

New Bill on Tobacco Products Control in Thailand

On 11th November 2016, the National Legislative Assembly (“NLA”) accepted the Bill on Tobacco Products Control (the “**Bill**”) in principles at its first reading. The Bill is being reviewed by a 21-member reviewing committee of the NLA before its second and final readings within 60 days from 11th November 2016.

If finally passed, the Bill will replace the Tobacco Product Control Act B.E.2535 (A.D. 1992) and Non-Smokers' Health Protection Act B.E. 2535 (A.D. 1992). The bill was drafted in 2010 in line with the World Health Organization’s Framework Convention on Tobacco Control, which Thailand ratified in 2005. The Cabinet accepted the Bill as proposed by the Ministry of Health on 25th October 2016. It has strong support from anti-smoking campaigners who describe it as an effective tool to prevent new smokers.

Under the Bill, the minimum smoking age is increased from 18 years old to 20 years old. The definition of “tobacco products” is expanded to include water pipes (baraku) and electronic cigarettes.

The Bill prohibits all forms of advertising and marketing communication for the tobacco products. Moreover, any name or trademark of the tobacco products, manufacturers or importers of the said products is not allowed on tobacco products or other products in the nature of advertisement of tobacco products

The Bill grants Minister of Public Health the power to enact regulations on the requirements for a packaging of tobacco products in respect of its color, size, content, label, warning signs, including trademarks.

Under the Bill, tobacco manufacturers and importers are banned from doing any acts of corporate social responsibility on media or otherwise to indirectly market their tobacco products.

Distribution of free samples of cigarettes is also prohibited under the Bill and a retail shop is no longer allowed to open cigarette packs to sell cigarette individually or in smaller numbers.

Dr. Prakit Vathesatogkit, executive secretary of the Action on Smoking and Health Foundation Thailand, said the bill does not aim to stop existing smokers, but only limit young people's access to cigarettes and other tobacco products.

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