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Law No. 48-00 of July 26, 2000, prohibiting smoking in enclosed, GO 10052

THE NATIONAL CONGRESS  
In the Name of the Republic

Law No.48-00

HAS GIVEN THE FOLLOWING LAW:

Article 1.- It is forbidden to smoke:

- a) indoor indoors, collective use of public and private;
- b) vehicles intended for public passenger transport;
- c) With flights carrying passengers, domestic and international, while in the national airspace.

PARAGRAPH I. - All public and private, including passenger transport vehicles, should place signs alluding to snuff smoking ban and its derivatives at the places specified in this law.

PARAGRAPH II .- The public and private institutions should establish areas for smokers and nonsmokers.

Article 2 .- The sale, gift, promotion and distribution of snuff and its derivatives under eighteen (18) years of age.

Article 3 .- The advertising and promotion of snuff and its derivatives must be directed only to persons over eighteen (18) years.

Article 4 .- advertising and snuff products through print media should contain the text of the warning referred to in Article (8) of this Act and shall be subject to the following rules:

- a) The text of the warning notices in newspapers, magazines and any other promotion

(poster), which bears the mark should appear with the font "Univers 47 (Fdy). The font size to use is:

Letter of 10 points in newspapers, magazines and any other announcement (poster) of a size no larger than 65 square inches.

Letter of 12 points in newspapers, magazines and any other announcement (poster) of larger than 65 square inches, no larger than 110 square inches.

Letter of 14 points in newspapers, magazines and any other announcement (poster) with a size greater than 110 square inches but not more than 180 square inches.

Letter of 16 points in newspapers, magazines and any other announcement (poster) with a size greater than 180 square inches.

b) The text of the warning should be placed within a rectangle defined by solid lines. The size of the rectangle is determined as follows, leaving spaces between letters and lines of closing the warning statement in its entirety (upper, lower, left and right) when using letter of 10 points in the declaration of warning, the line should be located at 8 points in the block letters, when using 12-point letter of warning in the statement, the line must be located within 10 points of the block of letters, when used letter in the 14-point statement warning line shall be positioned at 12 points in the block letters; when using letter of 16 points in the statement of warning, the line should be positioned at 14 points in the block letters. As the thickness of lines making up the rectangle enclosure is  $1/4$  point when using letter of 10 points in the statement of warning;  $1/2$  point when using twelve-point letter of warning in the statement,  $3/4$  point when using letter of 14 points in the statement of warning and 1 point when using the letter of 16 points in the statement of warning.

c) The warning statement must be printed in black ink against a white solid rectangle within the enclosure, and the line of enclosure should also be printed in black.

d) The warning statement inside your rectangle enclosure in any newspaper or magazine ad (poster) may be placed anywhere within the ad, but should not be placed in the margin of any advertisement.

e) Any declaration warning blurred or illegible within the rectangle enclosure, which is in these conditions for reasons beyond the control of the advertiser, shall not be deemed a violation of this Act.

Article 5 .- The advertising through fences to contain the text of the warning referred to in Article I of this Act and shall be subject to the following rules:

a) In fences, no matter its size, a warning is placed on a white background located in a strip equal to 10% of the height of the fence, all along, with a text which occupies 50% of that strip written in a single line the entire length of the strip, in black Helvetica type.

b) In all the billboards of any size, placed on vehicles of public and private transport, the font size used for the text of the warning may not be less than 18 points. The line will have a triangular enclosure size, shape, contrast, proportion and placement, corresponding to the specifications contained in subparagraphs b), c), d), e) of Article 4, for newspapers, magazines and any other announcement (poster) of a size greater than 180 square inches.

Article 6 .- No person may be placed advertising or promotion of snuff and its derivatives in the following places and means:

a) places for children under eighteen (18) years of age;

b) At least two hundred (200) meters away from schools for children under eighteen (18) years of age;

c) In events and shows geared to children under eighteen (18) years of age;

d) publications and games for children under eighteen (18) years of age;

e) All children under eighteen (18) years of age may not participate in advertising for cigarettes and other derivatives of snuff.

Article 7 .- The advertising or promotional television, radio, in theater and through any medium electrónico of snuff and its derivatives, is possible only after 9:00 pm and before 6:00 in the morning.

Article 8 .- The label on the packaging or packaging that sold the snuff or supplies and their derivatives should include a clear and visible reading of written warning, in letters easily legible, with contrasting colors, they say: **SMOKING** is harmful to health.

PARAGRAPH .- This warning must meet the following standards:

- a) Be printed in not more than 4 lines, using colors that contrast with the background of the packing;
- b) To be placed on one side of the pack in an area free of any other manufacturer and the stamp tax that may interfere with their reading;
- c) Have letters printed in Roman type at least ten (10) characters per inch;
- d) The text of the warning on the packaging of other products snuff, it is printed on the side outside;
- e) The printing in Spanish of the legend warning on cigarette packets, will be prerequisite for the marketing of these products in the Dominican Republic.

Article 9 .- It is prohibited to sponsorship, advertising or promotion of snuff and its derivatives in events and shows for children under **eighteen (18) years of age**.

Article 10 .- For the violation of the provisions of this Act, the following penalties:

- a) The owners or managers of places or establishments closed to allow or tolerate smoking where prohibited by this Act, shall be punished by a fine equivalent to one minimum wage;
- b) Breach of the obligation contained in Article 1 of this Law shall be penalized with a fine of six (6) minimum wages for each violation;
- c) Any person who sells, supplies or delivers, yet is free of charge to children, snuff products, is liable to a fine from one (1) minimum wage and three (3) minimum wages, depending on the severity;
- d) radio, television, print, and advertisers who violate the provisions of Articles 3 and 7 of this Act, shall be punished by a fine of 10 minimum wages.
- e) The violation of Articles 2, 3, 6 and 9 by manufacturers, packers and representatives of

brands of cigarettes and other derivatives of snuff, shall be punished by a fine of one hundred (100) minimum wages;

e) The violation of the literal b) of Article 1 of this Act from! as individuals, shall be punished by a fine equivalent to one hundred (RD \$ 100.00) pesos;

g) The violation of subparagraph c) of Article 1 on the part of individuals, shall be punished with fines of a minimum wage.

Article 11 .- All violations of this law is a procedure established by law on criminal procedure in the Dominican Republic in correctional matters.

Article 12 .- The provisions of this Act applies only to cigarettes or snuff products marketed in the country.

Article 13 .- The provisions of this Act come into force one hundred and fifty (150) days after publication thereof.

Article 14 .- The task of the Ministry of Health and Welfare (SESPAS), the Ministry of Industry and Commerce and the Directorate General of Internal Revenue for the implementation and compliance with this law.

Article 15 .- This law renders any provision of law against him.

DONE in the hall of the Chamber of Deputies, Palace of Congress, in Santo Domingo de Guzmán, Distrito Nacional, capital of the Dominican Republic, the treintiún (31) days of the month of May, two thousand, 157 years of Independence and 136 of the Restoration.

Rafaela Alburquerque  
President

Ambrosina Saviñon Cáceres  
Secretary  
Rafael Angel Troncoso Franjul

Secretary

DONE in the meeting room of the Senate, Palace of Congress, in Santo Domingo de Guzmán, National District, Capital of the Dominican Republic, twelve (12) days of July, two thousand, 157 years of Independence and 136 of the Restoration.

Ramon Alburquerque

President

Dinocrate Perez Angel Perez  
Secretary

Julio Antonio González Burell

Secretary Ad-Hoc

LEONEL FERNÁNDEZ  
President of the Dominican Republic

In exercise of the powers conferred upon me by Article 55 of the Constitution of the Republic.

Promulgated and command that this Act is published in the Official Gazette for information and compliance.

DONE in Santo Domingo de Guzmán, National District, Capital of the Dominican Republic, on the twenty-six (26) days of July, two thousand, 157 years of Independence and 136 of the Restoration.

LEONEL FERNÁNDEZ