

ISLAMIC REPUBLIC OF IRAN
ISLAMIC CONSULTATIVE ASSEMBLY

No.: 15.107686

Date: 3.Oct.2006

COMPREHENSIVE ACT ON NATIONAL CONTROL AND CAMPAIGN
AGAINST TOBACCO

Official Gazette No. 17962 Date: 29. Oct.2005

ARTICLE 1:

To plan for campaign against consumption of tobacco products and for maintaining public health, the National Head Quarters of Controlling and Campaigning against tobacco products (hereinafter referred to as The HQ) shall be established in which following members participate:

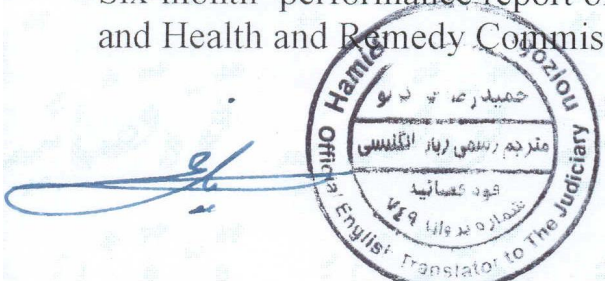
- Minister of Health and Medical Education as the Head of the HQ
- Minister of Culture and Islamic Guidance
- Minister of Education
- Minister of Commerce
- Commander of Police
- Two members of Health and Treatment Commission of Islamic Consultative Assembly as observer
- Head of Islamic Republic of Iran Broadcasting (I.R.I.B) as the observer.
- Representative of one of non-governmental organizations related to tobacco products elected by the Ministry of Health and Medical Education

NOTE 1:

The Secretariat of HQ shall be settled in the Ministry of Health and Medical Education.

NOTE 2:

Six-month performance report of the HQ shall be submitted to the Minister's Cabinet and Health and Remedy Commission of Islamic Consultative Assembly.



NOTE 3: The representatives of governmental bodies related to the subject are invited to HQ session at discretion of the HQ's head without any right of voting.

ARTICLE 2:

The duties of the HQ are as follows:

A- Providing of executive procedure concerning definitions, scope and features of advertisement.

B- Providing and ratification of educational programs and researches with cooperation of related bodies.

C Determination of kind of messages, warnings, pictures and plans concerning the Adverse social, economic, health and sanitary effects of tobacco products and time periods of them , subject of Article 5 of this Act.

- Decisions of this HQ shall be effective of approved by the president.

ARTICLE 3:

Any support, promotion, direct and indirect encouragement or provocation of people to smoke tobacco products shall be seriously forbidden.

ARTICLE 4:

Policy-making, supervision, and issuance of permission for importing tobacco products shall be solely done by the government.

ARTICLE 5:

Health warning and smoking Hazards related to the damages incurred by tobacco products shall be pictorial and cover at least 50% of the area of each side of the package of cigarettes (both locally manufactured or imported ones).

NOTE:

Using of misleading words such as mild, light, low tar , etc shall be banned.

ARTICLE 6:

All tobacco products shall be supplied in packages holding special label and batch of Iranian Tobacco Company (I.T.C). The insertion of the phrase "**specific for sale in Iran**" shall be legally necessary on the package of imported tobacco products.

ARTICLE 7:

The sale Permission for tobacco products shall be issued by the Ministry of Commerce and according to the HQ - ratified procedure.

NOTE:

The distribution of tobacco products by people not having the sale permission shall be banned

ARTICLE 8:



The annual price of tobacco products shall increase 10% through increasing tax. Up to 2% of the whole amount of tax obtained from the tobacco products deposited to the treasury account shall be allocated to the annual budgets of related public associations and organizations, NGO' S to support and boost them to develop educational, research and cultural programs for the Purpose of preventing and fighting against tobacco consumption,

ARTICLE 9:

The Ministry of Health and Medial Education shall be obliged to preventive, curative and rehabilitative measures for smokers and consultative services for cessation integrated in frame of primary health care services; and to provide development contexts and support from nongovernmental consultative and cessation clinics being active in quitting smoking of tobacco products.

ARTICLE 10:

Making any advertisement contrary to this act and its executive by-law shall be considered crime and lead to sentencing from (Rials) 500000/- to (Rials) 50000000/- as pecuniary punishment.

In addition to punishment, the court shall be obliged to order to confiscate the products being object of the advertisement. The level of this punishment shall be subject to increase on basis of inflation rate (once in 3 years) declared by the Central Bank of I.R. Iran and by approval of the Minister's Cabinet.

ARTICLE 11:

Selling and supplying tobacco products excepts in the places stipulated in Article 7 of the Act., supplying products lacking batch No and approved marks, repetition of non-payment of tax, shall result in sentencing from Rials 500000/- to (Rials) 30000000/- as pecuniary punishment. The determined punishments shall be possible to increase based on inflation rate (once in 3 years) declared by the Central Bank of I.R. Iran and by approved to the minister's cabinet.

ARTICLE 12:

Selling and supplying tobacco products to under-18-year-old persons or through such persons shall result in pecuniary punishment of (Rials) 100000/- to (Rials) 500000/- plus the confiscation of those tobacco products in hands of the offender. The repetition or multiplicity of the wrong doing shall be subject to (Rials) 10000000/- as pecuniary punishment.

ARTICLE 13:

Smoking tobacco products in the places stipulated in Article 18 of the Probing Administrative Offences Act, shall be prohibited and shall result in punishments as follows:

A- Where the offender is an employee of those organizations , he or she shall be sentenced to one of punishments stipulated in notes of A and B of Article 9 of the Administrative Offending Proceedings Act, which the related judgment shall be issued by the Probing Board of Administrative Offences In case of repetition of the offending for the third time, the punishment stipulated in note C of the mentioned article shall be applied.

B- Other offenders shall be sentenced to(Rials) 70000/- up to (Rials) 100000/- .



NOTE 1:

Smoking tobacco products in public places or public transportation vehicles shall be penalized by law subject to pecuniary punishment of(Rials) 50000/-up to (Rials) 100000/- .

NOTE 2:

The Cabinet shall be allowed to revise the minimum and maximum levels of pecuniary punishment once in each 3 years on basis of the official inflation rate.

ARTICLE 14:

Selling, supplying, carrying and keeping the smuggled tobacco products by legal or real persons shall be prohibited and shall be subject to the regulations concerning the Smuggling of Goods.

ARTICLE15- Registering any trademarks or special names used for tobacco products shall not be used for non tobacco products or vice-versa.

ARTICLE 16:

Sellers shall be obliged to supply the tobacco products in packages mentioned in Article 6,and selling and supplying opened packages of the tobacco products shall be prohibited.

The persons violating this prohibition shall be sentenced to pecuniary punishment of (Rials) 50000/- up to (Rials) 200000/-.

ARTICLE 17:

Financial burden resulting from the execution of this Act shall be covered by the existing facilities and the related financial shortage in 2006 shall be compensated from the Item of Saving. In the next years, the incomes resulting from Article 8 of the Act and other incomes in Article 9 shall be allocated to compensate that shortage.

ARTICLE 18:

The executive by-law of this Act shall be prepared by the Ministry of Health and Medical Education with cooperation of Iranian Tobacco Company, and shall be approved by the Minister's Cabinet.

ARTICLE 19:

Penal decrees and punishments provided by this Act shall be enforced after 6 months following the approval.

ARTICLE 20:

Annual incomes resulting from producing and importing cigarettes and tobacco products leading to damage to health shall be notified to the expert commission of Islamic Consultative Assembly the above-said Act includes 20 articles and 7 notes enacted in the open session of Islamic Consultative Assembly dated on Wednesday Sept. 06. 2006 and approved by the Guardian Council on Sept. 27. 2006.

Speaker of Islamic Consultative Assembly-Golam Ali Haddad adel.

Signed and Sealed

TRUE TRANSLATION CERTIFIED 1990

