

The Executive Regulations

of Anti-Smoking Law issued by Royal Decree No. (M/56), dated 28/07/1436H (the “Law”)

(“The Executive Regulations”)

Article (1)

This Law aims to combat Smoking by taking all necessary measures and steps at the state, community and individual levels, to reduce all types of Smoking habit among individuals of all ages.

Regulations:

- 1-1** The Law is designed to protect members of the society from health, social, environmental and economic consequences associated with tobacco use and exposure to its smoke.
- 1-2** All government agencies, non-governmental associations, the private sector and all members of the society shall cooperate with each other in taking all measures, and activating all procedures stipulated in this Law and its Executive Regulations, which aim to curb the spread of Smoking habit of all types and forms, and among different age groups, and to avoid the associated negative effects.

Article (2)

[Smoking shall mean the use of tobacco and its products, such as, cigarettes, cigars, tobacco leaves, tobacco molasses or any other product containing tobacco, either through cigarettes, cigars, pipe, snus, hookah, or chewing tobacco, or any other form.]

Regulations:

- 2-1** [“Smoking” shall mean the use of tobacco and its products in any way, including, but not limited to, cigarettes, electronic cigarettes, cigars, hookah, tobacco leaves, electronic hookah, pipe tobacco, chewing tobacco, snus tobacco, tobacco molasses, or any other product containing raw, manufactured or processed tobacco ingredients or any of their by-products.]

Article (3)

Growing or manufacturing tobacco and its products in the Kingdom shall be prohibited.

Regulations:

- 3-1** Growing tobacco plants of all types, varieties, species, or any plant from which tobacco may be produced, is prohibited.
- 3-2** Manufacturing any type of tobacco products, leaves, roots, stems, seeds (green or dried), or any other product containing raw, manufactured or processed tobacco or any tobacco products, including processing, is prohibited.

3-3 The agricultural and industrial authorities in the Kingdom shall have control and record violations with respect to the cultivation and manufacture of tobacco or its products, and shall be able to impose sanctions upon violators, subject to the provisions of Chapter 3 of the State Revenue Law. The above-mentioned authorities shall also supervise of the process of eliminating of any violation.

Article (4)

Tax increase on tobacco and its products shall be pursuant to a Cabinet Decision.

Regulations:

The National Tobacco Control Committee shall, whenever necessary, submit its views to the Minister of Health with respect to any proposed tax increase on tobacco products or any of its products, and the Minister of Health may submit these views to the Cabinet.

Article (5)

Health warning labels – as prescribed by the Executives Regulations – on tobacco packaging and its products are compulsory.

Regulations:

- 5-1** All tobacco packages, large or small, as well as packages of any products containing raw, manufactured or processed tobacco or any of their products, shall comply with the following:
- a. They must meet the Gulf standard specifications number (GSO 246) issued by the GCC Standardization Organization, including their amendments.
 - b. The package front side should contain renewable, direct and understandable health warning sentence and image showing the negative effects of Smoking; and shall occupy no less than (1/2^{sd}) of the package front side.
 - c. The nicotine, tar and carbon monoxide percentages, as well as production date should be clearly indicated somewhere on the package.
 - d. Packages should clearly state that: "It is prohibited by Law to provide tobacco products to persons under 18 years of age".

Article (6)

Tobacco products may be cleared only after conducting lab-testing on samples as specified by the Executive Regulations, to ensure compliance with specifications set by the relevant authority in coordination with the Ministry of Health.

Regulations:

- 6-1** The final clearance of tobacco or any other products containing raw, manufactured or processed tobacco or any of its products (without prejudice to the clearance obtained and accompanied by an undertaking not to use or dispose of tobacco or any other products containing raw, manufactured or processed tobacco or any of their products for any purpose), is subject to the presentation by the relevant tobacco company of a conformity certificate issued by the laboratories accredited by the Saudi Standards, Metrology and Quality Organization.
- 6-2** Random samples will be collected from the market by the competent control authorities or by the customs ports, and will be tested in the laboratories accredited by the Saudi Standards, Metrology and Quality Organization to ensure the safety of tobacco on the market.

Article (7)

Smoking shall be prohibited in the following places:

- 1. Areas and yards surrounding mosques;**
- 2. Ministries, government-owned factories, public institutions and authorities and their branches, as well as other public bodies;**
- 3. Educational, health, sports, cultural and social institutions, as well as charities;**
- 4. Work places in companies, institutions, organizations, factories, banks, and the like;**
- 5. Public means of transport (land, air or sea), as prescribed by the Executive Regulations;**
- 6. Places for producing, processing and packaging of food, foodstuffs and beverages;**
- 7. Sites for producing, transporting, distributing and refining petroleum and its products, as well as fuel and gas distribution and sale stations;**
- 8. Warehouses, elevators and lavatories; and**
- 9. Any public places not mentioned above. However, if such places allocate areas for Smoking, the person in charge shall ensure that they are isolated, restricted, and are not accessible under persons under 18 years of age. The Executive Regulations shall specify the relevant criteria for this paragraph's implementation.]**

Regulations:

- 7-1** In order to maintain public health and safety, to reduce Smoking, and to protect non-smokers from exposure to tobacco smoke and emissions, Smoking is prohibited in the following places:
1. Governmental and private educational and training facilities, including educational facilities associated with the Saudi embassies and consulates (including training sites).

2. Non-governmental associations and institutions, including charitable and social associations and their branches.
3. Archaeological and heritage sites and museums.
4. Wedding halls, as well as conference centers, seminars and lecture rooms.
5. Governmental and private healthcare facilities; including hospitals, medical cities, clinics, mobile clinics, centers, laboratories, pharmacies, and the like.
6. Any means of public transport, including, but not limited to, vehicles, buses, trains, ships, boats and aircraft.
7. Public transport stations, railway stations, metro-stations and airports.
8. Any means of transport/storage of, medicines, health supplies, food, foodstuff and beverages.
9. Places used to manufacture, prepare, process or pack food, beverages and foodstuffs in restaurants, cafes, booths, stalls, mobile and fixed food trucks, factories, kitchens, and the like.
10. Fuel and gas distribution and sales facilities.
11. Any means of transport of petroleum products, as well as chemicals and their products, and any other inflammable substances.
12. Automated teller machines and the like.

7-2 Within a distance of (8) meters of entrances, meeting rooms, sitting or traffic areas referred to above, or other places such as complexes, commercial centers, exhibitions, festivals, forums, restaurants, cafes, entertainment and recreational areas, public gardens, parks, and the like.

7-3 If an area is designated for Smoking in such places as listed in Clause 9 of Article 7, this area shall be licensed, and should be well ventilated, with no other service provided therein, including food and beverages. No entertainment or recreation is made available, including display screens. It should be clearly labeled in both Arabic and English: "Restricted Area, No persons under 18 years of age allowed".

7-4 This Smoking Area shall comply with the following air-conditioning and ventilation specifications and conditions:

1. The area shall be isolated from the surrounding spaces.
2. The ceiling must not be less than (3) meters high.
3. The doors must be self-closing.
4. The number of persons present at the same time in the area must not exceed the permitted number of occupants (one person in every 1.40 square meters).
5. It shall not be equipped with any non-smoker-services (such as telephone, fax, printing devices... etc.).
6. Smoking rooms should not be installed in non-smoker-corridors.
7. The Smoking room's false ceilings shall be made of easily-cleanable aluminum sheets.
8. The floor shall be of non-flammable and easily cleanable materials. No moquette or vinyl is used.
9. Persons under 18 years of age are not allowed into the Smoking area.
10. The area shall conform to safety and fire-fighting requirements.
11. The indoor air pressure shall be negative: i.e., less than the neighboring areas between (5-7) Pascal equivalent to (0.02-0.03) in WG.
12. The inlet air flow rate shall be at least 25 l/s per person, and designed for the maximum occupancy density.

13. Air shall be mechanically expelled directly outside the premises, may not be recycled in the ventilation and air conditioning system.
14. The ventilation system shall be able to refresh the air at least ten times the air volume in the premises per hour, and the ventilation system shall operate and remain functional throughout working hours.
15. Air exhaust ducts shall be at least (8) meters far from the main outlets or inlets, windows and the air conditioning vents for air supply.
16. The ventilation and air conditioning system of the Smoking area shall be separate from the system for other areas so as not to allow air from Smoking areas to be circulated or mixed with other (non-smoking) areas.

Article (8)

To reduce tobacco product sale, the following shall be observed:

- 1. Tobacco products shall be sold only in sealed packages with the number or quantity indicated as specified by the Executive Regulations;**
- 2. They may not be sold in vending machines;**
- 3. They may not be sold on any means of public transport;**
- 4. They should not be sold to persons under 18 years of age;**
- 5. No patent related to tobacco or any of its products may be registered;**
- 6. They may not be sold at reduced or discounted prices, or be given away as free samples or gifts;**
- 7. Tobacco advertising materials may not be imported, sold or given away; and**
- 8. A warning of the health risks associated with Smoking shall be placed at point of sale.**

Regulations:

- 8-1** Tobacco products shall not be sold except in sealed packs. The sale of cigarettes and cigars shall be in a sealed pack, containing not less than 20 cigarettes or 10 cigars. No selling by single cigarettes is permitted, and the quantity of tobacco leaves, tobacco molasses or pipe tobacco to be sold in any package shall not be less than 500 grams.
- 8-2** No tobacco or any of its products - raw, manufactured or processed - shall be sold or displayed through vending machines.
- 8-3** No tobacco or any of its products - raw, manufactured or processed - shall be sold or displayed on any means of public transport such as vehicles, buses, trains, metros, ships, boats and aircraft.
- 8-4** The sale of tobacco products to persons under (18) years of is prohibited, and the vendor may ask the purchaser to provide evidence that he has attained this age.

- 8-5** No patent shall be registered, in respect of any products containing raw, manufactured or processed tobacco or any of its products, or of any tool, program, instrument or knowhow that is directly or indirectly linked to tobacco or any of its products.
- 8-6** The price of tobacco or any of its products shall not be discounted, nor shall tobacco or any of its products be provided as part of promotional offers, such as free gifts, prizes or samples for any purpose whatsoever.
- 8-7** No product with any direct or indirect tobacco advertising – or any of its products – shall be imported, sold or offered.
- 8-8** A health warning sentence and an image shall be displayed in places where tobacco, any of its products or any of the products that contain raw, manufactured or processed tobacco or any of their products are sold or displayed, depicting the detrimental effects of Smoking and the risks associated with exposure to its emissions. This shall be put in a noticeable prominent place.

Article (9)

No children's toys or confectionery shaped like cigarette pack or smoking items shall be imported or sold.

Regulations:

- 9-1** No children's toys or confectionery shaped like cigarettes, any other product that contains raw, manufactured or processed tobacco or any of its products or other smoking items shall be imported, sold, displayed or offered for free to children.

Article (10)

- 1- Tobacco and its products may not be advertised or promoted in any Saudi media or means of advertising.**
- 2- Scenes containing tobacco use or promotion shall be omitted from movies, programs and publications broadcasted in the Kingdom.**

Regulations:

- 10-1** Advertisement, promotion, sponsorship of tobacco or any of its products, directly or indirectly, through the Saudi media, including printed, audio and visual channels, websites and online platforms is prohibited.
- 10-2** All Smoking scenes shall be censored and omitted from movies, programs, broadcasts and publications broadcasted or distributed in the Kingdom, including soft programs and electronic media. In addition, anything that would promote Smoking, directly or indirectly, shall also be censored and omitted.

Article (11)

All government agencies in charge of Islamic, educational, media, sports, health and social affairs shall continuously develop effective and innovative awareness programs to combat Smoking, and shall encourage the non-governmental sector to take part in such programs.

Regulations:

- 11-1** All government agencies shall launch annual awareness programs based on the percentage of smokers amongst their employees.
- 11-2** The National Tobacco Control Committee (NTCC) shall develop a comprehensive national strategy to raise awareness of the risks of Smoking, to address its detrimental effects and to reduce society's exposure to tobacco smoke. NTCC shall create innovative national programs based on scientific evidence, while adopting the international best practices, in coordination with government agencies. NTCC shall engage the non-governmental sector in that respect.
- 11-3** To ensure the sustainable, effective and innovative implementation of anti-Smoking awareness programs, the National Tobacco Control Committee shall conduct national surveys and develop systems to track the scope, causes and consequences of Smoking. It shall also conduct evaluation studies of its relevant programs and activities, and monitor meeting their objectives.

Article (12)

Ministries, government agencies, public institutions, authorities and their branches, as well as other public bodies in the Kingdom, educational, health, sports, cultural, social and charity institutions; in addition to private sector institutions, establishments and their branches; shall be record violations and impose fines.

Regulations:

- 12-1** The authorities supervising areas where Smoking is prohibited pursuant to the Law and its Executive Regulations, shall:
- a. Display signs and warnings indicating that Smoking is prohibited in these areas, and stating the relevant penalties. Signs and warnings shall be prominent, written clearly in both Arabic and English, and distributed all over the area.
 - b. Develop a mechanism to record violations and impose fines in accordance with the State Revenue Law.
 - c. Ensure that all the bodies mentioned in Article 7 of the Law and its Executive Regulations shall establish the necessary procedures to collect the revenue from fines in coordination with the Ministry of Finance.

Article (13)

A person who violates the provisions of Article 3 of this Law shall be liable for a fine of twenty thousand Riyals (SAR 20,000) and required to rectify the violation at his expense.

Regulations:

- 13-1** The removal, rectification or destruction of any violations committed under Article 3 of the Law and its Executive Regulations shall be at the offender's expense.

Article (14)

A person who smokes in violation of the provisions of Article 7 of this Law shall be liable for a fine of two hundred Riyals (SAR 200).

Article (15)

For violations where no specific fine is expressly provided, a person who violates any provision of this Law shall be liable for a fine not exceeding five thousand Riyals (SAR 5,000). Such fine shall be doubled in case of a repeated offence.

Article (16)

Any person sentenced in accordance with the provisions of this Law may file a complaint before the competent authority within the prescribed statutory period.

Regulations:

16-1 A person sentenced under the Law or its Executive Regulations may file a complaint before the agency issuing such a sentence within 60 days, and the issuing agency shall determine the department responsible for reviewing such complaints and the procedures to be followed.

Article (17)

Sentences stipulated in this Law shall not prejudice any severer penalty set forth in any other law.

Article (18)

Fines collected under the provisions of this Law are to be allocated for the purpose of supporting awareness campaigns and efforts; encourage non-governmental societies to combat Smoking; and raise awareness throughout the Kingdom. For this purpose, a bank account shall be opened, and disbursements therefrom shall only be according to instructions issued by the Minister of Health.

Regulations:

18-1 The Minister of Health shall issue the necessary regulations for the disbursement of fines collected to support awareness campaigns and efforts, and to encourage non-governmental associations to combat Smoking and spread their campaign all over the Kingdom.

Article (19)

The Minister of Health shall issue the Executive Regulations of this Law in coordination with other relevant authorities within six months following the date of its publication.

Regulations:

19-1 The Ministry of Health shall review these Regulations one year following their enforcement and amend them as necessary.

Article (20)

This Law shall come into effect one year following the date of its publication in the Official Gazette.

Regulations:

20-1 These Regulations shall be published in the Official Gazette, and on the Ministry of Health's portal; and shall come into effect upon the date of publication.