



OFFICIAL BULLETIN

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SUBSCRIPTIONS

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SUMMARY

NATIONAL ASSEMBLY

Law No. 119/IV/95:

Which defines the conditions for dissuasion and restriction of use of tobacco.

Law No. 120/IV/95:

Which creates the Organisation of the Commemoration of the 20th Anniversary of National Independence.

Law No. 121/IV/95:

Which regulates and protects access to police policy files.

OFFICE OF THE PRESIDENT OF THE COUNCIL OF MINISTERS:

Decree-Law No. 14/95:

Approved by the organic law of the Ministry of Economic Coordination.

Decree-Regulation No. 1595:

Updates to the maximum net limit of five per cent for salaries of employees and agents of the Central Government.

Ruling No. 23/95:

Creates the Habitat II Multidisciplinary Cabinet, hereinafter the "Cabinet."

Correction:

Correction to Directive No. 75/94 of 30 December.

**MINISTRY OF FOREIGN AFFAIRS, MINISTRY OF ECONOMIC COORDINATION AND
PRESIDENCY OF THE COUNCIL OF MINISTERS:**

Ruling:

Updates to subsidies table for diplomatic personnel.

MINISTRY OF EDUCATION AND SPORT:

Ruling No. 11/95:

Approves the system of evaluation for primary school children.

NATIONAL ASSEMBLY

Law No. 119/IV/95

of 13 March

By Mandate of the People, the National Assembly decrees, under the terms of paragraph *b*) of Article 186 of the Constitution, the following:

Article 1

(Object)

This legislation defines the conditions for dissuasion and restriction of the use of tobacco in public establishments and on public transport.

Article 2

(Concept)

For the purposes of this legislation, tobacco is considered to be the leaves, parts of the leaves and stalks of the plant *Nicotina Tabacum, L.* and *Nicotina Rusticda, L.*, whether sold in the form of a cigarette, cheroot or cigar, or cut for pipe use or hand rolling of cigarettes.

**Article 3
(Prohibition)**

1. The use of tobacco is prohibited:
 - a) In establishments which provide healthcare services, for example; hospitals, healthcare centres, clinics, medical consulting rooms, ambulances, pharmacies, first aid centres and similar;
 - b) In educational establishments, study or lecture halls, meeting rooms, libraries, gymnasiums and refectories;
 - c) In places set aside for minors under the age of eighteen, establishments set aside for child support and leisure centres;
 - d) In entertainment halls and other similar areas;
 - e) In covered sports areas;
 - f) In places for public assembly;
2. In the aforementioned places, the use of tobacco may be permitted in areas expressly set aside for smokers.
3. Areas set aside for smokers referred to in the preceding number may not include areas which provide access for the sick, children under sixteen years old, pregnant or lactating women, or sportsmen and women.

**Article 4
(Smoking bans in means of transport)**

1. It is prohibited to smoke in vehicles used for public collective transport, urban transport of passengers, suburban vehicles and hire or tourist service vehicles.
2. It is prohibited to smoke on domestic flights. On international flights, the use of tobacco shall be subject to the international rules of air navigation which protect the security of aircraft and passengers' comfort.
3. It is prohibited to smoke on maritime transport, except in uncovered areas set aside for such purposes, without prejudice to the limitations set out in the regulations issued by transport companies or port captains.

**Article 5
(Sign posting)**

1. The ban on smoking inside the places referred to in Article 3 shall be enforced by affixing labels with a red background in conformity with Model A, annexed to this legislation, outlined in white, with the text and crosses also in white and with a minimum size of 160 mm x 55 mm.
2. The areas where it is permitted to smoke shall be identified by affixing labels with a blue background and with remaining characteristics indicated in the preceding number, in conformity with Model B, annexed to this legislation.
3. With reference to labelling referred to in the preceding numbers, text indicating the legal provisions with regulate the prevention of tobacco shall be fixed onto the back part of the model.

**Article 6
(Advertising via public channels)**

1. For the purposes of this legislation, advertising shall be understood as all dissemination which is targeted at the public for determined goods or a service of a commercial nature aimed at promoting its purchase.
2. All forms of advertising are prohibited through national public channels or those located in Cape Verde.
3. The provisions of No. 2 do not apply to simple commercial information exhibited in establishments whose main business is the sale of tobacco or objects for consumption directly related to its use.

Article 7
(Advertising on consumer goods)

1. In the case of advertisements, it is prohibited to place the names, brands or emblems of tobacco-based products on objects for consumption which do not directly serve for tobacco use.

Article 8
(Negative publicity and meanings)

1. All cigarette packaging destined for consumption in national territory shall contain, clearly and fixed in a place which is completely visible, using characters which permit easy reading, the following information:

- a) Messages which alert the consumer to the harmful effects of tobacco;
- b) Information relating to the contents of each cigarette, grades of nicotine, expressed in milligrams and decimals of milligrams, and with condensate or tar, expressed in milligrams.
- c) "Low", "medium" or "high" classifications relating to the respective grades of tobacco;

2. The obligation imposed by the previous number shall fall on the tobacco manufacturers or importers, depending on whether the product is manufactured in Cape Verde or abroad.

Article 9
(Statistical studies)

The government department responsible for Healthcare shall ensure the yearly statistical monitoring of the results of the application of this legislation.

Article 10
(Monitoring)

The monitoring of the fulfilment of the provisions in Articles 3 and 5 shall be exercised by the public itself, the entities which are responsible for the places considered herein, and by the government departments responsible for the different areas in question.

Article 11
(Fines)

1. Offences pursuant to the provisions of Articles 3 and 4 of this legislation shall be punished with fines of between one thousand five hundred and fifteen thousand escudos.

2. Offences pursuant to Article 5 shall be punished with a fine of ten thousand to one hundred thousand escudos.
3. Offences pursuant to Article 6, 7, 8 shall be punished with a fine of fifty thousand to five hundred thousand escudos.
4. Should the offence be committed by a body, member or representative of a legal entity, or a company, even if irregularly constituted, or by an association, even of a non-legal nature, in the exercise of its functions and the interest of the represented party, the corresponding fine shall be applied, without prejudice to the individual responsibility of the agent of the offence.
5. The receipts resulting from the fines set out in this Article shall be used for the promotion of the protection of public health.

Article 12
(Competition)

Without prejudice to the powers of the municipal and police authorities, the healthcare authorities of the country are responsible for the application of the fines set out in the preceding Article.

Article 13
(Transitory provisions)

Tobacco already produced or imported on the date of entry into force of this law may be marketed with the current presentation, with a one-year period calculated from that moment.

Article 14
(Payment of charges)

The charges resulting from the execution of this legislation shall be paid for by the government department ornamental funds of the Healthcare sector.

Article 15
(Entry into force)

This legislation enters into force one hundred and twenty days after the date of its publication.

Approved on 10 February 1995.

The President of the National Assembly, *Amílcar Fernandes Spencer Lopes*.

Enacted on 27 February 1995.

To be published.

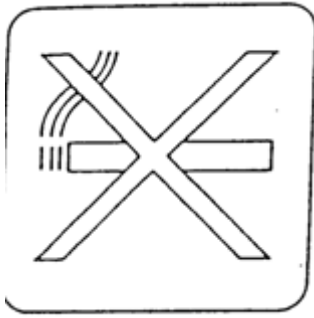
The President of the Republic, **ANTÓNIO MANUEL MASCARENHAS GOMES MONTEIRO**.

Signed on 28 February 1995.

The President of the National Assembly, in office, *António do Espírito Santo Fonseca*.

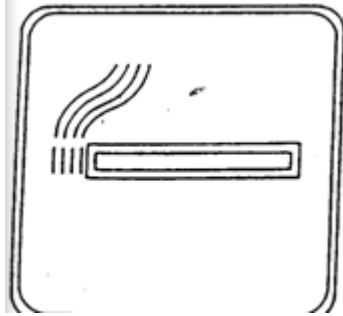
MODEL A

NÃO FUMADORS



NON-SMOKERS

NON FUMEURS



FUMADORS

SMOKERS

FUMEURS
