

LEGAL NOTICE NO. 292

**THE PUBLIC HEALTH ACT**

*(Cap. 242)*

IN EXERCISE of the powers conferred by section 36 (m) of the Public Health Act, the Cabinet Secretary makes the following Rules—

**THE PUBLIC HEALTH (CONTROL OF SHISHA SMOKING) RULES, 2017**

1. These Rules may be cited as the Public Health (Control of Shisha Smoking) Rules, 2017.

Citation.

2. In these Rules, unless the context otherwise requires—

Interpretation.

“shisha” includes tobacco products that may be flavoured or non-flavoured that are consumed using a single or multi-stemmed smoking instrument that contains water or other liquid through which the smoke passes before reaching the smoker and whose syrup tobacco content includes molasses, honey, vegetable glycerol and fruit flavours including apple, grape, guava, lemon and mint; and

“shisha smoking” means a form of consumption of shisha that utilizes a single or multi-stemmed smoking instrument to smoke shisha where the smoke is designed to pass through water or other liquid before reaching the smoker.

3. No person shall import, manufacture, sell, offer for sale, use, advertise, promote or distribute shisha in Kenya.

Shisha not to be imported, etc., in Kenya.

4. No person shall allow, promote, facilitate or encourage, or do any thing to allow, promote, facilitate or encourage shisha smoking in Kenya.

Shisha smoking not allowed, etc. in Kenya

5. A health officer may, in these Rules, exercise any or all of the powers conferred upon him by the Act.

Powers of health officers.

6. Any person who contravenes any provision of these Rules may, where a penalty has not been expressly provided for under any provision of the Act, be liable to the penalty contemplated under section 163 of the Act.

Penalty where not expressly provided.

Made on the 27th December, 2017.

CLEOPA MAILU,  
*Cabinet Secretary for Health.*