

No. S 23

TOBACCO ORDER, 2005
(S 49/05)

TOBACCO (PROHIBITION IN CERTAIN PLACES) (AMENDMENT) NOTIFICATION, 2012

ARRANGEMENT OF PARAGRAPHS

Paragraphs

1. Citation and commencement.
2. Amendment of paragraph 2 of S 35/07.
3. Amendment of paragraph 3.
4. Substitution of First Schedule.

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TOBACCO (PROHIBITION IN CERTAIN PLACES) (AMENDMENT) NOTIFICATION, 2012

In exercise of the power conferred by section 14(1) of the Tobacco Order, 2005, the Minister of Health, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Notification —

Citation and commencement.

1. This Notification may be cited as the Tobacco (Prohibition in Certain Places) (Amendment) Notification, 2012 and shall commence on 1st. March, 2012.

Amendment of paragraph 2 of S 35/07.

2. Paragraph 2 of the Tobacco (Prohibition in Certain Places) Notification, 2007, in this Notification referred to as the Notification, is amended —

(a) by deleting the definitions of “eating place” and “amusement centre”;

(b) by inserting the following new definitions in the appropriate alphabetical order —

“child care centre” has the same meaning as in section 2 of the Child Care Centres Order, 2006 (S 37/06);

“eating place” means any place or any part of the place where food, meals or refreshments are served to the public and includes a ballroom of a hotel;

“entertainment centre” includes any premises where jackpot machines, pin-ball machines, video game machines or any other similar game machines are provided for entertainment;

“financial institution” has the same meaning as in section 2 of the Syariah Financial Supervisory Board Order, 2006 (S 5/06);”;

(c) in the definition of “educational institution”, by deleting “Order, 2003 (S 59/03)” and by substituting “Act (Chapter 210)” therefor;

(d) in the definition of “higher educational institution”, by deleting “Order, 2003 (S 59/03)” and by substituting “Act (Chapter 210)” therefor;

(e) in the definition of “premises”, by inserting “used in connection therewith,” immediately after “otherwise,”.

Amendment of paragraph 3.

3. Paragraph 3 of the Notification is amended by inserting “including its five-foot way and within 6 metres from the distance of the building line, as the case may be,” immediately after “First Schedule”.

Substitution of First Schedule.

4. The First Schedule to the Notification is repealed and the following new Schedule substituted therefor —

“FIRST SCHEDULE (paragraph 3)

BUILDINGS

1. Government premises.
2. Office premises.
3. Any area in an educational institution or higher educational institution.
4. Any area in a child care centre.
5. Queue of 2 or more persons in a public place.
6. Public museum or public art gallery.
7. Public library including libraries in public museum and public art gallery.
8. Hospital, medical clinics or nursing homes.
9. Building or public place which is used for religious purposes.
10. Market, stall, kiosk, tamu or any business premises.
11. Shop.
12. Shopping complex.
13. Any area in a petrol station.

14. Factory and workshop.
15. Financial institution.
16. Public transport terminal, bus-stop or taxistand.
17. Any airport including its premises.
18. Any immigration control post including its premises.
19. Entertainment centres.
20. Recreational park.
21. Sports arena or sports stadium, bowling alley, billiard hall, gymnasium, aerobic and fitness centre, public swimming pool or any other premises for sports activity.
22. Restaurant, bowling alley, billiard hall, arcade games room, gymnasium, fitness centre, swimming pool, health and beauty centre, spa, massage parlour, library, reading room, theatre or cinema in any private club.
23. Eating place including any toilet within the boundaries thereof.
24. Internet café.
25. Hall, ballroom or function room (including any such premises located in a hotel) whether or not it is being used for holding a meeting, conference, seminar, course or any exhibition or for the purpose of serving meals.
26. Any area which is used for any assembly activity in a building other than private or residential building.
27. Public staircase, lift or toilet.
28. Corridor, lobby, staircase, toilet or other common area in —
 - (a) any building which wholly or principally consist of office premises;
 - (b) such part of any building which consists wholly or principally of office premises;

(c) flat, apartment and condominium; or

(d) hotel, resthouse, resort centre or hostel.”.

Made this 29th. day of Rabiulawal, 1433 Hijriah corresponding to the 22nd. day of February, 2012.

PEHIN ORANG KAYA JOHAN PAHLAWAN
DATO SERI SETIA AWANG HAJI ADANAN BIN BEGAWAN PEHIN
SIRAJA KHATIB DATO SERI SETIA AWANG HAJI MOHD. YUSOF
Minister of Health,
Brunei Darussalam.