

COPY

REGULATION OF THE MINISTER OF EDUCATION AND CULTURE
OF THE REPUBLIC OF INDONESIA,

NUMBER 64 OF 2015

CONCERNING

SMOKING FREE AREAS IN SCHOOL ENVIRONMENTS

BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF EDUCATION AND CULTURE OF THE REPUBLIC OF INDONESIA,

Considering :

1. that in order to bring about behavior conducive to a clean and healthy life supported by the creation of a school environment that is free from the influence of cigarettes;
2. that by way of providing comprehensive, integrated and sustainable protection from the adverse effects of smoking, it is necessary to create smoking free areas in school environments;
3. that on the basis of on the considerations intended in letters a and b, it is necessary to determine a Regulation of the Minister for Education and Culture concerning No Smoking Areas in School Environments;

Keeping in mind :

1. Law No. 20 of 2003 on the System of National Education (State Gazette of the Republic of Indonesia 2003 No. 78, Supplement to the National Gazette of the Republic of Indonesia Number 4301);
2. Law No. 36 of 2009 regarding Health (National Gazette of the Republic of Indonesia of 2009 Number 114, Supplement to the National Gazette of the Republic of Indonesia Number 5063);
3. Government Regulation No. 17 of 2010 on the Management and Delivery of Education (National Gazette of the Republic of Indonesia Year 2010 Number 23, Supplement to National Gazette of the Republic of Indonesia Number 5105) as amended by Government Regulation No. 66 of 2010;
4. Government Regulation No. 109 of 2012 on Health Safety Measures for Substances Containing Addictive Materials in the Form of Tobacco Products) (National Gazette of the Republic of Indonesia 2012 Number 278, Supplement to the National Gazette of the Republic of Indonesia Number 5380);
5. Presidential Regulation Number 7 of 2015 on the Organization of State Ministries (National Gazette of the Republic of Indonesia for 2015 Number 8);
6. Presidential Regulation No. 14 of 2015 concerning The Ministry of Education and Culture (National Gazette of the Republic of Indonesia for 2015 Number 15);
7. Presidential Decision No. 121/P of 2014 concerning The Formation of Ministries and the Appointment of Ministers to the Working Cabinet;

HAS DECIDED:

To Determine : A REGULATION OF THE MINISTER FOR EDUCATION AND CULTURE CONCERNING SMOKING FREE AREAS IN SCHOOL ENVIRONMENTS.

Article 1

In this Ministerial Regulation, what is meant by :

1. School is a Primary School / Extraordinary Elementary School, Junior Secondary School / Extraordinary Junior High School, Senior High School / Extraordinary Senior High School, and Vocational High schools both public and private.
2. The school environment is the location where studying and teaching activities of both a curricular and extra-curricular kind take place.
3. Another Party is a person who conducts activities in the school environment, apart from the principal, teachers, education workers, and students.
4. Smoking free area is a space or area which has been declared to be prohibited for smoking activities or the activities of producing, selling, and/or promoting cigarettes.

Article 2

Smoking free areas are aimed at creating a school environment which is clean, healthy, and cigarette-free.

Article 3

The Targets for Smoking Free Areas in School Environments (are) :

- a. School Head-Teacher (Principal);
- b. Teachers;
- c. Education workers;
- d. Students; and
- e. Other Parties in the school environment.

Article 4

In order to support Smoking Free Areas in School Environments, Schools are obliged to do the following things :

- a. include the prohibition with regard to smoking in school discipline rules;
- b. implement the rejection of advertising offers, promotions, sponsorship, and/or cooperation of any kind conducted by cigarette companies and/or organizations that use a trademark, logo, slogan, and/or color which can be associated to the specific characteristics of cigarette companies, for the requirements of curricular or extra-curricular activities conducted inside and outside the school;
- c. impose a ban on the installation of advertising boards, billboards, and on the distribution of pamphlets, and other forms of advertising from cigarette companies or organizations in the School Environment;
- d. prohibit the sale of cigarettes in school canteens/shops or cooperatives or other forms of sales outlet in the School Environment; and
- e. put up smoking free area signs in School Environments.

Article 5

- (1) School principals, teachers, education workers, students, and other parties are prohibited from smoking, producing, selling, advertising and/or promoting cigarettes in a School Environment.
- (2) School principals can reprimand and/or warn and/or take action against teachers, education workers, and students when implementing the ban referred to in paragraph (1)
- (3) Principals can impose sanctions on teachers, education workers, and other parties found to have violated the provisions of Smoking Free Areas in the School Environment.

- (3) Teachers, education workers, and/or students can issue warnings or make reports to the principal if it is proven there is someone smoking in the School Environment.
- (4) Local education services in accordance with their authority are to issue warnings or impose sanctions with regard to the principal if he or she violates the provisions of Smoking Free Areas in School Environments on the basis of reports or information from teachers, education workers, students, and/or any Other Party.

Article 6

The ban on the sale of cigarettes referred to in Article 4 letter d and article 5 paragraph (1) also applies to the prohibition of the sale of candy cigarettes or other items whether consumed or unconsumed that resemble cigarettes or have any marking with a trademark, logo, or color which can be associated with cigarette products or the cigarette industry.

Article 7

- (1) Local education departments at the provincial/regency/municipal level in accordance with their authority are to undertake monitoring and evaluation of the implementation of this Ministerial Regulation on a regular basis for at least one year.
- (2) Local education departments at the provincial/regency/municipal level are to prepare and submit the results of their monitoring to the mayors, regents, governors, and/or relevant ministers referred to in paragraph (1) in accordance with their authority.
- (3) Schools are required to provide guidance to students who smoke whether inside and outside the school environment in accordance with the prevailing rules of discipline in the school.

Article 8

This Ministerial Regulation comes into force on the date of its enactment.

So that all persons may know it, this Ministerial Regulation shall be promulgated in the State Gazette of the Republic of Indonesia.

Determined in Jakarta
On December 22nd, 2015

THE MINISTER OF EDUCATION AND
CULTURE OF THE REPUBLIC OF
INDONESIA,

SIGNED

ANIES BASWEDAN

Enacted in Jakarta
on December 22nd, 2015

DIRECTOR GENERAL
LAWS AND REGULATIONS
MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

SIGNED

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC of INDONESIA 2015 NUMBER 1982

Deemed to be a true copy of the original.
Head of the Legal and Organizational Affairs Bureau,
Ministry of Education and Culture,

SIGNED

Aris Soviyani
Civil Servant Reg. No. : 196112071986031001