No. S 37

TOBACCO ORDER, 2005
(S 49/05)

TOBACCO (LABELLING) REGULATIONS, 2007

ARRANGEMENT OF REGULATIONS

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FIRST SCHEDULE — WARNINGS ON SMOKED TOBACCO PRODUCTS

SECOND SCHEDULE — WARNINGS ON SMALL CONTAINERS OF SMOKED TOBACCO PRODUCTS

THIRD SCHEDULE — WARNINGS ON SMOKELESS TOBACCO PRODUCTS

TOBACCO ORDER, 2005
(S 49/05)

TOBACCO (LABELLING) REGULATIONS, 2007

In exercise of the power conferred by section 13 of the Tobacco Order, 2005, the Minister for Health, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Tobacco (Labelling) Regulations, 2007 and shall commence on the same date as the Tobacco Order, 2005.

Interpretation.

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

"cigarette" means any product which consists in whole or in part of cut, shredded or manufactured tobacco, or any tobacco derivative or substitute, rolled up in paper and which is in such form as to be capable of immediate use for smoking;

"container" includes a box, tin or packet, but does not include any outer wrapper;

"health warning" means any of the warnings required to be printed on containers of tobacco products under regulations 3, 4 or 5;

"smoked tobacco product" means any tobacco product other than a smokeless tobacco product;

"smokeless tobacco product" means any tobacco product intended, labelled or described as suitable for inhaling or any oral use other than smoking;

"soft pack" means a container which is not rigid, has a tab sealing the container where it is to be opened in the normal way and is of the kind commonly known as a soft pack.

Warnings on smoked tobacco products.

3. (1) Except as provided in regulation 4, there shall be clearly and conspicuously printed on every container of smoked tobacco products one of the warnings set out in the First Schedule.

(2) The warning referred to in sub-regulation (1) —

(a) shall be printed, in the English language on one surface and in the Malay language on the other surface —

(i) on the external surface of any spherical container of the tobacco product;

(ii) on the largest external surface of any cylindrical or conical container of the tobacco product;

(iii) on the 2 largest external surfaces of any other kind of container of the tobacco product;

(b) shall be of an area not less than 50 per cent of the total area of the surface of the container on which the warning is printed;

(c) shall conform to the specifications set out in the First Schedule;

(d) shall, in the case of any container (other than a soft pack), be positioned —

(i) parallel to the top edge of the container, towards the top part of the container as much as possible while satisfying the requirements of paragraph *(f)*; and

(ii) in the same direction as the other information that is on the container;

(e) shall, in the case of a soft pack, be positioned —

(i) parallel to the bottom edge of the soft pack, towards the bottom part of the soft pack as much as possible while satisfying the requirements of paragraph *(f)*; and

(ii) in the same direction as the other information that is on the soft pack; and

(f) shall be printed in a manner that ensures that, when the container is opened or closed in the normal way —

(i) no portion of the warning is obliterated or becomes unreadable; and

(ii) the warning is not severed or is severed only at the conjunction between Parts I and II of the warning.

Refer to pages 582-583

(3) Each of the warnings set out in the First Schedule shall be printed in rotation on the containers of each kind of smoked tobacco products so that, during the period of 2 years beginning on the date of commencement of these Regulations and every subsequent period of 2 years, each warning appears as far as possible on an equal number of containers of each kind of tobacco product.

(4) Where a container referred to in sub-regulation (1) is made of wood or any kind of flexible plastic material, the warning required to be printed on the container under this regulation —

(a) may be printed on a mirror-coated adhesive label that is firmly affixed to the container so as not to be easily removable; and

(b) shall conform with these Regulations in all other respects.

Warnings on small containers of smoked tobacco products.

4. (1) Where the external surface of a container of any smoked tobacco product has an area of 9,000 square millimetres or less, there shall be clearly and conspicuously printed on the container one of the warnings set out in the Second Schedule.

(2) The warning referred to in sub-regulation (1) —

(a) shall be printed, in the English language on one surface and in the Malay language on the other surface —

(i) on the external surface of any spherical container of the tobacco product;

(ii) on the largest external surface of any cylindrical or conical container of the tobacco product;

(iii) on the 2 largest external surfaces of any other kind of container of the tobacco product;

(b) shall be of an area not less than 50 per cent of the total area of the surface of the container on which the warning is printed;

(c) shall conform to the specifications set out in the Second Schedule;

(d) shall be positioned —

(i) parallel to the top edge of the container, towards the top part of the container as much as possible while satisfying the requirements of paragraph *(e)*; and

(ii) in the same direction as the other information that is on the container; and

(e) shall be printed in a manner that ensures that, when the container is opened or closed in the normal way, no portion of the warning is severed, obliterated or becomes unreadable.

Refer to page 586

(3) Each of the warnings set out in the Second Schedule shall be printed in rotation on the containers of each kind of smoked tobacco products referred to in sub-regulation (1) so that, during the period of 2 years beginning on the date of commencement of these Regulations and every subsequent period of 2 years, each warning appears as far as possible on an equal number of containers of each kind of tobacco product.

Warnings on smokeless tobacco products.

5. (1) There shall be clearly and conspicuously printed on every container of smokeless tobacco products one of the warnings set out in the Third Schedule.

(2) The warning referred to in sub-regulation (1) —

(a) shall be printed, in the English language on one surface and in the Malay language on the other surface —

(i) on the external surface of any spherical container of the tobacco product;

(ii) on the largest external surface of any cylindrical or conical container of the tobacco product;

(iii) on the 2 largest external surfaces of any other kind of container of the tobacco product;

(b) shall be of an area not less than 50 per cent of the total area of the surface of the container on which the warning is printed;

(c) shall conform to the specifications set out in the Third Schedule;

(d) shall be positioned —

(i) parallel to the top edge of the container, towards the top part of the container as much as possible while satisfying the requirements of paragraph *(e)*; and

(ii) in the same direction as the other information that is on the container; and

(e) shall be printed in a manner that ensures that, when the container is opened or closed in the normal way, no portion of the warning is severed, obliterated or becomes unreadable.

Refer to page 588

(3) Each of the warnings set out in the Third Schedule shall be printed in rotation on the containers of each kind of smokeless tobacco products so that, during the period of 2 years beginning on the date of commencement of these Regulations and every subsequent period of 2 years, each warning appears as far as possible on an equal number of containers of each kind of tobacco product.

Health and sales restriction information on cigarette containers.

6. (1) In addition to the warning referred to in regulation 3(1), there shall be clearly and conspicuously printed on every container of cigarettes —

(a) the nicotine level expressed in tenths of a milligram per cigarette;

(b) the tar content expressed in milligrams per cigarette; and

(c) the words "NO SALE TO PERSONS UNDER 18" and "TIDAK DIJUAL KEPADA ORANG-ORANG DI BAWAH 18 TAHUN".

(2) The nicotine level and tar content of the cigarettes referred to respectively in sub-regulation (1)*(a)* and *(b)* —

(a) shall be in block letters not less than 2 millimetres in height;

(b) shall be in a colour conspicuously contrasting with the colour of the background of the container; and

(c) shall not be printed on the same side of the container on which the warning referred to in regulation 3(1) is printed.

(3) The words referred to in sub-regulation (1)*(c)* —

(a) shall be in block letters not less than 2 millimetres in height;

(b) shall be in a colour conspicuously contrasting with the colour of the background of the container; and

(c) shall not be printed on the same side of the container on which the warning referred to in regulation 3(1) is printed.

Messages not to be obscured etc.

7. Where the health warning, information or words that are required to be printed under these Regulations are likely to be obscured or obliterated by an outer wrapper on the container, the health warning, information or words, as the case may be, shall be printed on both the wrapper and the container.

Prohibition of import for distribution etc.

8. (1) Subject to sub-regulation (2), no person shall supply any tobacco product in Brunei Darussalam which fails to conform with any of the requirements under these Regulations.

(2) Any person may supply tobacco products in Brunei Darussalam which do not conform with the requirements of these Regulations if —

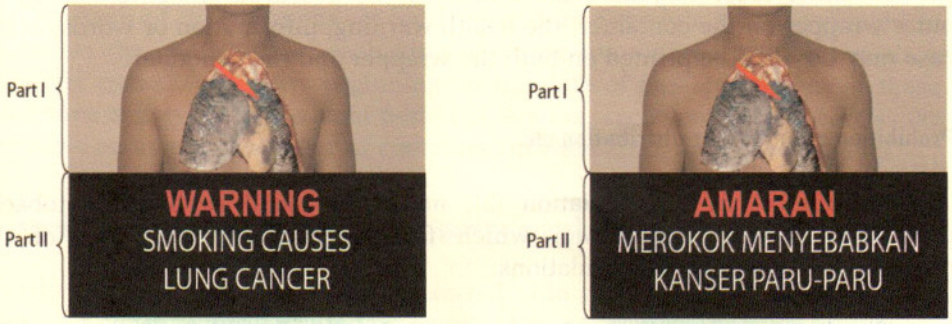
(a) the tobacco products are to be exported;

(b) the tobacco products are not to be offered for sale, sold or consumed in Brunei Darussalam; and

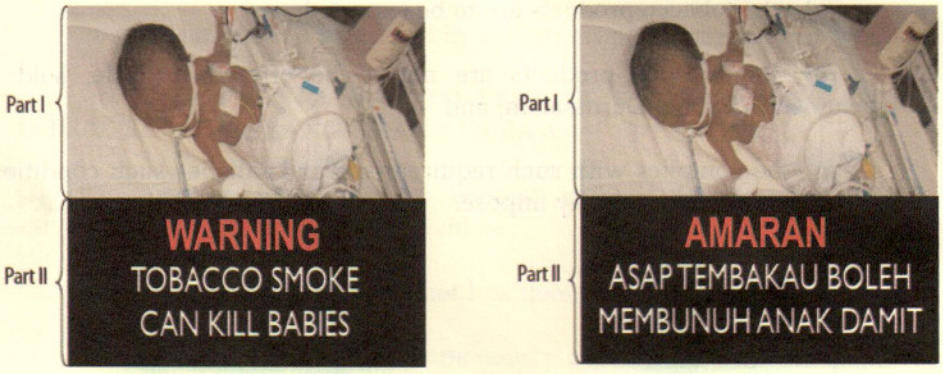
(c) he complies with such requirements and satisfies such conditions as the Director-General may impose.

FIRST SCHEDULE (regulation 3)

WARNINGS ON SMOKED TOBACCO PRODUCTS

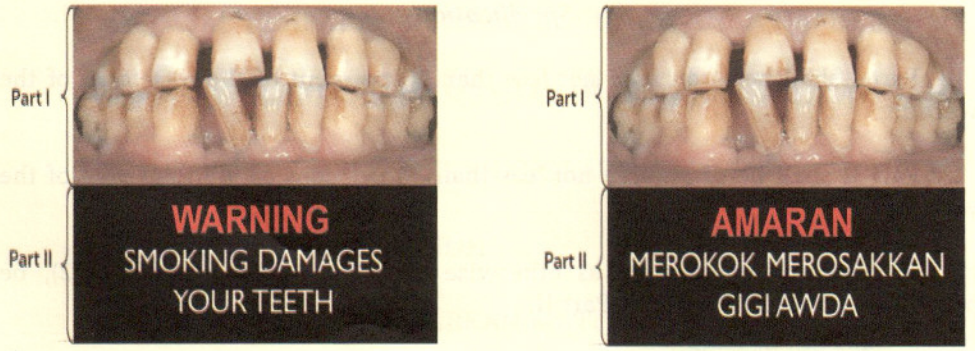


Warning 1

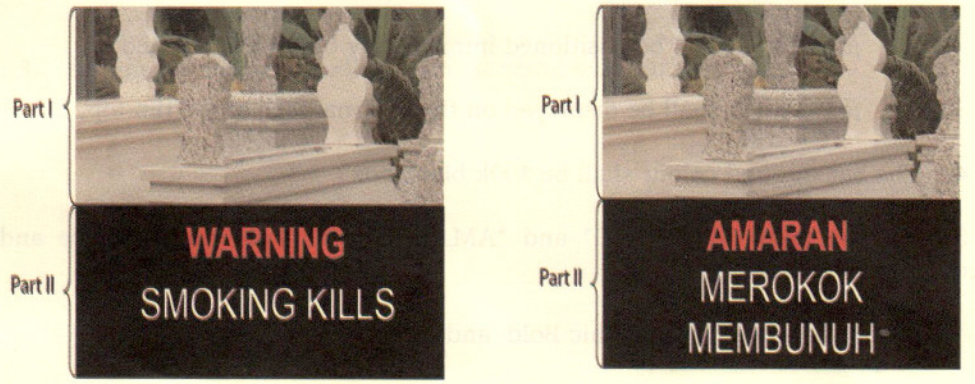


Warning 2

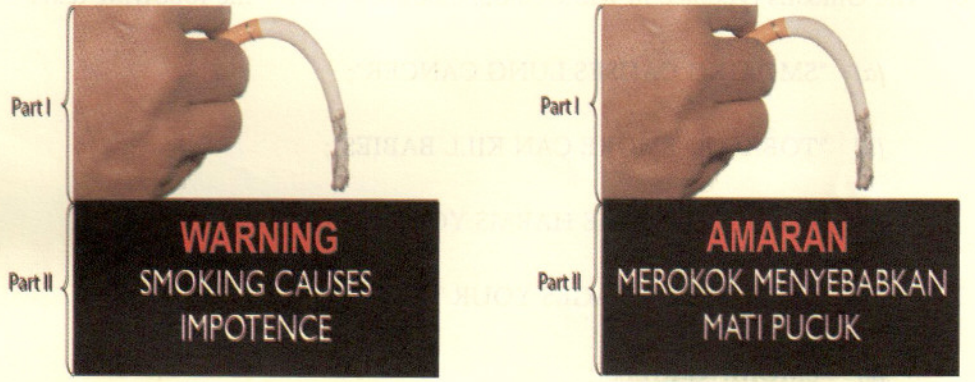
Warning 3



Warning 4



Warning 5



Warning 6

Specifications

1. Part I shall be of an area not less than 50 per cent of the total area of the warning.

2. Part II shall be of an area not less than 35 per cent of the total area of the warning.

3. (1) Part I shall, except as otherwise provided in sub-paragraph (2), be positioned immediately above Part II.

(2) In the case of a flip-top or hinge-top container, if the area of the external face of the flip-top on which the warning is required to be printed under regulation 3 does not allow Part I to conform with paragraph 1 —

(a) Part I shall be positioned immediately below Part II; and

(b) Part II shall be displayed on the external face of the flip-top.

4. The background colour shall be 100k black box.

5. For the texts "WARNING" and "AMARAN", the following typeface and colour shall be used —

(a) typeface TradeGothic Bold; and

(b) colour 100m 100y / Pantone Red 032.

6. The GillSans typeface in white colour shall be used for the following texts —

(a) "SMOKING CAUSES LUNG CANCER";

(b) "TOBACCO SMOKE CAN KILL BABIES";

(c) "TOBACCO SMOKE HARMS YOUR BABY";

(d) "SMOKING DAMAGES YOUR TEETH";

(e) "SMOKING KILLS";

(f) "SMOKING CAUSES IMPOTENCE";

(g) "MEROKOK MENYEBABKAN KANSER PARU-PARU";

(h) "ASAP TEMBAKAU BOLEH MEMBUNUH ANAK DAMIT";

(i) "ASAP TEMBAKAU MEMBAHAYAKAN ANAK DAMIT AWDA";

(j) "MEROKOK MEROSAKKAN GIGI AWDA";

(k) "MEROKOK MEMBUNUH";

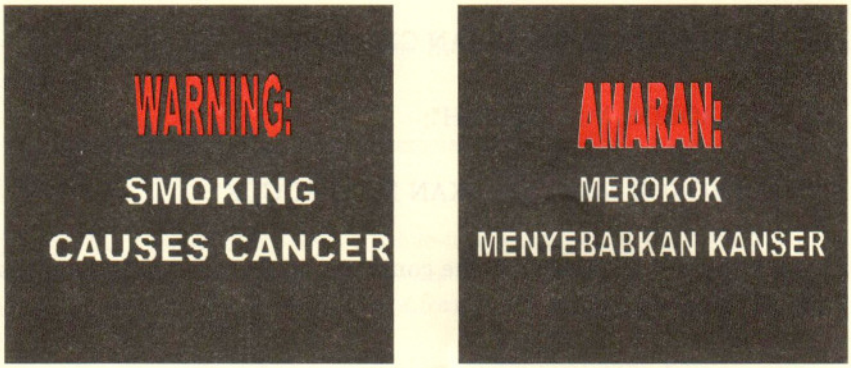
(l) "MEROKOK MENYEBABKAN MATI PUCUK".

7. The resolution for all images on the container of the tobacco product shall be a minimum of 300 dot per inch.

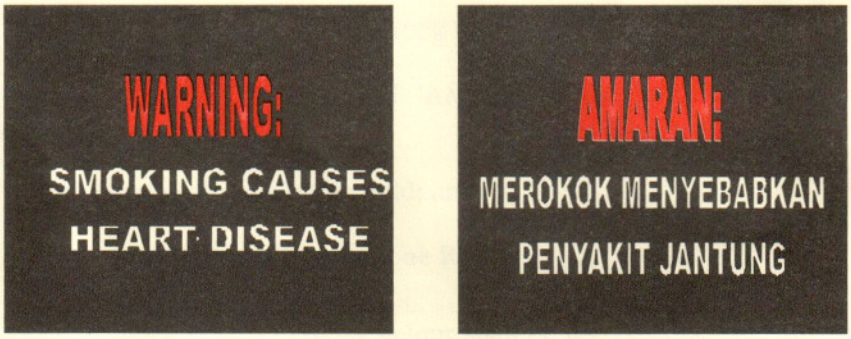
8. All images and text shall be printed using 4-colour printing.

SECOND SCHEDULE (regulation 4)

WARNINGS ON SMALL CONTAINERS OF SMOKED TOBACCO PRODUCTS



Warning 1



Warning 2

Warning 3

Specifications

1. The background colour shall be 100k black box.

2. For the texts "WARNING" and "AMARAN", the following typeface and colour shall be used —

(a) typeface TradeGothic Bold; and

(b) colour 100m 100y / Pantone Red 032.

3. The GillSans typeface in white colour shall be used for the following texts —

(a) "SMOKING CAUSES CANCER";

(b) "SMOKING CAUSES HEART DISEASE",

(c) "SMOKING KILLS";

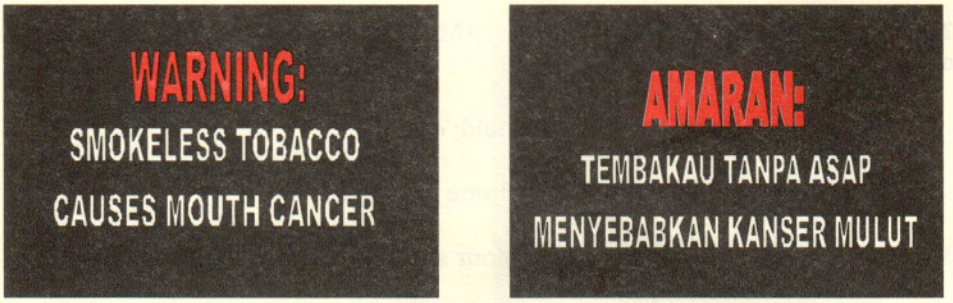
(d) "MEROKOK MENYEBABKAN KANSER";

(e) "MEROKOK MENYEBABKAN PENYAKIT JANTUNG";

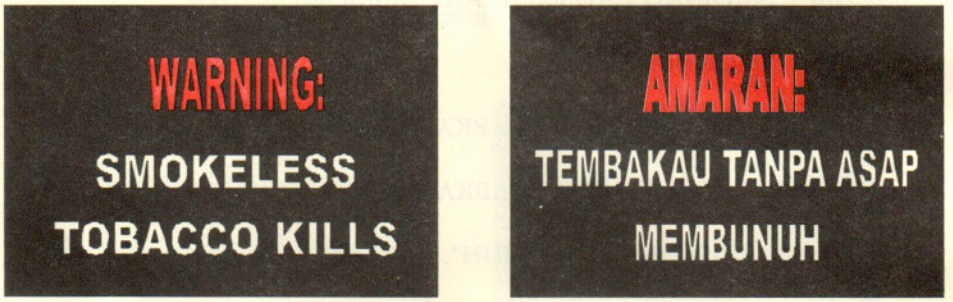
(f) "MEROKOK MEMBUNUH".

THIRD SCHEDULE (regulation 5)

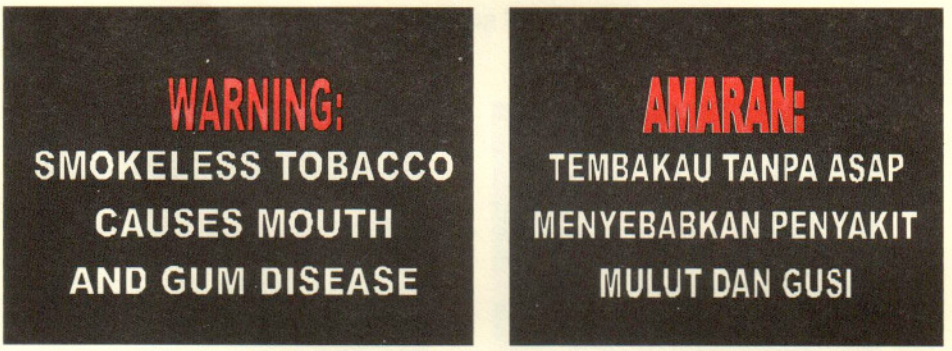
WARNINGS ON SMOKELESS TOBACCO PRODUCTS



Warning 1



Warning 2



Warning 3

Specifications

1. The background colour shall be 100k black box.

2. For the texts "WARNING" and "AMARAN", the following typeface and colour shall be used —

(a) typeface TradeGothic Bold; and

(b) colour 100m 100y / Pantone Red 032.

3. The GillSans typeface in white colour shall be used for the following texts —

(a) "SMOKELESS TOBACCO CAUSES MOUTH CANCER";

(b) "SMOKELESS TOBACCO KILLS";

(c) "SMOKELESS TOBACCO CAUSES MOUTH AND GUM DISEASE";

(d) "TEMBAKAU TANPA ASAP" MENYEBABKAN KANSER MULUT";

(e) "TEMBAKAU TANPA ASAP MEMBUNUH";

(f) "TEMBAKAU TANPA ASAP MENYEBABKAN PENYAKIT MULUT DAN GUSI".

Made this 13th. day of Rejab, 1428 Hijriah corresponding to the 28th. day of July, 2007.

PEHIN ORANG KAYA INDERA PAHLAWAN
DATO SERI SETIA HAJI AWANG SUYOI BIN HAJI OSMAN
Minister of Health,
Brunei Darussalam.

No. S 38

TOBACCO ORDER, 2005
(S 49/05)

TOBACCO (COMPOSITION OF OFFENCES) REGULATIONS, 2007

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.

2. Offences which may be compounded.

TOBACCO ORDER, 2005
(S 49/05)

TOBACCO (COMPOSITION OF OFFENCES) REGULATIONS, 2007

In exercise of the power conferred by section 31(3) of the Tobacco Order, 2005, the Minister of Health, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Tobacco (Composition of Offences) Regulations, 2007 and shall commence on the same date as the Tobacco Order, 2005.

Offences which may be compounded.

2. The offences referred to in Part II, section 14(2), section 15(3), section 16(4), Part IV and Part V of the Order and any regulations made under the Order may be compounded by the Director-General or any person authorised by him in writing under section 31(1) of the Order.

Made this 13th. day of Rejab, 1428 Hijriah corresponding to the 28th. day of July, 2007.

PEHIN ORANG KAYA INDERA PAHLAWAN
DATO SERI SETIA HAJI AWANG SUYOI BIN HAJI OSMAN
Minister of Health,
Brunei Darussalam.