

In the Name of Allah
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Law on the Second Amendment to Law Number 15/2010 **(Tobacco Control Act)**

<p>The President's Office Boduthakurufaanu Magu, Malé, Republic of Maldives.</p>	<ul style="list-style-type: none">• Regulations and policies should be submitted to legalaffairs@po.gov.mv for publication in the Gazette.
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The Bill on the Second Amendment to Law Number 15/2010 (Tobacco Control Act), which was passed by the 20th People's Majlis at its 30th sitting of the First Session of 2025 on Tuesday, 13 May 2025, has become law upon ratification by the President of the Republic on Wednesday, 22 May 2025 (23 Dhul Qa'idah 1446), in accordance with Article 92 of the Constitution, and is hereby published in the Government of Maldives Gazette.

Law on the Second Amendment to Law Number 15/2010 (Tobacco Control Act)

The following amendments shall be made to Law Number 15/2010 (Tobacco Control Act)

1. Article 6 of the said Law shall be amended as follows:

6. Prohibition of tobacco products/production for specific ages:

- (a) No person born on or after 1 January 2007 shall consume any tobacco product or tobacco production.
- (b) No party shall sell any tobacco product or tobacco production to any of the following parties:
 - (1) Any person born on or after 1 January 2007
 - (2) Any person under the age of 21 (twenty-one) year.
- (c) No person shall involve any party specified in sub-article (b) of this Article in a transaction for the sale of a tobacco product or tobacco production.

2. Addition of an Article after Article 6 of the said Law

The following Article shall be added after **Article 6** of the said Law:

6-1. Responsibilities of parties selling tobacco products

- (a) No party shall sell any tobacco product or tobacco production unless they possess a license issued under Article 28 of this Law, and only at a premise registered under this Law.
- (b) No person shall sell or offer for sale any tobacco product or tobacco production through a vending machine, by post, online, or any other self-service method that prevents verification of the purchaser's identity.
- (c) The regulations formulated under this Law must specify the rules necessary to ensure compliance with the matters stated in sub-article (b) of this Article.
- (d) Even at a licensed premise for the sale of tobacco products or production, it is the responsibility of the seller to ensure that the purchaser is not a party specified in sub-article (b) of Article 6 of this Law. Furthermore, if a purchaser is suspected to be such a party, no tobacco product shall be sold to them unless they present a valid official document identifying them or indicating their age, after being requested to do so.

3. Amendment to Article 7 of the said Law

Article 7 of the said Law shall be amended as follows:

7. Display of notices prohibiting the sale of tobacco products

Parties engaging in the tobacco business must display a warning notice in their business premises, visible to the public, indicating that the sale of any tobacco product or production to a party specified in Article 6 of this Law is prohibited by law. This notice must comply with the rules and standards determined by the Ministry.

4. Addition of a sub-article after sub-article (c) of Article 10 of the said Law

The following sub-article shall be added after sub-article (c) of Article 10 of the said Law:

10.

- (c) The importation into the Maldives of machinery and equipment specifically designed for the production of tobacco products is prohibited.

5. Amendment to sub-article (c) of Article 10-2 of the said Law

Sub-article (c) of Article 10-2 of the said Law shall be amended as follows:

10-2.

- (c) The possession or use of electronic cigarettes and similar vaping device, along with products prepared for use with such devices, is prohibited in the Maldives.

6. Addition of an Article after Article 10-2 of the said Law

The following Article shall be added after Article 10-2 of the said Law.

10-3. Seizure and disposal of electronic cigarettes and vaping devices.

- (a) If a person is found possessing or using an electronic cigarette or a similar vaping device in a public place, the police are empowered to seize the device in accordance with Article 29-1 of this Law.
- (b) If any party imports an electronic cigarette or a similar vaping device into the Maldives Customs officers are empowered to seize the item in accordance with Article 29-2 of this Law.

- (c) Devices seized under sub-article (a) or (b) of this Article shall be dealt with in accordance with the procedures outlined in Article 29-3 of this Law.

7. Amendment to sub-article (c) of Article 11 of the said Law

Sub-article (c) of Article 11 of the said Law shall be amended as follows:

11.

- (c) The warning statement and other phrases specified in sub-article (b)(i) of this Article must be written and printed in Dhivehi or English, in accordance with the rules determined by the Ministry.

8. Addition of two sub-articles after sub-article (c) of Article 11 of the said Law.

The following two sub-articles shall be added after sub-article (c) of Article 11 of the said Law:

11.

- (d) The prohibition on importing tobacco products into the Maldives, as specified in sub-article (b) of this Article, does not include tobacco products brought by passengers arriving in the Maldives from abroad for their personal use.
- (e) For the purpose of sub-article (d) of this Article, "passengers arriving in the Maldives from abroad" includes both foreign nationals and Maldivian citizens.

9. Amendment to sub-article (a) of Article 14 of the said Law

Sub-article (a) of Article 14 of the said Law shall be amended as follows.

14. Prohibition of tobacco advertising.

- (a) No party shall advertise, sponsor, promote, organize any promotional activity, or participate in any such activity related to tobacco products.

10. Amendment to sub-article (b)(1) of Article 29 of the said Law.

Sub-article (b)(1) of Article 29 of the said Law shall be amended as follows:

29. (b)

- (1) Fines ranging from MVR 1,000 (One Thousand Rufiyaa) to MVR (One Million Rufiyaa) as stipulated in the regulations 1,000,000 made under this Law. If the act committed by the fined party involves dealing in unauthorized tobacco products, engaging in unauthorized trade, smuggling, or failure to disclose or falsification of information required to be disclosed during the import and export stages, or non-compliance with packaging and labeling rules, the amount of the fine shall be 10 (ten) times the total value of the goods related to the act inclusive of applicable taxes and fees at that stage. If the resulting total amount is less than MVR 1,000 (One Thousand Rufiyaa), the fine shall be MVR 1,000 (One Thousand Rufiyaa)

11. Amendment to sub-article (d)(3) of Article 29 of the said Law

Sub-article (d)(3) of Article 29 of the said Law shall be amended as follows:

29. (d)

- (3) Other tobacco products and items in the possession or custody of the party that violated the law, and machinery and equipment specifically designed for the production of tobacco products.

12. Addition of three Articles after Article 29 of the said Law

The following three Articles shall be added after Article 29 of the said Law.

29-1. Procedure for taking action related to the use or possession of electronic cigarettes and vaping devices.

- (a) If a police officer observes any person possessing or using an electronic cigarette or a similar vaping device in a public place, the officer shall seize the item under Article 10-3 of this Law, after verifying that the item is indeed an electronic cigarette or a similar vaping device and not a tobacco heating product or any other item, by completing the following procedures.
 - (1) Stopping the party suspected of violating the law, identifying the officer as a party empowered to take necessary measures to enforce this Law, and clearly stating the act believed to have been committed by the party in violation of this Law.
 - (2) Instructing the party suspected of violating the law to hand over the device found in their possession to the officer for verification that it

is an electronic cigarette or a similar vaping device as specified in , sub-article (c) of this Article. If the instruction is not followed informing the person that the item may be seized from them and that reasonable force may be used if they do not cooperate.

(3) If the party suspected of violating the law objects to handing over the device as instructed ,under sub-article (a)(2) of this Article seizing the item from that party and acting in accordance with sub-article (a)(4) of this Article.

(4) After inspecting the device in the possession of the party suspected of violating the law, and if it is confirmed to be an electronic cigarette or a similar vaping device, stating that the act committed by the party is prohibited under the law, and that as a result, the device may be seized and taken into police custody, and the party may be fined. Thereafter, acting as follows:

- i. Imposing the fine stipulated by law and handing over a written record of the fine.
- ii. Informing the party that the device possessed or used in violation of the law is being taken into custody, and handing over a written record of the device being taken into police custody.

(b) When a police officer authorized to take action against a party suspected of violating the law instructs the party to hand over a device found in their possession under sub-article (a)(2) of this Article, if the item is not handed over, it must be seized from the person. Force should only be used to the extent necessary to seize the item from that person.

29-2. Procedure for taking action related to the importation of electronic cigarettes and vaping devices into the Maldives.

(a) If any party imports an electronic cigarette or a similar vaping device into the Maldives, the item may be seized by Customs officers or police officers in accordance with this Article.

(b) An electronic cigarette or a similar vaping device seized under sub-article (a) of this Article may be seized if it is being imported into the Maldives unlawfully, either through a shipment or by any other means.

- (c) An electronic cigarette or a similar vaping device seized under sub-article (a) of this Article may be seized from passengers arriving in the Maldives or from their luggage.
- (d) If the power specified in sub-article (a) of this Article is exercised in relation to a shipment imported into the Maldives, it shall be exercised by Customs officers in accordance with Chapter 6 of Law Number 8/2011 (Maldives Customs Act)
- (e) If the power specified in sub-article (a) of this Article is exercised in cases where an item is being attempted to be brought into the Maldives unlawfully not as an import, it shall be exercised by police officers in accordance with , the regulations made by the Maldives Police Service under this Law.
- (f) An electronic cigarette or a similar vaping device imported into the Maldives must be seized under Article 10-3 of this Law only after confirming that it is indeed an electronic cigarette or a similar vaping device and not a tobacco heating product or any other item.
- (g) When seizing an electronic cigarette or a similar vaping device under sub-article (c) of this Article, officers from the law enforcement agency must complete the procedures specified in sub-article (a) of Article 29-1 of this Law.
- (h) For the purpose of sub-article (c) of this Article, passengers' luggage should be inspected and searched using a luggage scanner if such an item is detected in their luggage.
- (i) After an electronic cigarette or a similar vaping device imported into the Maldives is seized by a law enforcement agency under this Article, it must be dealt with in accordance with the procedures specified in Article 29-3 of this Law.

29-3. Procedure for managing and disposing of seized electronic cigarettes and vaping devices.

- (a) For every electronic cigarette or similar vaping device seized under Article or Article 29-2 of this Law, the law enforcement officer who seized 29-1 the item must, on the same date, record the following information in writing:
 - (1) Information about the party from whom the device was seized
 - (2) Date, place, and time of seizure

- (3) Details of the seized device (including brand and model of the device)
 - (4) Details of the device's condition at the time of seizure (whether it was an empty device or if it included refill containers and other parts, those details)
 - (5) How the procedures for providing information and warnings under Article 29-1 and Article 29-2 of this Law, and the seizure procedures, were completed prior to seizure.
 - (6) If force was required during the seizure, details of that and how force was used.
 - (7) Confirmation that the device was handed over to the relevant, department under sub-article (b) of this Article after seizure, including the time of handover and the name and service number of the official who received it.
- (b) Every electronic cigarette or similar vaping device seized under Article 29- or Article 29-2 of this Law, after being taken into the custody of the law enforcement agency in accordance with those articles, must be handed over to the relevant department of that agency designated for managing unlawfully seized items on the date of seizure.
- (c) Every electronic cigarette or similar vaping device seized under Article 29- or Article 29-2 of this Law, after being seized and brought into the custody of the law enforcement agency, must have its chain of custody maintained by the law enforcement agency in accordance with the regulations made under this Law until the item is disposed of as specified in this Law.
- (d) Items brought into the custody of the law enforcement agency under this Article must be disposed of by that agency within a maximum of 45 (forty-five) days, in accordance with the regulations made under this Law.
- (e) In addition to recording information regarding every electronic cigarette or similar vaping device seized under Article 29-1 or Article 29-2 of this Law in writing under sub-article (a) of this Article, statistics of such seized and disposed items must be sent to the Ministry at least once every 45 (forty-five) days.

- (f) The regulations specified in sub-article (d) of this Article shall be made by the Maldives Police Service if they relate to procedures to be completed by the Police, and by the Maldives Customs Service if they relate to procedures to be completed by the Maldives Customs Service.
- (g) The law enforcement agencies mentioned in sub-article (f) of this Article must ensure that the rules and procedures included in the regulations they formulate are consistent. Furthermore, the regulations must include at least the following matters:
 - (1) Procedures to be followed by relevant officers of the law enforcement agency when seizing devices, and procedures for handing over such items to the relevant department.
 - (2) Procedures for maintaining the chain of custody for such devices including entry into the relevant department of the law enforcement agency, transportation to another location from the department, and disposal.
 - (3) Rules and procedures for disposing of seized devices, including recording the details of the official authorized to permit disposal.
 - (4) Rules ,related to maintaining records of seized and disposed devices and procedures for disclosing relevant information under this Law.

13. Addition of an Article after Article 41 of the said Law.

The following Article shall be added after **Article 41** of the said Law:

41-1. Making of Regulations.

Unless otherwise stated in this Law, all regulations required to be made under this Law for the purpose of enforcing this Law shall be made by the Ministry.

14. Addition of two sub-articles after sub-article (aa) of Article 42 of the said Law.

The following two sub-articles shall be added after sub-article (aa) of **Article 42** of the said Law:

42.

- (bb) "Tobacco product production" means the production of a tobacco product for sale or for commercial distribution by any other means. In this

definition, the word "production" is used with the meaning of manufacturing". This definition does not include acts performed by an individual for their personal use to prepare a tobacco product for consumption.

- (cc) Machinery and equipment specifically designed for the production of "tobacco products" refers to mechanical or automatic machinery and equipment designed for use in the processing and preparation stages of producing a tobacco product as defined in this Law, and marketed for sale, specifically designed for that sole purpose. This includes tools used for smoothing tobacco or adding additives to tobacco leaves, machinery used to remove stems from tobacco leaves, tools used to finely chop leaves for further processing, machinery used to reduce the moisture content of tobacco, machinery used to add flavor or additives to enhance the smell or taste of tobacco, machinery and equipment used to pack tobacco products, and machinery that, after placing tobacco on rolling paper for tobacco consumption, rolls and packs it in the form of a cigarette, bidi, or similar item. This definition does not include tools produced for personal use, brought by passengers arriving in the Maldives from abroad for their personal use.

15. This Law shall come into effect starting from November 2025.
