



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**NATIONAL AUTHORITY ON TOBACCO AND
ALCOHOL (AMENDMENT)**

A

BILL

**to amend the National Authority on Tobacco and Alcohol
Act, No. 27 of 2006**

*Presented by the Minister of Health and Indigenous Medicine
on 10th February, 2015*

Ordered by Parliament to be printed

[Bill No. 333]

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STATEMENT OF LEGAL EFFECT

Clause 2: This clause amends section 34 of the National Authority on Tobacco and Alcohol Act, No.27 of 2006 (hereinafter referred to as the “principal enactment”) and the legal effect of the section as amended is to—

- (a) extend the prohibition imposed under section 34 to importers and the persons who supply, distribute and store tobacco products;
- (b) remove the provisions which enable to specify by way of regulations the dimension of the health warnings to be displayed on the packets, packages and cartons of tobacco products;
- (c) increase the fine imposed on an offender under section 34.

Clause 3 : This clause inserts new section 34A in the principal enactment and the legal effect of the section is to specify the manner in which the health warnings to be displayed.

Clause 4 : This clause amends section 45 of the principal enactment and the legal effect of that section is to insert a definition for the expression “health warnings”.

Clause 5 : This clause grants a grace period up to June 1, 2015 to the manufacturers and importers of existing stocks of tobacco products to comply with the provisions of section 34A.

Clause 6 : This clause provides for the continuous operation of the regulations made prior to the date of operation of the amending Act under section 30 read with section 34 of the principal enactment in so far as is not inconsistent with this Act.

*National Authority on Tobacco and Alcohol
(Amendment)*

L.D.—O. 8/2015.

AN ACT TO AMEND THE NATIONAL AUTHORITY ON TOBACCO AND
ALCOHOL ACT, No. 27 OF 2006

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows:—

1. (1) This Act may be cited as the National Authority on Tobacco and Alcohol (Amendment) Act, No. of 2015. Short title
and date of
operation.

5 (2) The provisions of this Act shall be deemed to have
come into operation with effect from February 1, 2015.

2. Section 34 of the National Authority on the Tobacco and Alcohol Act, No. 27 of 2006 (hereinafter referred to as the “principale enactment”) is hereby repealed and the following section substituted therefor:— Replacement
of section 34
of Act, No.
27 of 2006.

15 “Prohibition of the manufacture, sale, import etc. of tobacco products without health warnings and a label or a statement of tar and nicotine content. 34 (1) A manufacturer or an importer of a tobacco product shall cause to be displayed conspicuously and in legible print on the top surface area of both the front and back sides of every packet, package or carton containing the tobacco product manufactured or imported by such manufacturer or importer, a label or a statement specifying the tar and nicotine content in each tobacco product in such packet, package or carton along with such health warnings, as may be prescribed, subject to section 34A.

25 (2) A person shall not sell, offer for sale, supply, distribute or store a packet, package or carton containing tobacco products unless a statement containing the tar and nicotine content and the health warnings are displayed conspicuously in legible print on the top surface area of both front and back sides of every packet, package or carton containing the tobacco product, as provided for in subsection (1).

2 *National Authority on Tobacco and Alcohol*
 (Amendment)

5 (3) Any person who contravenes the provisions of this section shall commit an offence and upon conviction after summary trial by a Magistrate be liable to an imprisonment of either description for a term not exceeding one year or to a fine not exceeding rupees fifty thousand or to both such fine and imprisonment.”.

10 **3.** The following new section is hereby inserted immediately after Section 34 of the principal enactment and shall have effect as section 34A of the principal enactment:—

Insertion of new section 34A in the principal enactment.

15 “How to display health warnings. 34A. (1) A manufacturer or an importer of cigarettes and other tobacco products shall cause to be printed the health warning referred to in section 34(1), covering an area of eighty *per centum* of the top surface area (principle display area) of both front and back sides of every packet, package or carton containing cigarettes and other tobacco products.

20 (2) A foresaid health warnings shall indicate the health hazards and the harmful effects caused by the usage of tobacco products, as may be prescribed.

25 (3) The health warning on the front and back sides of the packet, package or carton shall defer from each other.

30 (4) Where a manufacturer manufactures more than one brand of cigarettes and other tobaccoe products, the manufacturer shall ensure that two different brands manufactured by such manufacturer shall not bear the same health warning, simultaneously.

35 (5) The health warnings printed on the packets, packages or cartons of cigarettes and other tobacco products shall be changed once

in every six months in order to cover all prescribed types of health warnings out of every prescribed category of health warnings.

5 (6) The manufacturers and importers of cigarettes and other tobacco products shall be required to use the compact disc containing the prescribed health warnings which shall be obtained only from the Authority.”.

10 4. Section 45 of the principal enactment is hereby amended by the insertion immediately after the definition of the expression “Chairman” of the following definition:—

Amendment of section 45 of the principal enactment.

““Health warnings” includes pictures or pictograms and messages.”

15 5. Notwithstanding the provisions of section 1 (2), the manufacturers and importers of existing stocks of tobacco products shall be granted a grace period up to June 1, 2015, to comply with the provisions of section 34A.

Transitional provisions.

20 6. Every regulation made in terms of the provisions of section 34 of the principal enactment, prior to February 1, 2015, shall be deemed to be continuously in operation, with effect from February 1, 2015, in so far as is not inconsistent with the provisions of this Act.

Savings

25 7. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

ENDORSEMENT UNDER ARTICLE 122 OF
THE CONSTITUTION

It is hereby certified that in the view of the Cabinet of Ministers the above Bill is urgent in the national interest.

Sumith Abeysinghe,
Secretary to the Cabinet of Ministers.

28th January, 2015

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