

Royal Government  
of Cambodia  
No. 43 ANK.BK

KINGDOM OF CAMBODIA  
NATION RELIGION KING



SUB-DECREE  
ON

MEASURES FOR THE BANNING OF SMOKING OR BLOWING THE SMOKE OF  
TOBACCO PRODUCTS AT WORKPLACES AND PUBLIC PLACES



THE ROYAL GOVERNMENT OF CAMBODIA

- Having seen the constitution of the Kingdom of Cambodia
- Having seen the Royal Decree No. NS/RKT/0913/903 dated September 24, 2013 on the Nomination of the Royal Government of Cambodia;
- Having seen the Royal Decree No. NS/RKT/1213/1393 date December 21, 2013 on the Reforming and Adding Members to 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 Ministers;
- 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/00515/004/06 dated May 18, 2015 promulgating the Law on Tobacco Products 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 March 04, 2016.

**HERE BY DECIDES**  
**CHAPTER 1**  
**GENERAL PROVISIONS**

**Article 1.-**

This Sub-Decree has its objectives to protect wellbeing of the people, prevent the exposure to tobacco smoke which causes health risks to non-smokers and environment, and to reduce consumption of tobacco products.

**Article 2.-**

This sub-decree aims to define measures for banning of smoking, blowing the smoke of tobacco products, and to define smoking banned places.

**Article 3.-**

This Sub-Decree has its scope covering all workplaces and public places in the Kingdom of Cambodia.

**Article 4.-**

Definitions of the terms used in this Sub-Decree:

- **“Tobacco Products”** means products entirely or partly made of the leaf of tobacco, chopped tobacco, or any tobacco substance manufactured by tobacco industry or other means to be used for smoking or to be used in other forms which include but not limited to sucking, chewing or snuffing;
- **“Tobacco Smoking”** means the use of tobacco products by burning either its smoke is inhaled or exhaled.
- **“Workplaces”** refer to permanent or temporary indoor places where any person works regardless whether it is a paid or unpaid, voluntary or obligatory which include personal offices, shared offices, and other places which are generally used or passed across during the performance of work. An Indoor place refers to a space covered by a roof and a wall or more, regardless the types of materials used to build the roof and the wall(s) and whether they are permanent or temporary.
- **“Public Places”** means enclosed places, public transports which are used or accessed by public.
- **“Public Transports”** mean all types of vehicles such as cars, trains, ships or boats, airplanes used or accessed by general public.
- **“Enclosed Public Place”** refers to a place covered by roofs, one wall or more, with or without doors, regardless the types of materials used to build the roof and the wall(s) and whether they are permanent or temporary.
- **“Educational Facilities”** refers to center/s for education and other trainings counting from kindergarten to graduated level including all levels of schools or institutions or university, or vocational training centers.
- **“Health Facilities”** refers to health cabinets, health centers, hospitals, clinic, both public and private, pharmacies and health laboratory etc.
- **“Religious Facilities”** refers to temple, religious academy, religious school, monks’ dormitories, Buddhist schools, laymen’ dormitories. Meditation

centers, mosques, Islamic schools etc. where there are used for purposes of distinguish religions in the Kingdom of Cambodia.

## **CHAPTER 2 GOVERNING AUTHORITIES**

### **Article 5.-**

The Ministry of Health is the authoritative institute for guiding, disseminating and controlling the implementation of banning of smoking and blowing smoke of tobacco products at workplaces and public places. If necessary, the Ministry of Health shall seek cooperation from relevant ministries-institutes as well as local and international organization.

### **Article 6.-**

The Ministry Health is the authoritative institute for implementing and posing of pecuniary fines as mentioned in this Sub-Decree.

## **CHAPTER 3 MEASURES FOR BANNING SMOKING OR BLOWING SMOKE OF TOBACCO PRODUCTS AT WORKPLACES AND PUBLIC PLACES**

### **Article 7.-**

Smoking or blowing smoke of tobacco products in public transports shall be prohibited.

Smoking or blowing smoke of tobacco products in buildings or within five meters away from exit of workplaces, enclosed public places shall be prohibited.

Smoking or blowing smoke of tobacco products shall be prohibited at the whole campuses of health facilities, educational facilities, nurseries, children park, public park, religious facilities, museums, historically cultural resorts, gas stations, and other inflammable places.

### **Article 8.-**

Guidelines and other necessary measures related to prohibit places and other places shall be defined by Prakas of the Minister of Health.

### **Article 9.-**

Managers or owners of workplaces or of public places shall post or put signs of banning smoking or blowing smoke of tobacco products at the entrance and other appropriate places where it is clearly visible by public. The signs shall include amount of monetary fines and telephone number of competent authorities of the designated places.

Signs of banning smoking or blowing smoke of tobacco products shall be defined by Prakas of the Minister of Health.

**Article 10.-**

Managers or owners of workplaces or of public places shall instruct smokers not to smoke or blow the smoke of tobacco products violating smoking ban signs and shall cooperate with authorities to timely take action.

**Article 11.-**

At workplaces, public places, and other places where smoking and blowing the smoke of tobacco products is prohibited; ashtray or picture of any form, size and type of ashtray shall not be allow to display or show.

**Article 12.-**

When seeing any person who violate the banning of smoking or blowing the smoke of tobacco products, witness shall report to the competent authority in order to timely take action.

**CHAPTER 4  
PARTICULAR PROVISIONS**

**Article 13.-**

Designated smoking room might be created at the airport.

**CHAPTER 5  
PECUNIARY FINES**

**Article 14.-**

Any person who violates the article 7 of this Sub-Decree shall liable for a monetary fine of 20,000 (Twenty Thousand) Riel.

**Article 15.-**

Managers or owners of workplaces or of public places who violate provisions stated in article 10 and 11 of this Sub-Decree shall be liable for a monetary fine of 50,000 (Fifty Thousand) Riel. In case of repeat infringements, the fines shall be double.

**Article 16.-**

Legal forms for monetary fines and management of monetary receipts and revenues collected from the fines shall be determined by the Join-Prakas between the Ministry of Health and Ministry of Economy and Finance.

**CHAPTER 6  
TRANSITIONAL PROVISION**

**Article 17.-**

Managers, or owners of workplaces and public places shall be given a period of 6 (six) for preparing and putting the signs to ban smoking or blowing the smoke of tobacco products.

**CHAPTER 7  
FINAL PROVISION**

**Article 18.-**

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

**Article 19.-**

Minister in charge of the Council of Ministers, Minister of Economy and Finance, Minister of Health, Ministers of all Ministries and Director of relevant institutions shall implement this Sub-Decree according to their tasks from the date of signature onward.

Phnom Penh, 16 March 2016

**Prime Minister**

**Signature and stamp**

**Samdech Aka Moha Sena Padei Techo 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 mentioned in article 19;
- Royal Affairs;
- Documentation-Archive