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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU  
(PINDAAN) 2017

*CONTROL OF TOBACCO PRODUCT (AMENDMENT)  
REGULATIONS 2017*



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ATTORNEY GENERAL'S CHAMBERS

AKTA MAKANAN 1983

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU (PINDAAN) 2017

PADA menjalankan kuasa yang diberikan oleh seksyen 36 Akta Makanan 1983 [*Akta 281*], Menteri membuat peraturan-peraturan yang berikut:

**Nama**

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Kawalan Hasil Tembakau (Pindaan) 2017**.

(2) Peraturan-Peraturan ini berkuat kuasa pada 1 Februari 2017.

**Pindaan peraturan 2**

2. Peraturan-Peraturan Kawalan Hasil Tembakau 2004 [*P.U. (A) 324/2004*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 2—

(a) dengan memasukkan selepas takrif “lapangan terbang” takrif yang berikut:

‘ “menara cerapan” ertinya suatu struktur termasuk bumbun yang dibina bagi tujuan memerhati flora dan fauna dalam suatu kawasan taman negara atau taman negeri;’

(b) dengan memasukkan selepas takrif “rokok” takrif yang berikut:

‘ “taman awam” ertinya suatu kawasan lapang bagi tujuan beriadah dan berekreasi yang mengandungi landskap lembut atau kejur, atau kedua-duanya, seperti laluan pejalan kaki, padang permainan, gelanggang permainan dan taman permainan;

“taman negara” ertinya suatu kawasan yang telah diwartakan sebagai taman negara di bawah Akta Taman Negara 1980 [*Akta 226*], Enakmen Taman Negara (Kelantan) [*En. 14 Tahun 1938*], Enakmen Taman Negara (Pahang) 1939 [*En. 2 Tahun 1938*] atau Enakmen Taman Negara (Terengganu) [*En. 6 Tahun 1358*];

“taman negeri” ertinya suatu kawasan yang telah diwartakan sebagai taman negeri, tanah rizab atau hutan simpan kekal di bawah mana-mana undang-undang yang dinyatakan dalam Jadual Kesembilan Peraturan-Peraturan ini;

“tapak perkhemahan” ertinya suatu tapak khas yang digunakan bagi mendirikan khemah bagi aktiviti perkhemahan termasuk apa-apa bangunan dalam tapak berkenaan;’ dan

- (c) dengan memasukkan selepas takrif “tempat makan berhawa dingin” takrif yang berikut:

‘ “titian kanopi” ertinya suatu laluan pejalan kaki yang dibina dengan menghubungkan pokok termasuklah tempat rehat;’.

### **Pindaan peraturan 11**

3. Subperaturan 11(1) Peraturan-Peraturan ibu dipinda—

- (a) dalam perenggan (u), dengan memotong perkataan “atau” di hujung perenggan itu;
- (b) dalam perenggan (v), dengan menggantikan noktah dengan perkataan “;” dan
- (c) dengan memasukkan selepas perenggan (v) perenggan yang berikut:

- “(w) dalam mana-mana kawasan taman awam kecuali tempat letak kereta awam terbuka; atau
- (x) dalam mana-mana menara cerapan, tapak perkhemahan, titian kanopi dan lima meter dari laluan masuk atau keluar titian kanopi dalam taman negara atau taman negeri.”.

### **Pindaan peraturan 12**

4. Subperaturan 12(1) Peraturan-Peraturan ibu dipinda dengan memasukkan selepas perkataan “tuan punya kenderaan” perkataan “atau tempat”.

### **Pemotongan peraturan 21**

5. Peraturan-Peraturan ibu dipinda dengan memotong peraturan 21.

### **Jadual Kesembilan baharu**

6. Peraturan-Peraturan ibu dipinda dengan memasukkan selepas Jadual Kelapan Jadual yang berikut:

“JADUAL KESEMBILAN

[Peraturan 2]

AKTA MAKANAN 1983

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU 2004

SENARAI UNDANG-UNDANG

1. Enakmen Perhutanan Negara (Pemakaian) 1985 [*Enakmen No. 11 Tahun 1985*] (Kelantan)
2. Enakmen Perhutanan Negara (Pemakaian) 1987 [*Enakmen No. 1 Tahun 1988*] (Perlis)
3. Enakmen Perbadanan Taman Negeri Perak 2001 [*Enakmen No. 10 Tahun 2001*] (Perak)”.

Dibuat 16 Januari 2017  
[KKM.PUU(R)(PU2)/TC/4; PN(PU2)418/XXIII]

DATUK SERI DR. S. SUBRAMANIAM  
*Menteri Kesihatan*

## FOOD ACT 1983

## CONTROL OF TOBACCO PRODUCT (AMENDMENT) REGULATIONS 2017

IN exercise of the powers conferred by section 36 of the Food Act 1983 [*Act 281*], the Minister makes the following regulations:

**Citation**

1. (1) These regulations may be cited as the **Control of Tobacco Product (Amendment) Regulations 2017**.

(2) These Regulations come into operation on 1 February 2017.

**Amendment of regulation 2**

2. The Control of Tobacco Product Regulations 2004 [*P.U. (A) 324/2004*], which are referred to as the “principal Regulations” in these Regulations, are amended in regulation 2—

(a) by inserting after the definition of “airport” the following definition:

‘ “observation tower” means a structure including a hide that is built for the purpose of observing flora and fauna in a national park or state park area;’

(b) by inserting after the definition of “cigarette” the following definitions:

‘ “public park” means an open area for the purposes of leisure and recreational containing soft or hard landscapes, or both, such as pedestrian path, playing field, game court and playground;’

“national park” means an area which has been gazetted as a national park under the National Parks Act 1980 [*Act 226*], Taman Negara (Kelantan) Enactment [*En. 14 of 1938*], Taman Negara (Pahang)

Enactment 1939 [*En. 2 of 1938*] or Taman Negara (Terengganu) Enactment [*En. 6 of 1358*];

“state park” means an area which has been gazetted as a state park, reserved land or permanent reserved forest under any of the laws specified in the Ninth Schedule of these Regulations;

“camp site” means a designated site used for the purpose of setting up tents for camping activities including any building within the site;’  
and

(c) by inserting after the definition of “air-conditioned eating place” the following definition:

‘ “canopy bridge” means a pedestrian path built connecting the trees including the resting place;’.

### **Amendment of regulation 11**

3. Subregulation 11(1) of the principal Regulations are amended—

(a) in paragraph (u), by deleting the word “or” at the end of that paragraph;

(b) in paragraph (v), by substituting for the full stop the word “;” and

(c) by inserting after paragraph (v) the following paragraphs:

“(w) in any area of a public park except an open public car park; or

(x) in any observation tower, camp site, canopy bridge and five meters from the entrance or exit of the canopy bridge in the national park or state park.”.

**Amendment of regulation 12**

4. Subregulation 12(1) of the principal Regulations is amended by inserting after the words “proprietor of a vehicle” the words “or place”.

**Deletion of regulation 21**

5. The principal Regulations are amended by deleting regulation 21.

**New Ninth Schedule**

6. The principal Regulations are amended by inserting after the Eighth Schedule the following Schedule:

“NINTH SCHEDULE

[Regulation 2]

FOOD ACT 1983

CONTROL OF TOBACCO PRODUCT REGULATIONS 2004

LIST OF LAWS

1. National Forestry (Adoption) Enactment 1985 [*Enactment No. 11 of 1985*] (Kelantan)
2. National Forestry (Adoption) Enactment 1987 [*Enactment No. 1 of 1988*] (Perlis)
3. Perak State Parks Corporation Enactment 2001 [*Enactment No. 10 of 2001*] (Perak)”.

Made 16 January 2017  
[KKM.PUU(R)(PU2)/TC/4; PN(PU2)418/XXIII]

DATUK SERI DR. S. SUBRAMANIAM  
*Minister of Health*