall be condemned to a fine in cash from 4,000,000 (four million) to 20,000,000 (twenty million) riels.

In case of already having undergone condemnation to a fine completely and repeating the same offense within 2 (two) years, the fine shall be double.

**Article 41.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 11 of this law shall be condemned to a fine in cash from 8,000,000 (eight million) to 40,000,000 (forty million) riels.

In case of already having undergone condemnation to a fine completely and repeating the same offense within 2 (two) years, the fine shall be double.

**Article 42.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 12 of this law shall be condemned to a fine in cash from 1,000,000 (one million) to 4,000,000 (four million) riels.

In case of already having undergone condemnation to a fine completely and repeating the same offense within 2 (two) years, the fine shall be double.

**Article 43.-**

Local tobacco manufacturers and importers of all types of tobacco products for distribution, sale and use who are not compliant with the provisions as stipulated in article 13 of this law shall be condemned to a fine in cash from 8,000,000 (eight million) to 40,000,000 (forty million) riels.

In case of already having undergone condemnation to a fine completely and repeating the same offense within 2 (two) years, the fine shall be double.

**Article 44.-**

Any act of selling or distributing all types of tobacco products to persons under 18 (eighteen) years of age or to pregnant women, if the pregnancy is obviously visible or perceived, shall be condemned to imprisonment from 6 (six) days to 1 (one) month and shall be fined in cash from 100,000 (one hundred thousand) to 1,000,000 (one million) riels.

**Article 45.-**

Any quantity or amount of cigarette or tobacco products banned by article 16 of this law shall be confiscated by competent officers.

**Article 46.-**

Any act of selling or distributing all types of tobacco products on the premise of academic institutions, health facilities, children parks, religious institutions, museums, historical resort, gymnasium, gas stations and places with high flammability shall be condemned to a fine in cash from 100,000 (one hundred thousand) to 1,000,000 (one million) riels.

Any act of selling all types of tobacco products through indirect means, automated vending machine, mail order and the purchase order through other telecommunication services shall be condemned to a fine in cash from 200,000 (two hundred thousand) to 2,000,000 (two million) riels.

**Article 47.-**

Legal entities may be declared to be under criminal liability per the condition stipulated in article 42 (criminal liability of legal entities) of the Criminal Code for the offenses stipulated in articles 38 to 43, and in paragraph 2 of article 46 of this law.

Legal entities shall be fined with double amount of money together with one or more additional punishments as follows:

1. Dissolution according to the formality defined by article 170 (dissolution and liquidation of legal entities) of Criminal Code.
2. The placement under the monitoring of the court according to the formalities determined by article 171 (the placement under the monitoring of the court) of Criminal Code.
3. Prohibition from performing one or more activities according to the formalities determined by article 172 (prohibition from acting) of Criminal Code.
4. Post the condemnation decision according to the formality determined by article 180 (the posting of decision notice) of Criminal Code.
5. The publication of condemnation decision on printed newspapers or through the broadcasting on all means of audio-visual telecommunication according to formalities determined by article 181 (the publication of the decision via means of audio-visual telecommunication for instance) of Criminal Code.

## **Chapter 12**

### **Transitional Provision**

**Article 48.-**

Juristic regulation related to tobacco control still in force and effect shall remain valid until superseded by a new juristic regulation in line with the provisions of this law.

## **Chapter 13**

### **Final Provision**

**Article 49.-**

Any provision that contradicts this law shall be considered as null and void.

Executed at the Royal Palace, May 18, 2015

**Royal sign-manual and seal  
Norodom Sihamoni**

PRL: 1505.455

The content delivered to inform the monarch  
for royal sign-manual

**Prime Minister  
Signature  
Samdech Akka Moha Sena Padei Techo Hun Sen**

The content delivered to inform  
Samdech Akka Moha Sena Padei Techo Hun Sen, the Prime Minister

**The Minister of Health  
Signature  
MAM BUN HENG**

*[Round seal reading: The Kingdom of Cambodia,  
Office of the Councils of Ministers]*

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Secretary-general of The Royal Government  
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