

# Georgian Law On Tobacco Control in Georgia

This law determines main directions of tobacco control and provides rules, which promote public health protection and strengthening, determine the legal, economic and organizational basis of state policy in the sphere of tobacco control.

## **Article 1**

### *Objects of the law*

The objects of this law are:

- a) to create favorable conditions for public health protection;
- b) to protect minors and non-smokers from the harmful impact of tobacco smoke;
- c) to establish a perfect system of providing information to tobacco consumers about the harm of tobacco smoke.
- d) to regulate the consumption of tobacco products for public health care.

## **Article 2**

### *Definition of terms*

Terms used in this law have the following meanings:

- a) Tobacco products – any products containing tobacco or its elements, except of nicotine-containing medications, that are designed for smoking, chewing or inspiration, among them:
  - a.a) cigarettes, filter tipped and without filter,
  - a.b) cigarettes ("papiroses"), cigars and cigarillos,
  - a.c) pipe tobacco,
  - a.d) wrapped tobacco,
  - a.e) chewing tobacco and snuff;
- b) cigarette – any tube-type steady construction containing tobacco or its products, designed for smoking, different from cigars and cigarillos;
- c) smoking tobacco – inspiration of the smoke produced as a result of burning of tobacco products;
- d) tobacco industry – production, import, realization and export of tobacco products;
- e) medical warning – warning inscription about the harm of smoking tobacco.

## **Article 3**

### *Main principles of tobacco control*

The main principles of tobacco control are the following:

- a) recognition of tobacco as a harmful product;
- b) recognition of non-smoking as a normal life-style;
- c) recognition of the right of non-smokers to be protected from tobacco exposure;
- d) providing information about the harmful influence of tobacco;
- e) supporting the treatment and rehabilitation of tobacco abusers.

## **Article 4**

### *Restriction of tobacco consumption*

1. Smoking is prohibited:

- a) in preschool, educational and medical institutions, as well as in institutions and organizations for persons younger than 18 years;
- b) in buildings of state institutions and organizations;
- c) in buildings of public meeting places;
- d) in institutions of communal feeding where realization and usage of strong drinks are prohibited;
- e) in public conveyances, among them busses, "route taxis", trams, trolleybuses, trains and ships and airplanes if the duration of trip does not exceed 4 hrs.

2. The managers of the above-mentioned institutions and organizations must allocate special places for smoking;

3. Allocation of smoking places is prohibited:

- a) in waiting-rooms, corridors, on staircases;
- b) in sanitary places;

- c) in elevators and little indoor constructions;
- d) in libraries and other storehouses, school rooms, auditoriums and laboratories;
- e) in the places of cooking and foodstuff storing;
- f) on the territories of water-supply, sewerage, power supply, heating, fire protection and safety appliances.

4. The Managers of institutions and organizations must:

- a) elaborate and approve regulations of tobacco smoking in their institutions and organizations in accordance to the requests of this law and adopt proper measures of responsibility in case of defiance;
- b) locate materials about existing regulations of tobacco smoking in perceptible places of their institutions and organizations.

5. The requests of the 1st and 3rd points of this article do not attach to the places of deprivation of liberty, military divisions, retirement homes, psychiatric facilities, any open and semi-open places.

6. If a person cannot move freely because of disability or illness, he is allowed to smoke in places where smoking is otherwise prohibited.

## **Article 5**

### *Sponsorship and realization of tobacco products*

1. Participation of persons younger than 18 years in tobacco industry is prohibited.
2. Realization of consumer goods, clothing, confectionery, sports outfit, toys, domestic demands and foods in the presence of an advertisement of tobacco products, as provided in the 12th point of 3rd article of "Georgian Law on Advertisement" is prohibited, except of smoking accessories.
3. Organization and carrying out of medical or educational actions by a person involved in tobacco industry is prohibited in the presence of:
  - a) demonstration of tobacco products or trade marks of tobacco producing firms;
  - b) demonstration of logotype.
4. Realization of tobacco products is prohibited:
  - a) in preschool institutions, schools, and institutions and organizations for persons younger than 18 years, and within 50 meters radius around them
  - b) in any kind of medical or educational institutions;
  - c) in those places of trade where child clothes and toys are sold out;
  - d) in the form of single cigarettes or boxes with less than 20 cigarettes;
  - e) to the persons younger than 18 years.
5. Medical warning approved by the Ministry of Labor, Health and Social Affairs of Georgia and contact phone number of counseling for persons wishing to quit smoking must be placed in the places of realization of tobacco products. Such a warning must be placed on the format of no less than A4.

## **Article 6**

### *Design of tobacco products*

1. On each box of tobacco products the following information must be provided in the official language:
  - a) about the level of nicotine and tar determined by normative acts of Georgia;
  - b) medical warning with the normative act approved by the Ministry of Labor, Health and Social Affairs of Georgia so as to occupy 5% of the front face of the box.
2. The medical warning must be
  - a) bright and clear;
  - b) printed with large print, against a contrasting background;
  - c) printed on a place that will not be damaged while opening the box and cannot be torn off.
3. The medical warning must not:
  - a) be printed or written on the transparent or any other outside package;
  - b) be covered by other printed information and picture.

## **Article 7**

### *Standards of the level of tar and nicotine in tobacco products*

Standards of the level of tar and nicotine in the tobacco products that are to be realized in Georgia are set jointly by the Ministry of Labor, Health and Social Affairs of Georgia, the Ministry of Agriculture and Food of Georgia and the Department of Standardization, Metrology and Certification of Georgia.

#### **Article 8**

##### *Advertisement of tobacco*

The advertisement of tobacco products is regulated by the "Georgian Law on Advertisement".

#### **Article 9**

##### *Preventive measures of tobacco consumption*

1. The Ministry of Labor, Health and Social Affairs of Georgia, jointly with the Ministry of Education of Georgia provides educational and preventive support for physicians and teachers in refusing to smoke;
2. The Ministry of Labor, Health and Social Affairs of Georgia, jointly with the Ministry of Education of Georgia elaborates and provides preventive measures for minors and adolescents in refusing to smoke;
3. The Ministry of Labor, Health and Social Affairs of Georgia co-ordinates with the Ministry of Finance of Georgia in the financing of middle- and long-range inter-branch governmental programs on preventive measures in Georgia with the budgetary funds.

#### **Article 10**

##### *State control in the sphere of law compliance*

The state control of law compliance is executed according to the Georgian legislation.

#### **Article 11**

##### *Responsibility for law violation*

1. Responsibility of natural and juridical persons for the violation of this law is assigned according to the rule determined by the Georgian Civil Code;
2. The assignment of responsibility does not discharge natural and juridical persons from the duty of suppression of law violation.

#### **Article 12**

##### *Transitional statement*

The Ministry of Justice of Georgia must prepare the bill "about introducing additions in the Georgian Civil Code" and present it to the Parliament of Georgia in the term of three months from the adoption of this law.

#### **Article 13**

##### *Implementation of the law*

1. Out of this law:
  - a) the 4th article to be implemented from the 1st September of 2003;
  - b) the 2nd point of the 5th article to be implemented from the 1st January of 2004;
  - c) the 5th point of the 5th article to be implemented from the 1st January of 2005;
  - d) the 6th article to be implemented from the 1st January of 2006.
2. This law to be implemented at the issuance.

The President of Georgia  
Eduard Shevardnadze

Tbilisi,  
the 6th June of 2003