

**KINGDOM OF CAMBODIA
NATION RELIGION KING

**Royal Government of Cambodia
No.149.ANKR.BK**

**Sub-Decree
On
Printing of Health Warning in Khmer Language and Pictorial on Tobacco
Products Packages

The Royal Government

- Having seen Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0913/903 dated 24 September 2013 on the Appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated 20 July 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen Royal Code No. NS/RKM/0196/06 dated 24 January 1996 promulgating Law on the Establishment of the Ministry of Health;
- Having seen Royal Code No. NS/RKM/0515/004 dated 18 May, 2015 promulgating the Law on Tobacco Control
- Having seen Royal Decree No. 67 ANKR.BK dated 22 October 1997 on the Organization and Functioning of the Ministry of Health
- In accordance with the proposal of the Ministry of Health

DECIDES

CHAPTER 1 General Provisions

Article 1.-

The purpose of this Sub-Decree is to protect public health and reduce the negative health, economic, social and environmental impacts caused by tobacco products.

Article 2.-

This Sub-Decree has the following objectives:

- Determine measures to manage and control for the printing of Health Warning in Khmer language and pictorial on tobacco products packages;
- Promote awareness about the effects of tobacco use to public in order to reduce tobacco consumption;
- Prevent children and youth from starting to use tobacco products.

Article 3.-

This Sub Decree has its scope covering the printing of Health Warning in Khmer Language and Pictorial on all types of tobacco products which are locally manufactured, imported and distributed, sold and used in the Kingdom of Cambodia.

Article 4.-

Essential terminologies used in this Sub-Decree shall have the following definitions:

“Tobacco products packages or packaging” refers to box, paper, or wrapping material, or any other material used for packaging tobacco products excluding bag or container that farmers use to contain their tobacco;

“Health Warning” refers to messages in Khmer language and pictorial that is required to be printed on tobacco product packages illustrating the effects of tobacco use and other relevant information.

CHAPTER 2 Competent Authority

Article 5.-

Monitoring and implementation of the Sub-Decree on Printing of Health Warning in Khmer Language and Pictorial on tobacco products packages shall be under competence of the Ministry of Health.

CHAPTER 3

Measures on the Printing of Health Warning in Khmer language and Pictorial on Tobacco Products Packages

Article 6.- Duties of manufacturers, importers, distributors, promoters, and retailers

All tobacco manufacturers and importers of all types of tobacco products and distributed, sold and used in the Kingdom of Cambodia shall print of Health Warning in Khmer Language and Pictorial on tobacco products packages.

Article 7.- Specifications of Pictorial Health Warnings

Pictorial Health Warnings on all tobacco products packages shall meet the following particular requirements:

- Pictorial Health Warning shall consist of a pictorial covering 50% and text warning messages in Khmer language covering 5% of the front and back principal display or on all display areas if the packs have more than two display areas.
- Pictorial Health Warning shall be printed on the top of the both side on tobacco products packages.
- Health warning in Khmer and Pictorial shall be visible, clear, unbleached, not rubbed off, and not overlapped.
- Text warning messages in Khmer language shall be printed as bold text in white on a matte black background on the top above pictorial warning.

Article 8.-

Health warning in Khmer language and pictorial shall not be obstructed by any other packaging, notes or labeling tended to deter the effectiveness of the pictorial health warning as stipulated in this Sub-Decree except tax stamps.

Article 9.-

Sample of Health Warning in Khmer language and pictorial as stated by article 6 and 7 of this Sub-Decree and rotation methods of health warnings shall be defined by a particular Prakas of the Minister of Health.

CHAPTER 4

Penalty Provisions

Article 10.-

Pecuniary fine is the competent of the inspection officers of tobacco products.

Article 11.-

Procedures for pecuniary fines of this Sub-Decree violations shall be defined by a Joint-Prakas of the Minister of Health and Minister of Economy and Finance.

Article 12.-

Local tobacco manufacturers and importers of all types of tobacco products who distributes and sells tobacco products that violate article 8 of this Sub Decree shall have pecuniary fine of 4,000,000.00 (four million) riel per offense.

In case of repeat infringement, the fine shall be double.

Article 13.-

Any distributor and wholesaler of all types of tobacco products who distributes and sells tobacco products that do not carry Health Warning in Khmer language and pictorial or with any other packaging, note or labeling tended to obstruct the purposes of the Pictorial Health Warning shall be liable for pecuniary fine of 2,000,000.00 (two million) Riel per offense.

In case of repeat infringement, the fine shall be double.

Article 14.-

Any retailers of all type of tobacco products who distributes and sells tobacco products that do not carry Health Warning in Khmer language and pictorial or with any other packaging, note or labeling tended to obstruct the purposes of the Pictorial Health Warning shall be liable for pecuniary fine of 10,000.00 (ten thousand) Riel per offense.

In case of repeat infringement, the fine shall be double.

Article 15.-

Any competent officer who violates his/her duty as stipulated in Article 5 of this Sub-Decree shall be punished by administrative disciplines and by the relevant laws of the Kingdom of Cambodia.

CHAPTER 5
Transitional Provision

Article 16.-

All manufacturers and importers of all types of tobacco products for distribution, sale and use in the Kingdom of Cambodia shall implement this Sub-Decree within a period of not later than 9 (nine) months after this Sub-Decree comes into force.

CHAPTER 6
Final Provisions

Article 17.-

Any provision that contradicts this Sub-Decree shall be considered as null and void.

Article 18.-

Ministers in charge of the Council of Ministers, Minister of Economy and Finance, Minister of Health, Ministers and Secretaries of State of all relevant Ministries and Institutions shall implement this Sub-Decree from the date of signature.

Phnom Penh, 22 October 2015

Prime Minister

Stamp and signature

Samdech Aka Moha Sena Padei Techo **Hun Sen**

Have submitted to Samdech Aka Moha Sena Padei
Techo Prime Minister for signature

Minister of Health

Signature

Mam Bunheng

Recipients:

- Ministry of Royal Palace
- Secretariat General of the Constitutional Council
- Secretariat General of the Senat
- Secretariat General of the National Assembly
- Secretaries General of the Royal Government of Cambodia
- Cabinet of the Prime Minister
- Cabinet of H.E (Mrs.) Deputy Prime Minister
- As in article 18
- Royal Affairs
- Documentation-Archives