

United Arab Emirates
The Cabinet

Cabinet Decision No. 24 of 2013
concerning the Implementing Regulation for the
Federal Tobacco Control Act No. 15 of 2009

The Cabinet,

Having reviewed the Constitution, Federal Act No. 1 of 1972 concerning the functions of ministries and powers of ministers, as amended, and the Federal Tobacco Control Act No. 15 of 2009,

And based on the proposal of the Minister of Health and the approval of the Cabinet,

Has decided:

Article (1)

For the purposes of the present Decision, the following words and expressions shall have the meanings stated opposite each of them, unless otherwise required by the context:

State	United Arab Emirates
Ministry	Ministry of Health
Minister	Minister of Health
Competent authority	Local authority in the concerned Emirate
Act	Federal Tobacco Control Act No. 15 of 2009
Smoking	Consumption of any kind of tobacco in a manner that causes it to be burned or heated or to emit smoke
Mandatory Standard Specification for the United Arab Emirates (Technical Regulation)	Approved standard specification for any type of tobacco product and of which application in the State is mandatory, pursuant to a Cabinet decision
Packaging	Material in which tobacco or tobacco products are individually packaged and offered for sale to the consumer
Cultivation for commercial purposes	Cultivation of tobacco for sale other than for trials or scientific research

Adjacent areas	Open outside space flanked, adjoined or surrounded by places of worship, educational institutions or sports or health facilities
Related goods	Any item of goods relating to the use of tobacco or tobacco products, such as lighters, ashtrays and water-pipe apparatus
Tobacco	All types of tobacco plants, tobacco species and tobacco parts, including roots, stems, leaves, fruit and green or dried seeds
Tobacco products	Products wholly or partially consisting of tobacco leaves as a raw material, whether whole, coarse-cut or fine-cut and whether in their natural state, mixed with other materials or formed into any shape, any form of ground tobacco and any other composite material that includes tobacco as one of its constituents
Tobacco consumption	Consumption of any kind of tobacco through smoking, snuffing, chewing, sucking or any other means used for the purpose of smoking or consuming tobacco
Publicity, advertising and promotion	Direct or indirect provision of information on tobacco plants or tobacco products using print or audiovisual media or any other means with the aim of encouraging the tobacco trade or increasing the number of tobacco consumers
Public place	Place accessible to the public or to a specific group of persons for any purpose
Enclosed public space	Public space in the form of an integrated building into which air enters only through purpose-designed openings, means of public transport also being considered equivalent to an enclosed public space
Means of public transport	Buses, cabs, trains, aircraft, ships, boats and any other means of mass transport

Article 2

Without prejudice to provisions prescribed under other laws, it shall be prohibited to bring tobacco or tobacco products into the State or to circulate either therein, except in compliance with the terms set out in the Mandatory Standard Specifications for the United Arab Emirates (Technical Regulations).

Article 3

The wordings, pictures and warnings carried on every package of tobacco or tobacco products must comply with the Mandatory Standard Specification for the United Arab Emirates (Technical Regulation) No. UAE.S/GSO 246 and with any amendments made thereto.

Article 4

It shall be prohibited to smoke while driving a private vehicle in which a child under 12 years of age is present.

Prohibition of advertising, publicity and promotion relating to tobacco and tobacco products**Article 5**

It shall be prohibited for any natural person or body corporate to engage in any of the following acts:

1. Publicizing, advertising and promoting tobacco or tobacco products and tobacco-related goods;
2. Distributing tobacco, tobacco products or tobacco-related goods in the form of prizes or gifts in any competition or activity;
3. Using tobacco or tobacco products as a means of publicizing, advertising and promoting any product, item of goods or other service;
4. Printing or disseminating advertisements or using any other means of publicity that encourages tobacco consumption.

Article 6

It shall be prohibited for any natural person or body corporate engaged in any activity relating to tobacco or tobacco products to use the sponsorship of any activities, events, teams or persons in order to promote that tobacco-related activity.

Article 7

It shall be prohibited for all public and private bodies and institutions, including those involved in cultural, sports, academic and social activities, media outlets, publishing, distribution and printing enterprises and publicity and advertising agencies, to advertise, publicize and promote the use of tobacco or tobacco products and tobacco-related goods with the aim of encouraging tobacco consumption.

Article 8

It shall be prohibited to publicize, advertise and promote tobacco or tobacco products through any means aimed at encouraging tobacco consumption, including:

1. Advertising posters;
2. Personal effects, clothing and the like;
3. Electronic media and the like, including the Internet and electronic games;
4. Means of communication and the like, including telephone calls and text messages;
5. Newspapers, magazines, books, fliers, leaflets, compact discs and advertising and media directories;
6. Cinema, television, radio and theatre productions, animated films, information and educational programmes and all means of communication;
7. All means of public and private transport;
8. Any item of goods relating to tobacco or tobacco products.

Article 9

It shall be prohibited for tobacco companies to offer donations or assistance for reasons relating to social responsibility in order to promote tobacco.

Article 10

Any establishment displaying, selling or wishing to display or sell tobacco or tobacco products must comply with the following:

1. Obtain a licence from the competent authority;
2. Display a copy of the licence in a prominent place on the premises;
3. Neither display nor sell tobacco or tobacco products in proximity to places displaying or selling food or health commodities and products, children's products and merchandise, or sports equipment and apparel;
4. Display no tobacco or tobacco products at in-store payment points and observe the requirement for them to be placed furthest away from those points;
5. Provide no special, promotional or closing-down discounts, reductions or offers on tobacco or tobacco products;
6. Neither display nor sell tobacco or tobacco products at any festival or exhibition without licence from the competent authority;
7. Display no tobacco or tobacco products within the confines and premises of places of worship, educational institutions and sports or health facilities;

8. Sell no tobacco or tobacco products within fewer than 100 metres of places of worship;
9. Sell no tobacco or tobacco products within fewer than 150 metres of the outside entrance to kindergartens, schools, institutes, colleges and universities;
10. Retail no tobacco or tobacco products via the Internet or any electronic means;
11. Any other conditions approved by the competent authority that are consistent with the provisions of the law and the present Decision.

Public places in which smoking is prohibited

Article 11

Smoking or the use of tobacco in any form shall be prohibited in the following public places:

1. Public and private educational institutions, such as schools, universities and scientific and training institutes, and areas adjacent thereto;
2. Places of worship and areas adjacent thereto;
3. Health and pharmaceutical facilities and areas adjacent thereto;
4. Sports facilities and areas adjacent thereto;
5. Means of public transport, means of collective private transport, waiting areas and terminals for all such transport and areas adjacent thereto;
6. Means of transport for foodstuffs, medicines, health products and the like;
7. Means of transport for petroleum and petroleum derivatives, chemicals and chemical derivatives and any other highly flammable materials;
8. Shopping centres, except in permitted areas meeting the conditions set out in the annex to this Decision;
9. Restaurants, except in permitted areas meeting the conditions set out in the annex to this Decision;
10. Places of entertainment and leisure, theatres, cinemas and the like;
11. Industrial facilities and fuel- or gas-bottling plants, and areas adjacent thereto;
12. Any other places approved by the competent authority that are compatible with the provisions of the law and the present Decision.

Rules for designated smoking areas in enclosed public spaces

Article 12

With the exception of places of worship, educational institutions and health and sports facilities, the competent authority may designate an area for smokers in enclosed public spaces in accordance with the following rules:

- I: A licence must be obtained from the competent authority;
- II. The area designated for smokers must meet the following conditions:
 - 1. It must be fully separated from adjacent areas and have a minimum height of 3 metres;
 - 2. The enclosed public space [in which it is located] must have a total area of not less than 200 square metres;
 - 3. Its total area must not exceed 50 per cent of the total area of the enclosed public space, a condition that shall not apply to water-pipe cafes and like places;
 - 4. The doors to the area must close automatically;
 - 5. It must be clearly signposted at the entrance, as must the area designated for non-smokers;
 - 6. It must contain no facilities (such as entertainment and games);
 - 7. It must not be an area through which non-smokers pass in order to access another area;
 - 8. It must not be used for a purpose other than smoking, such as sitting, resting, consuming food, pursuing games or entertainment or engaging in any other activity;
 - 9. It must be at least 7.5 metres away from the main entrances to the premises;
 - 10. The number of individuals present in the area at any one time must not exceed the permitted number of one person per two square metres;
 - 11. The area must comply with safety conditions, including with respect to the use of fire-resistant materials and the availability of fire control systems;
- III. The area designated for smokers must comply with the following ventilation and air-conditioning specifications:
 - 1. The indoor air pressure must be lower than in the adjacent areas by between 5 and 7 pascals, i.e., equivalent to 0.02 to 0.03 inches of water;

2. The incoming air flow must average at least 25 litres/second per person, based on maximum occupancy density;
 3. Polluted (exhaust) air must be mechanically expelled directly outside and may not be recirculated in the ventilation and air-conditioning system;
 4. The ventilation system must be capable of producing no fewer than 10 room air changes per hour and be kept in operation during working hours on the premises;
 5. The ventilation and air-conditioning system must be completely separate from the system for other areas so that the air is not permitted to circulate in other areas not designated for smokers;
 6. The exhaust air outlets must be located at least 7.5 metres away from exits and entrances to the premises and from windows and outside air intake vents for air-conditioning systems;
- IV. A warning notice must be displayed to advise that it is prohibited for persons under 18 years of age to enter areas designated for smokers;
- V. Any other conditions and rules approved by the competent authority that are consistent with the provisions of the law and the present Decision.

Article 13

The licensing of cafes or the like that offer any kind of tobacco or tobacco products in the vicinity of residential buildings or residential areas shall be prohibited unless the following conditions are met:

1. The premises on which tobacco or tobacco products are offered must be a minimum of 150 metres away from residential buildings or residential districts;
2. The operating hours during which tobacco or tobacco products are offered on the premises must be from 10 a.m. to midnight only, a period that may be extended by special permission of the competent authority;
3. The rules contained in the annex to this Decision must be observed;
4. Any other conditions and rules established by the competent authority in conformity with the conditions and rules contained in this Decision and its annex.

Article 14

Cafes and the like that are licensed to offer tobacco or tobacco products shall be prohibited from the following:

1. Offering tobacco or tobacco products to anyone under 18 years of age;

2. Serving water-pipes outside the licensed premises.

Final provisions

Article 15

1. Farms currently engaged in tobacco cultivation in the State for commercial purposes must bring their situation into conformity with the provisions of the law and the present Decision within a period of not more than 10 years from the date of the entry into force of this Decision. This period may be extended by decision of the Cabinet.

Article 16

This Decision shall be published in the Official Gazette and enter into force six months after the date of its publication.

(Signed)

Mohammed bin Rashid **Al Maktoum**
Prime Minister

Promulgated on:
12 Ramadan A.H. 1434
(21 July A.D. 2013)