

REPUBLIC OF CHAD  
UNITY – WORK – PROGRESS  
PRESIDENCY OF THE REPUBLIC



MINISTRY OF LA PUBLIC HEALTH

MINISTRY OF MINES, INDUSTRIAL AND COMMERCIAL DEVELOPMENT  
AND PROMOTION OF THE PRIVATE SECTOR

GENERAL SECRETARIAT

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**JOINT ADMINISTRATIVE ORDER N° 0179 PR/MSP/MMDIDPSP/SG/2018**  
Concerning the opening of points of sale for tobacco products in Chad

**THE MINISTER OF PUBLIC HEALTH  
AND  
THE MINISTER OF MINES, INDUSTRIAL AND COMMERCIAL DEVELOPMENT AND  
PROMOTION OF THE PRIVATE SECTOR**

In light of the Constitution:

**In light of Law** N° 20 of December 30, 2005, authorizing the ratification of the Framework Convention for Tobacco Control of the World Health Organization;

**In light of Law** N°10/PR/2010 of June 10, 2010, concerning tobacco control;

In light of Decree N° 1318/PR/2018 of May 07, 2018, concerning the Nomination of members of Government and subsequent amendments;

In light of Decree N°1341/PR/2018 of May 31, 2018. concerning the General Structure of the Government and Attributions of its Members;

**In light of Decree** N°1181/PR/PM/MSP/2018 of April 30, 2018, concerning the Organizational Diagram of the Ministry of Public Health:

In light of Decree N°721/PR/PM/MMDICPSP/2018 of April 9, 2018, concerning the Organizational Diagram of the Ministry of Mines, Industrial and Commercial Development, and Promotion of the Private Sector.

Considering the needs of Service.

**ORDER:**

## **CHAPTER I: GENERAL PROVISIONS**

**Article 1:** this Administrative Order issued for implementation of the provisions of Article 12 of Law N°10/PR/2010 of June 10, 2010, concerning Tobacco Control determines the conditions for the opening and operation of points of sale for tobacco products in the territory of the Republic of Chad.

**Article 2:** A 'point of sale' or 'tobacco shop' refers to any geographically located operation whose main activity is the commerce, sale or retail distribution of tobacco products.

The distance between two points of sale must be equal to at least 500 meters.

**Article 3:** It is prohibited in all work places, or inside all public places or places receiving the public, to open points of sale for tobacco or tobacco shops.

**Article 4:** It is also prohibited to open points of sale inside educational institutions or institutions for public or private training, or public and private health training, as well as institutions intended for the reception, training and accommodation of minors, pursuant to Article 9 of the Tobacco control law.

Points of sale for tobacco or tobacco shops must be operated at least 300 meters from such institutions.

**Article 5:** Sidewalk vending is prohibited throughout the entire territory of Chad.

## **CHAPTER II: AUTHORIZATION FOR OPENING POINTS OF SALE FOR TOBACCO AND TOBACCO PRODUCTS**

**Article 6:** Tobacco products must only be sold at authorized points of sale for tobacco products or tobacco shops, pursuant to the articles set forth below.

**Article 7:** Any natural or juridical person planning to open and operate a point of sale for tobacco products is required first to submit an application for authorization to the communal authorities in his place of residence.

This application should be accompanied by:

For natural persons:

An extract of the applicant's birth certificate, or supplementary judgment pertaining thereto;

A certificate of residence;

A notarized copy of the applicant's identity card or passport

A certificate of residence [*sic*];

Exact indication of the placement of the site, or sites, for sales;

A Certificate of Good Conduct dated from at least three (3) months previously;

A certification of commercial, industrial or artisanal performance;

An extract from the Register of Commerce and Real Estate;

For juridical persons:

An extract from the Register of Commerce and Real Estate;

A copy of the By-laws;

Exact indication of the placement of the site, or sites, for sales;

A certification of commercial, industrial or artisanal performance.

**Article 8:** The authorization indicated in Article 5 is personal, non-transferable, and may not be assigned. It indicates the place, or places, for setting up points of sale for tobacco products.

This authorization can be revoked by municipal or local authorities. It can be revoked in cases of non-compliance by the operator with provisions governing the matter, particularly the communal plan for the installation and operation of kiosks or other stalls, but also with regard to compliance with all tobacco control provisions.

Revocation of the authorization is not subject to appeal.

### **CHAPTER III: PROCEDURES FOR OPERATING POINTS OF SALE FOR TOBACCO PRODUCTS**

**Article 9:** Operators shall install their points of sale in compliance with the communal requirements concerning the opening and operation of kiosks and other stalls. Moreover, they must fulfill any obligations incumbent upon them with respect to municipal authorities, as well as obligations incumbent upon them in connection with tobacco control.

**Article 10:** Points of sale for tobacco products, or tobacco shops, must not under any circumstances constitute a support for advertising or promotion of tobacco and tobacco products.

**Article 11:** Operators are required to use the appropriate signage at points of sale, or tobacco shops, which is a commercial sign that must be posted on the façade at each point of sale or tobacco shop. It may not exhibit the name of any brand of tobacco or any other sign that reminds people of tobacco.

Operators must also comply with all signage requirements associated with tobacco control provisions.

Operators are required to post the time of opening and closing. The time of opening and closing is set at 8:00 a.m. to 10:00 p.m.

**Article 12:** Operators are required to post a list of the products available for sale inside their points of sale, or tobacco shops.

**Article 13:** Operators must receive their supplies from a wholesale dealer approved by the government.

**CHAPTER IV: TRANSITORY AND FINAL PROVISIONS**

**Article 14:** Managers and proprietors of points of sale for tobacco products shall have a period of nine (9) months counting from the entry into force of this Administrative Order to enter into compliance with it.

**Article 15:** The General Secretary of the Ministry of Public Health and the General Secretary of the Ministry of Mines, Industrial and Commercial Development, and Promotion of the Private Sector, and the Mayors of communes are charged, each within the scope of their concerns, with the implementation of this Administrative Order, which shall take effect as of the date of its signing, and it is to be registered and published in the Official Journal of the Republic.

N'Djamena, July 13, 2018

[The Minister of Public Health]

[The Minister of Mines, Industrial and Commercial Development, and Promotion of the Private Sector]

Le Ministre de la Santé Publique

  
AZIZ MAHAMAT SALEH

Le Ministre des Mines, du Développement Industriel, Commercial et de la Promotion du Secteur Privé

  
YOUSOUF ABBASSALAH

The image shows two official signatures and seals. On the left, the signature of Aziz Mahamat Saleh is written in blue ink over a circular blue seal of the Ministry of Public Health. The seal contains the text 'REPUBLIQUE DU TCHAD' at the top, 'TRAVAIL - PROGRES' on the sides, and 'Le Ministre DE LA SANTE PUBLIQUE' at the bottom. On the right, the signature of Youssouf Abbassalah is written in blue ink over a circular blue seal of the Ministry of Mines, Industrial and Commercial Development, and Promotion of the Private Sector. The seal contains the text 'REPUBLIQUE DU TCHAD' at the top, 'TRAVAIL - PROGRES' on the sides, and 'Le Ministre des Mines, du Développement Industriel, Commercial et de la Promotion du Secteur Privé' at the bottom.