

## Laws & Regulations

### THE LAW ON THE INTENSIVE CONTROL OF TOBACCO PRODUCTS AND NATIONWIDE COMBAT AGAINST SMOKING

Official Gazette No.17962 dated October 29, 2006

Letter No.15/1 07686 dated October 3, 2006

To His Excellency Dr. Mahmood Ahmadi nejad,

The Honorable President of Islamic Republic of Iran

In implementation of Article 123 of the Constitution of Islamic Republic of Iran, the Law on the Intensive control of Tobacco Products and Nationwide Combat against Smoking that was approved by the Islamic Consultative Assembly in the open Session of September 6, 2006 and was duly confirmed by the Guardians Council is being dispatched herewith.

**Gholam Ali Haddad Adel-Speaker, Islamic Consultative Assembly**

Letter No.83150 dated October 16, 2006 of the President addressed to the Ministry of Health, Medical Treatment and Education.

The Law on the Intensive Control of Tobacco Products and Nationwide Combat Against Smoking that was approved by the Islamic Consultative Assembly on Wednesday, September 6, 2006 and was confirmed by the Guardians Council on September 27, 2006 was notified to the President's office vide letter No.15/1 07686 dated October 3, 2006. The law is being notified

herewith for due enforcement.

**Mahmood Ahmadi nejad  
- the President**

**Article 1-** For the purpose of planning for combat against the use of tobacco products and to protect the health of the public, the Headquarters for the Control of Tobacco Products and Combat against Smoking (hereinafter referred to as the «HCTPCAS») shall be established by the following members:

- Minister of Health, Medical Treatment and Education who shall act as the Chairman of HCTPCAS
- Minister of Culture and Islamic Guidance

- Minister of Education
- Minister of Commerce
- Commander of Disciplinary Forces
- Two members of the Health and Treatment Committee of the Islamic Consultative Assembly acting as observers
- The Head of Islamic Republic of Iran's broadcasting Organization, acting as observer
- A representative of one of the non-government organizations acting in relation with tobacco products, who will be selected by the Minister of Health, Medical Treatment and Education.

**Note 1-** The Secretariat of the HCTPCAS shall be established at the Ministry of Health, Medical Treatment and Education.

**Note 2-** A report on the activities of the HCTPCAS shall be submitted, once every six months, to the Council of Ministers and to the Health and Treatment Committee of the Islamic Consultative Assembly.

**Note 3-** The representatives of the government organizations concerned with the topics to be discussed in a session of the HCTPCAS shall be called to attend such session without having the right to vote.

**Article 2-** The functions of HCTPCAS shall be as follows:

- a. To compile the executive directive in respect of the definitions, applications and particulars of advertisements.
- b. To compile and approve programs for education and research with the cooperation of the organizations concerned.
- c. To determine the types of footages, warnings, pictures and sketches relating to ad-

verse social, economic, health and hygiene hazards of tobacco products and the manifestation periods of same in accordance with the provisions of Article 5 of this Law.

Approvals made by HCTPCAS shall be enforceable upon confirmation of such approvals by the President.

**Article 3-** Any kind of advertisement, protection, direct or indirect encouragement and instigation and provocation of individuals towards the use of tobacco products shall be strictly forbidden.

**Article 4-** Policy making, supervision and permitting the import of all types of tobacco products shall be made exclusively by the government.

**Article 5-** Health messages and description of the hazards of smoking must be pictorial and shall cover at least 50% of the surface on each side of cigarette packages whether produced inside Iran or imported into the country.

**Note-** Use of misleading expressions such as mild, light, soft, etc. shall be made prohibited.

**Article 6-** All tobacco products must be supplied in packages having the special label of Iran's Tobacco Company and a serial number. On all packages of imported tobacco products, the sentence «Especially Made for Sale in Iran» must be printed.

**Article 7-** Permits for sale of

tobacco products shall be issued by the Ministry of Commerce on the basis of a directive to be approved in this regard by HCTPCAS.

**Note-** Distribution of tobacco products by those who do not possess the respective permit shall be prohibited.

**Article 8-** Prices of tobacco products shall increase by 10% each year through increase in taxes.

Up to 2% of the aggregate taxes collected from tobacco products paid to the Treasury account, shall be put at the disposal of popular institutes and formations in the form of annual budgets for the purpose of reinforcement and protection of the said institutes and formations in line with the objectives of expansion of educational, research and cultural programs on prevention and combat against consumption and use of tobacco products.

**Article 9-** The Ministry of Health, Medical Treatment and Education shall be under the obligation to make provisions for prevention, treatment, cure and rehabilitation of the individuals addicted to tobacco products and to offer consultation services to the said addicts in order that they shall quit tobacco addiction by including such services in the basic health services and expanding and protecting non government advisory and treatment centers.

**Article 10-** Any advertisement contrary to this Law and its executive regulation shall

be punishable. The perpetrators shall be condemned to payment of cash penalties ranging from Rls.500,000 to Rls.50,000,000. The court shall also provide, in the relevant judgment that the products being the subject of advertising shall be rounded up.

**Article 11-** The said penalties may be increased once every three years on the basis of the rate of inflation announced by the Central Bank of Islamic Republic of Iran pursuant to confirmation by the Council of Ministers.

**Article 12-** In case of supply of tobacco products to individuals below the age of 18 or in case of supply of such products through the said underage individuals, the tobacco products belonging to the perpetrator(s) shall be confiscated and the perpetrator(s) shall be condemned to payment of cash penalty from Rls.100,000 to Rls.500,000.

In case of repetition or in case it shall be established that the above acts have been perpetrated in a number of occasions, the perpetrator(s) shall be condemned to payment of a cash penalty of Rls.10,000,000.

**Article 13-** Smoking within the organizations mentioned in Article 18 of the Law on Investigation of Administrative Offences shall be prohibited and perpetrator(s) shall be punished as follows:

a. If the perpetrator shall be from the personnel of the organization concerned, he/she shall be condemned to anyone of the punishments set forth in Sub-

clauses «a» and «b» of Article 9 of the said Law.

In case of repetition, the perpetrator, in the third time of repetition, shall be condemned to the punishment prescribed in Sub-clause «c» of the said Law.

b. Other perpetrators shall be condemned to payment of cash penalty ranging from Rls.70,000 up to Rls.100,000.

**Note 1-** Smoking in public places or in public means of transport shall be punished by collection of cash penalty from Rls.50,000 up to Rls.100,000.

**Note 2-** The Council of Ministers shall have the right to adjust the minimum and maximum amounts of the penalties provided in this Law once every three years on the basis of the official rate of inflation.

**Article 14-** The supply, sale, transportation and keeping tobacco products by natural persons and legal entities shall be prohibited and subject to treatment according to the regulations on contraband goods.

**Article 15-** It shall be prohibited to register trademarks and trade-names of tobacco products for non-tobacco products and vice versa.

**Article 16-** Suppliers shall be under the obligation to offer tobacco products in packaging prescribed in Article 6 above. Condemned to cash penalties ranging from Rls.50,000 up to Rls.200,000.

**Article 17-** The financial costs of implementation of this Law

shall be met out of the available funds. Shortages thereof, in 1385, shall be met out of economization and savings. In subsequent years, the required funds shall be procured from the incomes earned through implementation of Article 8 above and the incomes described in Article 9 above.

**Article 18-** The executive regulations of this Law shall be drawn up within 3 months after the date of approval of this Law by the Ministry of Health, Medical Treatment and Education with the cooperation of Iran's Tobacco Company and shall be approved by the Council of Ministers.

**Article 19-** Punishments prescribed in this Law shall be enforced only six months after the date of approval of this Law.

**Article 20-** Incomes earned each year from production and import of cigarettes and tobacco products, as a result of destruction of health of the public, shall be reported to the specialized pertinent committee of the Islamic Consultative Assembly.

The above Law comprising 20 Articles and 7 Notes was approved in the open session of the Islamic Consultative Assembly held on Wednesday September 6, 2006 and endorsed by the Guardians Council on September 27, 2006.

**Gholam Ali Haddad Adel-Speaker, Islamic Consultative Assembly**