

LAW no. 128 of November 8, 2013 (in the Official Gazette no. 264 of November 11, 2013)

Converted into law with amendments with Law Decree no. 104 of September 12, 2013 on Urgent Education, University and Research Issues (13G00172)

The Lower House and Senate of the Republic approved;

THE PRIME MINISTRY

enacts

the following law:

* * *

Art. 4

Protecting Health in Schools

1. Under Article 51 of Law no. 3 of January 16, 2003, after section 1, the following was entered: "1b. The ban set forth in section 1 is extended to all outdoor areas at schools (**educational and training centers**).

(1b. The staff at educational and training institutes appointed by the director, pursuant to Article 4, letter b) of the directive of the Prime Minister on December 14, 1995, published in the Official Gazette no. 11 of January 15, 1996, in order to enact this ban may not refuse the appointment. The academic institutions, in terms of human, instrumental and financial resources available based on the current legislation, will hold meetings with students and local health experts regarding health education and smoking risks.)

2. The use of electronic cigarettes indoors is prohibited (**and in outdoor areas around educational and training institutes**), including rehabilitation and juvenile detention facilities for minors as well as employment and professional training centers.

3. Anyone who violates the ban on electronic cigarettes set forth in section 2 is subject to administrative sanctions as per Article 7 of Law no. 582 of November 11, 1975, as amended.

4. ***(Revenue from the fines set forth in section 3 is paid to the State and then reallocated to the Ministry of Education, Universities and Research. The revenue is allocated to the Ministry of Education, Universities and Research in cooperation, where necessary, with the other interested ministries to provide training at the facilities where the violations occurred on health education.)***

5f. Under article 51 of Law no. 3 of January 16, 2003, as amended by section 1 of this article, the following changes have been made:

a) the second sentence of section 10b has been deleted;

b) the following sections have been added at the end:

“10c. Advertisements for brands of liquids or refills for electronic cigarettes that contain nicotine is allowed so long as they clearly state:

a) the phrase “contains nicotine;”

b) nicotine’s risk of addiction.

10d. Within six months from the date this provision goes into effect, public and private broadcasters and advertising agencies, along with production representatives, will adopt a self-regulation policy on the terms and contents of advertisements for electronic cigarette refills containing nicotine.

10e. Advertisements for liquids or refills for electronic cigarettes containing nicotine are prohibited that:

a) are broadcast during programs for children and fifteen minutes before and after these programs;

b) claim therapeutic cures or treatments that are not expressly recognized by the Attorney General;

c) show minors under the age of eighteen using electronic cigarettes.

10f. Direct or indirect advertisements for liquids and refills for electronic cigarettes containing nicotine are prohibited in areas primarily frequented by minors.

10g. Radio and television advertisements of liquids and refills for electronic cigarettes containing nicotine are prohibited from 4 pm to 7 pm.

10h. Advertisements for liquids and refills for electronic cigarettes containing nicotine are prohibited:

a) in newspapers or periodicals intended for minors;

b) in movie theaters where movies are shown that are primarily intended for minors;

10i. The violation of the provisions set forth in sections 10c to 10h may be punished with a fine ranging from €5,000 to €25,000. The fine is doubled for recidivism.

10j. The fine set forth in section 10i also applies to the manufacturers and radio-television broadcasters as well as the press and movie theater owners.”)