

# KINGDOM OF CAMBODIA

Nation Religion King

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Royal Government of Cambodia

No. 35.ANKR.BK

## SUB-DECREE

ON

## ADVERTISING OF TOBACCO PRODUCTS

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### The Royal Government of Cambodia

- Having seen the constitution of the Kingdom of Cambodia
- Having seen the Royal Decree No. NS/RKT/0908/1055 dated September 25, 2008 on the Nomination of the Royal Government of Cambodia;
- Having seen the Royal Kram No. 02/NS/94 dated July 20, 1994 promulgating the Law on Organization and Functioning of the Council of Minister;
- Having seen the Royal Kram No. SN/RKM/0196/06 dated January 24, 1996 promulgating the Law on Establishment of the Ministry of Health;
- Having seen the Royal Kram No. SN/RKM/0106/002 dated January 18, 2006 promulgating the Law on Approving Cambodia to be a Party of the Framework Convention on Tobacco Control;
- Having seen Sub-Decree No. 67 ANKR.BK dated October 22, 1997 on Organization and Functioning of the Ministry of Health;
- Getting approval from the Council of Ministers at its plenary session on 11<sup>th</sup> February 2011.

### HERE BY DECIDES

#### CHAPTER 1

#### GENERAL PROVISIONS

##### Article 1.-

This Sub-Decree aims to define measures on tobacco advertising in Cambodia.

##### Article 2.-

The objectives of this Sub-Decree are:

- To contribute to protection of well being of the citizens;
- To increase the effectiveness of controlling advertising of tobacco products;
- To prevent all means of advertising attracting people to use tobacco products;
- To reduce consumptions of tobacco products;
- To reduce the effects of tobacco consumptions on health, environment, economy, and society.

**Article 3.-**

This Sub-decree extends its implementation to advertising of tobacco products in the Kingdom of Cambodia.

**CHAPTER 2  
GOVERNING AUTHORITIES**

**Article 5.-**

Ministry of Health is the competent institution in guiding and controlling advertising of tobacco products in Cambodia, in which the National Center for Health Promotion is the secretariat. In necessary case, the Ministry of Health shall seek cooperation from relevant competent ministries-institutions.

**CHAPTER 3  
MEASURES ON ADVERTISING OF TOBACCO PRODUCTS**

**Article 5.-**

Advertising of tobacco products through mass media in the form of picture, text or sound on radio, television, magazine CD, VCD, DVD, , and telecommunication service shall be prohibited.

**Article 6.-**

Advertising of tobacco products in public on poster, billboard, banner, drawing, or other advertising materials, and advertising of tobacco products using mobile picture on wall of car, or on any type of vehicle shall be banned. Display of tobacco products or their logos or names is allowed only at tobacco shops or stores.

Size and number of tobacco products logos or brand names to be displayed at tobacco shops and stalls shall be defined by a Prakas of the Minister of Health.

**Article 7.-**

Advertising of tobacco products to public at any public place such as concert or sport event or other public event and promotion of tobacco products to customers by agents of tobacco companies shall be banned.

**Article 8.-**

Sponsorship in concert or sport event or other public event in form of tobacco products or other materials on which tobacco brand names are shown shall be banned except sponsorship in form of materials or fund in humanitarian activities or activities for social benefits in which tobacco commercial interests or tobacco advertising is not shown.

**Article 9.-**

All types of mass media shall implement the article 5.

**CHAPTER 4  
PUNISHMENTS**

**Article 10.-**

Tobacco companies, local manufacturers, importers of tobacco products, sellers of tobacco products, and individuals relevant to advertising and distribution of tobacco products, who do not comply with this Sub-Decree shall be liable for the following punishments:

- Warn in written;

- Confiscate the posters, billboard, banners, leaflets and other advertising materials;
- Close the business temporarily;
- Close the business permanently in case of frequent infringement.

## **CHAPTER 5 TRANSITIONAL PROVISION**

### **Article 11.-**

After this Sub-decree comes into effect, tobacco companies, local manufacturers, importers of tobacco products, sellers of tobacco products and individuals relevant to advertising and distribution of tobacco products shall have 6 (six) month period to put the end to this advertising.

## **CHAPTER 6 FINAL PROVISION**

### **Article 12.-**

Any provision that contradicts to this Sub-decree shall be considered as null and void.

### **Article 13.-**

Minister in charge of the Council of Ministers, Minister of Economic and Finance, Minister of Health, all relevant Ministers, Secretaries of State, relevant institutions shall implement this Sub-decree from the date of signature.

Phnom Penh, 24 February 2011

**Prime Minister**

**Samdech Aka Moha Sena Padey Decho HUN Sen**

Recipients:

- Ministry of Royal Palace;
- General Secretariat of the Constitutional Council;
- General Secretariat of the Senate;
- General Secretariat of the National Assembly;
- General Secretary of the Royal Government;
- Cabinet of Prime Minister;
- Cabinet of Deputy Prime Ministers;
- As prescribed in article 13;
- Royal Affairs;
- Documentation-Archive