

Smoke-free Policy Implementation & Enforcement

A Practical Guide



Southeast Asia Tobacco Control Alliance
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Smoke-free Policy Implementation & Enforcement: A Practical Guide

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Disclaimer: *The case studies and contents of this publication do not necessarily reflect the opinion of the national governments mentioned.*

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I. Introduction

"A healthy environment, including clean air, is a basic human right."

- United Nations Human Rights Council

Governments committed to public health must prioritise the development, implementation, and enforcement of 100% smoke-free laws (2).

A. Background and context

Protecting people from tobacco smoke is a fundamental public health priority. Effective implementation is essential for tobacco control policies, including smoke-free laws, to achieve their intended impact. According to the 2023 WHO report on the global tobacco epidemic, even countries with strong smoke-free laws often see only moderate compliance, leading to ongoing exposure to tobacco smoke (1). In the Western Pacific Region, data shows that only about one-third of the countries have achieved a compliance rate of 80% or higher.

This guide is designed to support tobacco control task forces and enforcers in effectively implementing and enforcing smoke-free environments. Since no level of exposure to tobacco smoke is safe, strict enforcement of smoke-free laws or ordinances is crucial for protecting the public from exposure to secondhand smoke (SHS). The guide provides a systematic approach to creating sustainable smoke-free environments, rooted in the WHO Framework Convention on Tobacco Control (FCTC), a global treaty aimed at protecting present and future generations from the harms of tobacco use and exposure to tobacco smoke.

Good practices from six countries (Brunei Darussalam, Cambodia, Fiji, Kiribati, Singapore, and the Solomon Islands) and four cities (Beijing, China; Shanghai, China; Penang, Malaysia; and Iloilo City, Philippines) in the WHO Western Pacific Region demonstrate the effectiveness of well-prepared and well-coordinated smoke-free implementation and enforcement. Additionally, the principles and strategies in this guide should also be applied to the use of tobacco and recreational nicotine products, including electronic nicotine and non-nicotine delivery systems (ENDS/ENNDS), such as e-cigarettes, and heated tobacco products (HTPs), where they are not yet banned.

All people have a fundamental right to breathe clean air. There is no safe level of exposure to secondhand smoke (SHS), which causes heart disease, cancer and many other diseases. Even brief exposure can cause serious damage."

- WHO FCTC Article 8

B. WHO Framework Convention on Tobacco Control (FCTC) Article 8: Protection from exposure to tobacco smoke

There is no safe level of exposure to secondhand smoke (SHS), which causes heart and lung disease, cancer, and other serious illnesses. Even brief exposure can be harmful. A total ban on smoking in all indoor public places, workplaces, and public transportation protects people from SHS while encouraging smokers to quit and discouraging youth from starting (1).

Article 8 of the WHO FCTC emphasises the importance of protecting everyone from tobacco smoke, which is rooted in fundamental human rights. The duty to protect from tobacco smoke aligns with the right to the highest attainable standard of health, as recognised in international treaties such as the WHO Constitution, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and the International Covenant on Economic, Social, and Cultural Rights (3).

Creating a 100% smoke-free environment that is fully compliant with WHO FCTC Article 8 requires comprehensive smoke-free legislation, the successful implementation of which requires good planning and adequate resources; active participation of civil society in building support for and ensuring compliance with smoke-free laws; and monitoring and evaluation of enforcement and its impact (3). An increasing number of countries have adopted legislation to establish smoke-free environments. Smoke-free legislation is popular wherever it is enacted, and these laws do not harm business (1). Still, less than 40% of countries (around 26% of the world's population) are covered by a comprehensive smoke-free law (1).



C. Seven principles to guide the implementation of the WHO FCTC Article 8 (3)

Guidelines for the implementation of the WHO FCTC Article 8 remind governments that strong political commitment is key to implementing measures to protect all persons from exposure to tobacco smoke. The following seven principles should guide the implementation of Article 8.

Principle 1

Total elimination of smoking and tobacco smoke in any space or environment is required to effectively protect people from exposure to tobacco smoke. There is no safe level of exposure to tobacco smoke, and any notion of a threshold value for toxicity from SHS should be rejected, as they are contradicted by scientific evidence. Approaches other than 100% smoke-free environments, including ventilation, air filtration, and designated smoking areas (whether with separate ventilation systems or not), have consistently been shown to be ineffective. Conclusive evidence, both scientific and otherwise, confirms that engineering approaches do not protect against exposure to tobacco smoke.

Principle 2

All indoor workplaces and indoor public places should be smoke-free, and all people should be protected from exposure to tobacco smoke.

Principle 3

Legislation is necessary to protect people from exposure to tobacco smoke. Voluntary smoke-free policies have repeatedly been shown to be ineffective and do not provide adequate protection. In order to be effective, legislation should be simple, clear and enforceable.

Principle 4

Good planning and adequate resources are essential for successful implementation and enforcement of smoke-free legislation.

Principle 5

Civil society has a central role in building support for and ensuring compliance with smoke-free measures. It **should be included as an active partner** in the process of developing, implementing and enforcing legislation.

Principle 6

The implementation, enforcement, and impact of smoke-free policies **should be monitored and evaluated**. This includes monitoring and responding to the tobacco industry's activities that weaken the implementation and enforcement of the legislation.

Principle 7

The protection of people from exposure to tobacco smoke should be strengthened and expanded, if necessary. Such action may include new or amended legislation, improved enforcement and other measures to reflect new scientific evidence and case-study experiences.

“Duty to protect individuals from tobacco smoke corresponds to an obligation of government to enact legislation to protect individuals against threats to their fundamental rights and freedoms.”

- Guidelines for Implementation of WHO FCTC Article 8

II. Ensuring Comprehensive Smoke-free Legislation

Overview

This guide is intended to provide strategies for implementing smoke-free laws. A pre-condition for effective implementation of a smoke-free law is to establish clear and enforceable legislation. The legislation should be written in a language that is plain and easily understood, while providing sufficient detail to avoid any potential confusion or misinterpretation. It must establish legal authority to promote compliance and hold violators accountable. The following constitute essential elements for the efficacy of a smoke-free legislation:

Comprehensive coverage and scope:

Smoke-free legislation must be comprehensive in scope and content. It should protect all persons and cover all indoor public places, indoor workplaces, and public transport without exception. When possible, it should extend to other public places such as some outdoor places.

Enforcement Infrastructure:

Clear identification of authorities responsible for inspection and enforcement is essential. A clear delegation of authority or organizational structure should be established, delineating the duties and responsibilities of individuals involved in implementing and enforcing the law. This should also include a sustainable funding mechanism for supporting daily operations.

Definition of essential terms: Key terms and abbreviations must be clearly defined to eliminate any potential ambiguity or confusion.

Duty of compliance for establishments:

Legal obligations for compliance must be imposed on both business establishments and individual smokers. For establishments, the duty of compliance lies with the owner, manager, or person-in-charge of an affected establishment. The legislation should explicitly identify prohibited acts and outline the individuals who bear legal liability under its provisions. This clarity ensures that both establishments and individual smokers understand their responsibilities.

Establishment of penalties for violations:

Penalties for violations - including impeding the work of inspectors or enforcers, should be clearly defined. The law should articulate penalties and fines explicitly to discourage non-compliance.

Smoke-free legislation must be future proofed to cover new and emerging tobacco and nicotine products (1).

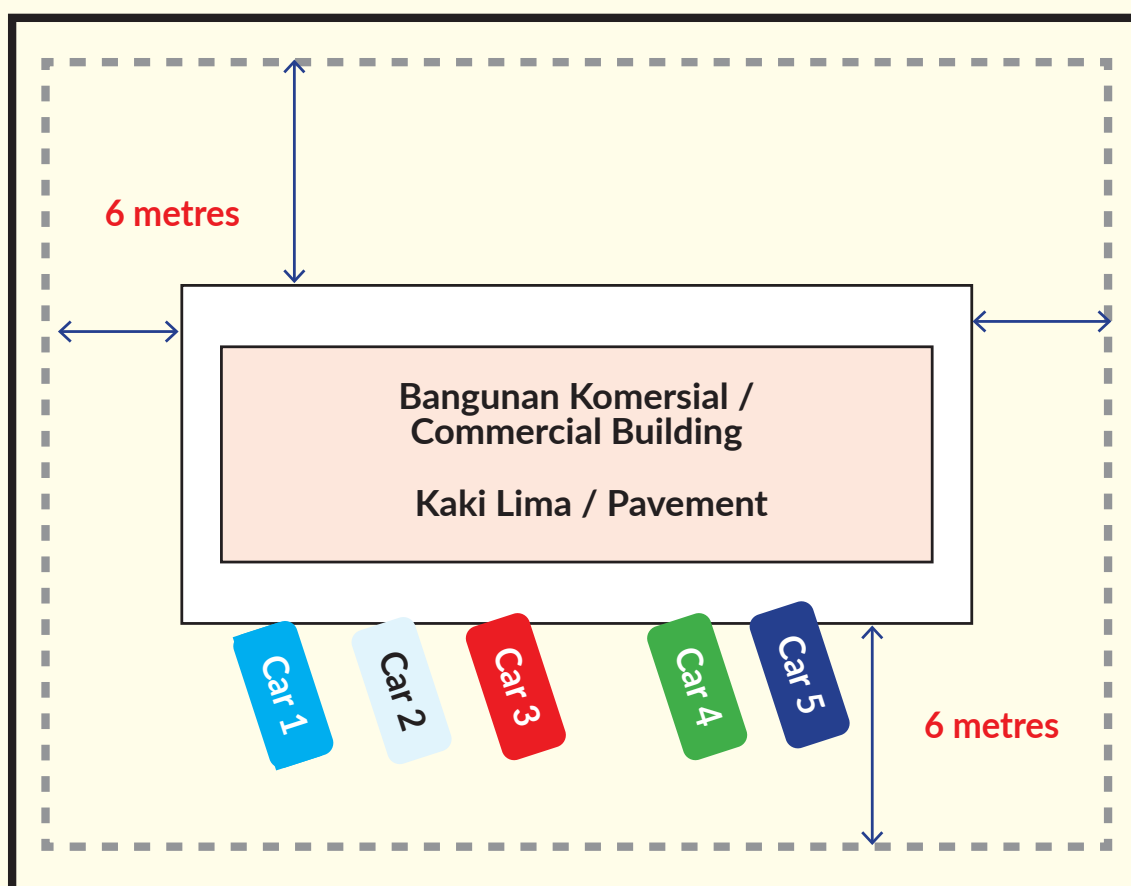
Smoke-free legislation should encompass new and emerging nicotine and tobacco products and specific products, like electronic nicotine delivery systems (ENDS), should never be excluded from its provisions. The Eighth Session of the Conference of the Parties to the WHO FCTC asked Parties to “ban the use of Heated Tobacco Products (HTPs) where smoking is prohibited” and make sure that “legislation for smoke-free environments complies with all recommendations of Article 8 Guidelines for implementation and treats HTP use as smoking”. When drafting legislation, terminology used to describe smoking is critical and should cover the use of all recreational nicotine products.

A. Comprehensive coverage and scope

Parties to the WHO FCTC have an obligation to provide universal protection by ensuring that all indoor public places, indoor workplaces, public transport, and possibly other public places such as certain outdoor or quasi-outdoor public places are free from exposure to secondhand smoke. No exemptions are justified on the basis of health. If a Party is unable to achieve universal coverage immediately, Article 8 creates an obligation to remove any exemptions as quickly as possible and make the protection universal (3). It is vital to prohibit smoking in all indoor public places, indoor workplaces, and public transport, and to provide a clear definition of key terms such as 'indoor public places', 'indoor workplaces' and 'public transport' to avoid having to enumerate all the places that should be 100% smoke-free in the law and risk establishing any loopholes.

Example of Expansion of Smoke-free areas (Brunei Darussalam)

Smoking is prohibited along the walkways of any commercial building and within six metres of the building line* of any commercial building.



* As defined by Brunei law, "building line" means a line which fixes the minimum distance between any boundary of the lot and any building or proposed building; or between the centre line of the road and any building or proposed building.

B. Definition of essential terms

Several recommendations for appropriate definitions are outlined in the WHO FCTC Article 8 Guidelines as follows (3).

SECONDHAND SMOKE

This refers to smoke emitted from the burning end of a cigarette or from other tobacco products usually in combination with the smoke exhaled by the smoker.

SMOKE - FREE AIR

This refers to air that is 100% smoke-free and includes, but is not limited to, air in which tobacco smoke cannot be seen, smelled, sensed, or measured. It is possible that constituent elements of tobacco smoke may exist in air in amounts too small to be measured. Attention should be given to the possibility that the tobacco industry or the hospitality sector may attempt to exploit the limitations of this definition.

SMOKING

This term should be defined as being in possession or control of a lit tobacco product regardless of whether the smoke is being actively inhaled or exhaled.

PUBLIC PLACES

The definition used should cover all places accessible to the general public or places for collective use, regardless of ownership or right to access. It is important that the law define this term as broadly as possible.

PUBLIC TRANSPORT

This should include any vehicle used for the carriage of members of the public, usually for reward or commercial gain. This includes all forms of land, air, and water transport.

INDOOR OR ENCLOSED

The definition should be as inclusive and as clear as possible, and care should be taken in the definition to avoid creating lists that may be interpreted as excluding potentially relevant “indoor” areas. It is recommended that “indoor” (or “enclosed”) areas be defined to include any space covered by a roof/any roof-like structure or enclosed by one or more walls or sides, regardless of the type of material used for the roof, wall, or sides, and regardless of whether the structure is permanent or temporary.

WORKPLACE

This should be defined broadly as “any place used by people during their employment or work”. This should include not only work done for compensation, but also voluntary work. In addition, “workplaces” include not only those places at which work is performed, but also all attached or associated places commonly used by the workers in the course of their employment, including, for example, corridors, lifts, stairwells, lobbies, joint facilities, cafeterias, toilets, lounges, lunchrooms, and also outbuildings such as sheds and huts. Vehicles used in the course of work are workplaces and should be specifically identified as such. Careful consideration should be given to workplaces that are also individuals’ homes or dwelling places, for example, prisons, mental health institutions or nursing homes. These places also constitute workplaces for others who should be protected from exposure to tobacco smoke.

“Engineering approaches, such as ventilation, air exchange, and the use of designated smoking areas, do not protect against exposure to tobacco smoke.”

- Guidelines for Implementation of WHO FCTC Article 8

Countries and cities are reminded that Article 2.1 of the WHO FCTC encourages Parties to implement measures beyond those required by the Convention and its protocols. Nothing in these instruments shall prevent a Party from imposing stricter requirements that are consistent with their provisions. This includes adopting more comprehensive and broader definition of terms to protect people from new and emerging challenges related to smoke-free implementation. Following are some examples of definition of terms from the Philippines:

Enclosed or partially enclosed public places (indoor)

Refer to all places which are enclosed by one or more walls or sides whether covered by a roof or not, or even if open on all sides but is covered by a roof, regardless of whether the structure is permanent or temporary in nature, that are accessible or open to the public, whether or not by invitation or by payment, or all places for collective use, regardless of ownership or right to access including, but not limited to gasoline stations, banks, malls, shopping/business arcades, town squares, terminals, airport, seaport, schools, places of worship/churches, hospitals, cinema houses, gymnasiums/covered courts, funeral parlors, barber shops, cockpits, gaming areas, recreational facilities, pedestrian overpass, indoor car parks, waiting sheds, sidewalks and other places where people usually congregate.ⁱ

Tobacco Products

Refer to the products entirely or partly made of leaf tobacco as raw material which are manufactured to be used for smoking, sucking, chewing, or snuffing, such as, but not limited to, cigarette, cigar, pipe, shisha/hookah, and chew tobacco.ⁱⁱ

Some jurisdictions/countries include electronic nicotine/non-nicotine delivery systems, heated and smokeless tobacco products, and other new tobacco products under the definition of “tobacco products.”

According to the WHO FCTC, “tobacco products” “means products entirely or partly made of the leaf tobacco as raw material which are manufactured to be used for smoking, sucking, chewing or snuffing.”^{iv}

Person-in-charge

Refers to, in case of public places, public outdoor spaces, workplaces, and point-of-sale, the president/manager in case of a company, corporation, partnership or association, the owner/proprietor/operator in case of a single proprietorship or the administrator in case of government property, facility, office or building; In case of public conveyances, the owner, driver, operator, conductor, or captain of the public conveyance; in case of schools, the city/municipal schools superintendent, school president, dean or principal.ⁱⁱⁱ

Tobacco Industry

Refers to organizations, entities, associations, and individuals that work for or in behalf of the tobacco industry, such as, but not limited to, tobacco manufacturers, wholesale distributors, importers of tobacco products, tobacco retailers, front groups and any other individuals or organizations, including, but not limited to lawyers, scientists and lobbyists that work to further the interests of the tobacco industry.^{iv}

According to the WHO FCTC, “tobacco industry” “means tobacco manufacturers, wholesale distributors and importers of tobacco products.”^{iv}

ⁱ City of Davao, Philippines. Executive Order No. 04. Series of 2013. An order creating the implementing rules and regulations for the new comprehensive anti-smoking ordinance of Davao City Ordinance No. 0367-12, Series of 2012. Available from: <https://records.davaocity.gov.ph/wp-content/uploads/2019/11/EO-4-s.-2013.pdf>

ⁱⁱ Republic of the Philippines. Executive Order No. 26 on Providing for the establishment of smoke-free environments in public and enclosed places. Available from: <https://www.officialgazette.gov.ph/downloads/2017/05may/20170516-EO-26-RRD.pdf>

ⁱⁱⁱ Municipality of Bayog, Zamboanga del Sur, Philippines. Municipal Ordinance No. 13-227-18. And ordinance prohibiting the use, sale, distribution and advertisement of cigarettes and other tobacco products, and electronic cigarettes, in certain places imposing penalties for violations thereof and providing funds therefor and for other purposes. Available from: <http://bayogzds.gov.ph/wp-content/uploads/2018/06/MO-13-227-18-Advertisement-of-Tobacco-Products.pdf>

^{iv} Republic of the Philippines. Joint Memorandum Circular No 2020-01 on Protection of the bureaucracy against tobacco industry interference. Available from: <https://doh.gov.ph/sites/default/files/basic-page/Philippines%20-%20JMC%202010-01%20-%20national.pdf>

C. Duty of compliance for establishments

According to the Guidelines for Implementation of the WHO FCTC Article 8, enforcement should ordinarily focus on business establishments. The responsibility for compliance of establishments should be placed on the owner, manager, or other person-in-charge of the premises. Duties of the premises owner, manager, or other person-in-charge include (3):

1. Posting clear signs at entrances and other appropriate locations indicating that smoking is not permitted. The specifications for these signs, including format and content, should be determined by health authorities or other government agencies and clearly stipulated in the law or implementing guidelines for compliance by establishments. A telephone number or other means of communication for the public to report violations, and the name of the person within the premises to whom complaints should be directed, must be included.
2. Removing ashtrays and other receptacles for smoking from the premises.
3. Supervising the observance of the rules and briefing employees on how to handle patrons who violate the law.
4. Taking reasonable specified steps to discourage individuals from smoking on the premises. These steps could include asking the person not to smoke, discontinuing service, asking the person to leave the premises and contacting the law enforcement agency or other authority.



Duty of Compliance (Davao City, Philippines*)

1. Posting and Display of Signages.
 - a. Post and display an 8x16 inches "This is a Non-Smoking Establishment" sign at all entrances.
 - b. Prominently display "No Smoking" signs in the most visible locations in the area where smoking is prohibited (main accommodation area, function rooms, bars, cashiers, VIP rooms, comfort rooms), to ensure that the public can easily see such signs and be notified.
 - c. At the very least, a "NO SMOKING" sign for new establishments shall be at least 8x18 inches in size and the International "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall occupy no less than 50% of the said signage.
2. Remove all ashtrays or any receptacles for dispensing cigarette refuse.
3. Ensure that all the employees in the establishment are aware of the law and provide a procedure informing customers or clients of the provisions of the law.



* Executive Order No. 04 Series of 2013 "An order creating the Implementing Rules and Regulations for the New Comprehensive Anti-Smoking Ordinance of Davao City Ordinance No. 0367-12, Series of 2012. Section 7: Mandatory duties and obligations.

In addition to the duties prescribed in WHO FCTC Article 8 and its guidelines, countries and cities can outline the legal responsibilities of individuals and affected business establishments to ensure that places designated as smoke-free in their legislation are also free from tobacco advertising, promotion, or sales. In the legislation, acts against or non-compliance with the legal responsibilities should be identified and clearly stated as prohibited acts. For example, the Beijing Regulations on the Control of Smoking (2014) state that operators and managers of smoking-prohibited venues bear the responsibility not to provide ashtrays and/or goods attached with tobacco advertisements. The regulations also prohibit the sale of tobacco products within 100 meters of kindergartens and/or schools.

The following are examples of prohibited acts related to smoke-free laws:

INDIVIDUALS

1

Smoking in places where it is prohibited.

2

Abetting or giving out of tobacco products where it is prohibited.

3

Facilitating or tolerating smoking by minors.

ESTABLISHMENTS

1

Not displaying the required 'No Smoking' signages.

2

Not removing ashtrays from smoke-free vicinities.

3

Refusing entry of deputised enforcement officers into the establishment for the purpose of implementing, monitoring, inspecting, and enforcing the provisions of tobacco control law(s).

4

Allowing, abetting, or tolerating smoking where it is prohibited.

5

Designating a smoking area without a required permit or where it is prohibited.

6

Displaying tobacco products, tobacco product advertisements, or any items with tobacco product branding against the tobacco control law(s).

D. Establishment of penalties for violations

Effective legislation should specify fines or other monetary penalties for prohibited acts/violations [3].

Particularly:

- Penalties should be sufficiently large to deter violations;
- Higher penalties should be imposed upon business violators than on individual violators;
- Penalties should increase for repeated violations;
- Penalties should be consistent with country's treatment of other, equally serious offences.

Administrative sanctions, such as suspension or revocation of business licences, and criminal penalties, may also be imposed if they are consistent and appropriate with the country's practice and legal context (3).

Penalties (Singapore)

DETAILS OF OFFENCES	NUMBER OF VIOLATIONS	SMOKERS	ESTABLISHMENTS
Smoking in statutory smoking-prohibited places.	1st and subsequent offences	Fine of up to SGD 1,000 (USD 737)	
Failure of the manager to carry out their statutory duties to ensure smoking prohibition is observed within their premises or vehicles.	1st offence	-	SGD 1,000 (USD 737)
	2nd and subsequent offences		SGD 2,000 (USD 1,474)
Any person who hinders, obstructs, threatens, abuses, molests, or assaults the manager in the performance of his duty.	1st and subsequent offences		Fine of up to SGD 1,000 (USD 737) and a jail term not exceeding six months or both

E. Enforcement infrastructure

A smoke-free law is effective only if it is implemented and enforced. The infrastructure for enforcement, including the authority(ies) responsible for enforcement and specific roles and duties of enforcers, should be incorporated in the legislation, as initiation of implementation of the law may be difficult if there is no existing mechanism for enforcement. A system both for monitoring compliance and for prosecuting violators should be incorporated into the legislation to ensure a robust and sustainable enforcement infrastructure. The components of the enforcement infrastructure include:

- ▶ Multi-agency coordinating mechanism to ensure agencies carry-out enforcement if the law bestows multiple agencies with the power to inspect smoke-free places, to investigate potential violations and/or to charge offences;
- ▶ System for monitoring compliance and inspection;
- ▶ System for prosecuting violations (including citation mechanism where applicable);
- ▶ National coordinating mechanism to ensure a consistent nationwide approach, especially when utilizing inspectors or enforcement agents at the local level, as recommended where possible;
- ▶ Funding mechanism; and
- ▶ An enforcement action plan to conduct enforcement activities, including the necessary resources, based on the above enforcement infrastructure components.

Each component of the enforcement infrastructure and strategies to implement smoke-free legislation, highlighting good practices from countries and localities in the Western Pacific Region are further explained in the following chapter.

III. Establishing Effective Implementation Strategies

A. Reinforcing enforcement infrastructure

1. Multi-agency coordinating mechanism

An important enforcement-related policy issue is determining which agencies should have the authority to inspect and enforce smoke-free laws and be designated as members of a multi-agency coordinating mechanism. While countries vary in assigning enforcement responsibilities, law enforcement officers (e.g., police or public safety officers) and health inspectors (e.g., environmental health, food, or sanitation inspectors) are commonly tasked with this role.

The primary duty of the enforcement authority is to conduct compliance inspections and determine if violations have occurred. In addition to this, other key responsibilities may include public education, developing and implementing enforcement protocols, planning inspections and enforcement activities, training staff and enforcers, and managing community and media relations. It is crucial that the multi-agency coordinating mechanism is committed to enforcing the law and remains entirely independent of the tobacco industry and its representatives/front groups.

In jurisdictions where inspection or enforcement powers are distributed across multiple administrative agencies, a multi-agency coordinating mechanism is vital for ensuring a comprehensive, whole-of-government approach. This mechanism may be responsible for mobilizing resources from relevant government agencies to support smoke-free implementation and enforcement, ensuring that these agencies fulfill their enforcement responsibilities, and coordinating the execution of strategic enforcement actions. Each agency involved shares enforcement responsibilities; therefore, assigning focal persons or coordinators within each agency can help address potential issues and streamline information flow (5).

In countries where the enforcement of national laws may vary at the subnational level, or where subnational smoke-free laws differ from national laws, subnational multi-agency coordinating mechanisms may be necessary. For example, in the Philippines, cities like Iloilo City have established their own subnational coordinating mechanisms.

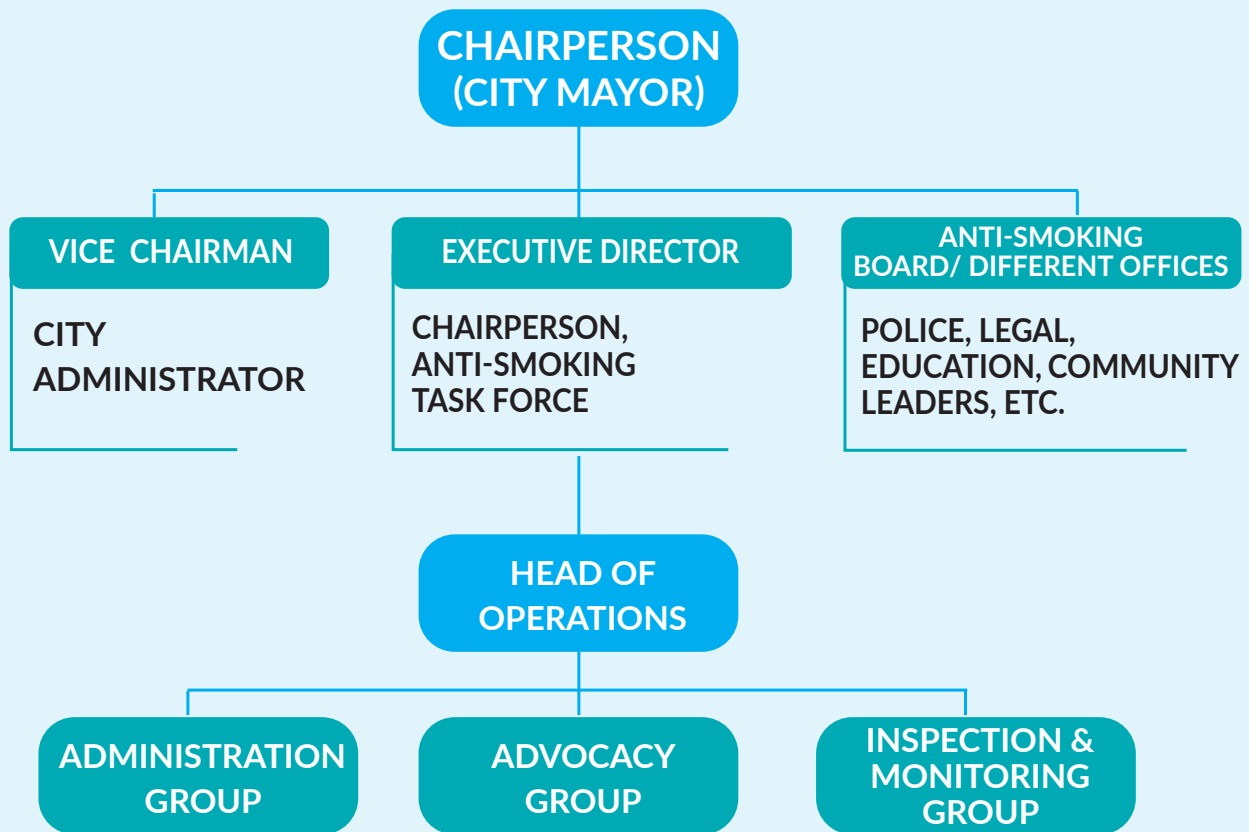
Brunei's Health Enforcement Unit and Singapore's National Environment Agency are two examples of national government offices responsible for overseeing the enforcement of national smoke-free and other tobacco control laws.

“Where smoke-free environments exist, sustainable enforcement mechanisms must be developed and applied to ensure people are protected from secondhand smoke.”

*- WHO report on the global tobacco epidemic, 2023:
Protect people from tobacco smoke*

Iloilo City, Philippines (Tobacco control committee and a team of enforcers)

The Tobacco Control Committee led by the City Mayor with the different government offices, provides support for the strict implementation of the local ordinance and guidance of the enforcement group. The Executive Director of the Iloilo City Anti-Smoking Task Force (ICAST) leads the enforcement group, plans their day to day activities, and responds to challenges encountered by the group. ICAST members are divided into three groups: (1) the administrative group acts as the secretariat, files cases, and interacts with office concerns; (2) the advocacy group takes care of posting campaign materials, coordinates with schools, workplaces, and communities in scheduling advocacy lectures, and promotes different smoke-free projects; and (3) the inspection and monitoring group is also composed of three teams, two of which go around the city to monitor different places daily, while the third team is focused on public transportation and business establishments operating at night.



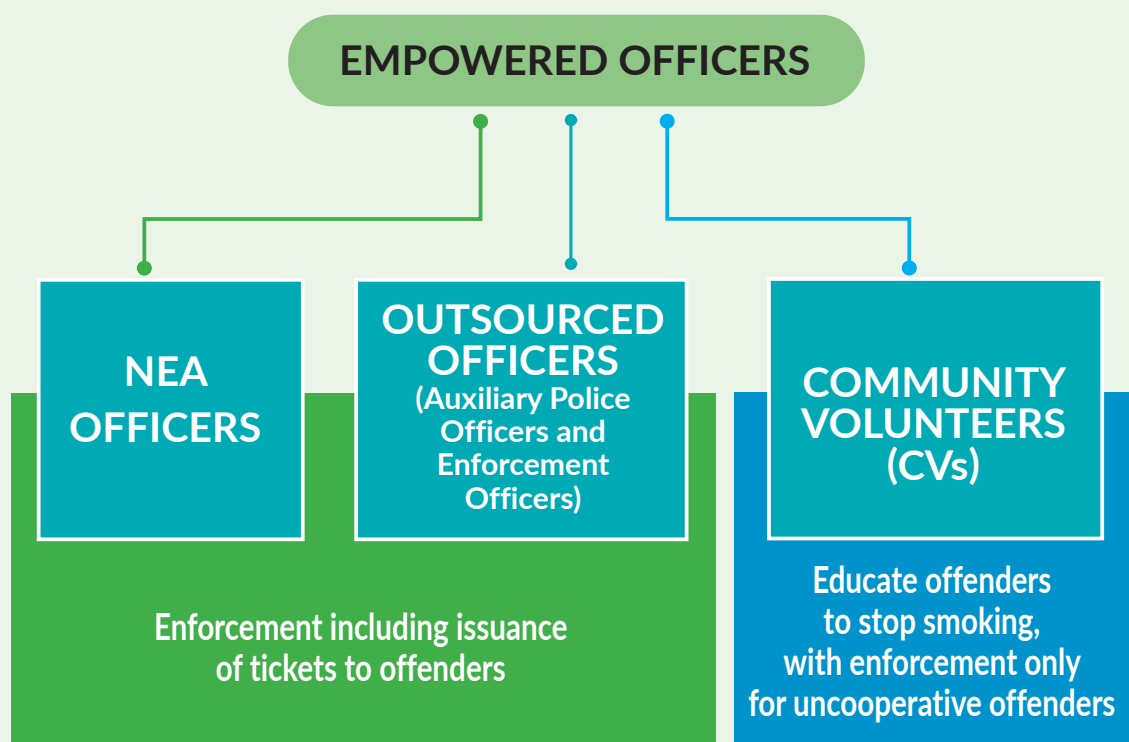
ICAST enforcers with the City Mayor

Brunei Darussalam (National level enforcement under the Ministry of Health)

The enforcement of Tobacco Order 2005 and its regulations is conducted by authorised officers from the Health Enforcement Unit of the Ministry of Health. This is an independent unit supervised by the Senior Special Duties Officer. The HEU officers are appointed by the Minister of Health, with approval from His Majesty, the Sultan of Brunei Darussalam, by notification published in the government Gazette. They shall have the same powers of investigation of a police officer under Chapter XIII of the Criminal Procedure Code and are gazetted for a certain period of time, after which it has to be renewed. They conduct routine monitoring of statutory smoking-prohibited public areas for smoking offences; regular inspections of restaurants, shopping complexes, and other places; issue offence notices to offenders; conduct legal or corrective actions on complaints received; information campaign; brief consultation on the offenders; and prosecution of offenders in court.

Singapore (National level enforcement under a national agency on law enforcement)

The National Environment Agency (NEA) Officers regularly inspect various premises to ensure that the smoking prohibition is adhered to, carry-out enforcement as part of their other duties, and are equipped with handheld devices to issue tickets on the spot to offenders.



The Outsourced Officers consist of Auxiliary Police Officers (APOs) and Enforcement Officers (EOs) who conduct daily patrols, focusing on hotspots, areas of congregation, and feedback locations. They are also equipped with handheld devices to issue tickets to offenders on the spot.

The participation of Community Volunteers encourages greater community ownership and leverage community pressure for greater deterrence against environmental offenders. They encourage offenders not to smoke in prohibited places and they are empowered to record particulars of uncooperative offenders during scheduled patrols for the NEA to follow up with enforcement.

2. System for monitoring compliance and inspection

All business establishments should undergo inspections to ensure compliance with the duties outlined in the law. The legislation should authorise inspectors to enter premises subject to the law, collect samples, and gather evidence. Likewise, the legislation should prohibit businesses from obstructing inspectors in their work 3.

Enforcers should conduct inspections by following essential steps based on the duties and powers specified in the law. Adherence to the inspection protocol is crucial to maintaining the procedural legitimacy of enforcement activities. A Standard Operating Procedure (SOP) for inspections, clearly outlining the protocol and essential steps for enforcement activities, should be developed and used as a resource for inspectors. Inspections should be conducted regularly (e.g., quarterly). In addition to these routine checks, unscheduled and random inspections, as well as visits prompted by complaints, can complement regular inspections to enhance compliance. An inspection schedule may be necessary for specific locations, such as bars and pubs. If appropriate and necessary, enforcement agencies can strategically allocate resources to conduct more frequent or intensive inspections on establishments with recent or recurrent violations or those that are not compliant.

Compliance can typically be monitored using existing mechanisms designed for inspecting business premises and workplaces 3. Regular inspections may be part of the role of sanitation and health inspectors. For example, smoke-free indicators can be included alongside health and sanitation indicators on compliance monitoring checklists. Additionally, task forces and enforcers can integrate inspections into their monitoring operations to assess the compliance of business establishments.

INDICATORS	YES	NO	REMARKS
1. Presence of visible 'No Smoking' signs at different areas of the smoke-free place.			
2. People are not seen smoking indoors or any outdoor public place.			
3. Cigarette smoke cannot be smelled in all the rooms.			
4. Ashtrays are not seen in a non-smoking area.			
5. No cigarette butts found in non-smoking areas.			
6. Smoking room/area cannot be found inside the building.			

Excerpt from the Inspection form of the Smoke-free Cities Asia Pacific Network (SCAN).

Enforcement activities may be proactive where they are focused on giving information about smoke-free law or reactive where they are focused on addressing reports of violations or complaints. Inspections may be carried out openly where enforcement officers wear uniforms and identify themselves by showing identification cards and indicating to owners or managers of establishments that they are there to assess compliance with smoke-free laws. Another way to conduct inspections is to enter establishments in plain clothes and observe the premises to ascertain compliance before announcing their presence and purpose for inspecting the premises.

Proactive enforcement activities in the Solomon Islands

In the Solomon Islands, the Ministry of Health and Medical Services developed a Tobacco Control Compliance and Enforcement Strategy and accompanying manual which included a delivery objective on “undertaking awareness, monitoring and surveillance activities to enhance compliance”. Initiatives include tobacco control enforcement officers engaging in direct outreach to the public at strategic locations, such as public places covered by the smoke-free clauses of the national Tobacco Control Act (2010) and its Regulations (2013), with the aim of raising awareness. Officers distribute information material and signage and talk to business owners, patrons, and other community members about the importance of smoke-free law compliance.



Tobacco control enforcement officers distribute information materials and signages.
Photo credit: World Health Organization

Inspection (Brunei Darussalam)

In Brunei Darussalam, the Health Enforcement Unit (HEU) officers follow the appropriate Standard Operating Procedure (SOP) for offences of the smoke-free law (Tobacco Order 2005). The HEU officers operate in groups of four to five, each with one team leader, one officer assigned to take photos, and another to note down the chronology of events in the operation diary. During inspections or monitoring activity, HEU officers bring Warrant Cards (issued to every authorised officer for identification purposes) and Notice of Seizure Form (for

offences which require the seizure of items). An offence ticket (Form 2A) is issued on-site to an offender caught smoking in a smoking-prohibited area. Printed on the form or offence ticket are the fines imposed for the offence that the violator has committed. Aside from Form 2A, they also have Form 1 that is issued when the penalty of an offence committed is the responsibility of another person not present when the offence was committed, such as failure of restaurant managers to display ‘no smoking’ signs or to prevent their customers from lighting up cigarettes in their premises.



Inspection of establishments by the HEU.
Photo Credit: Borneo Bulletin

Inspection (Penang, Malaysia)

In Penang, Malaysia, inspections are conducted three times per week. In the smoke-free zones, enforcers observe for violations – if anyone is in possession of a lighted cigarette or electronic cigarette and if those in possession of lighted cigarettes or vapes are smoking/vaping. To apprehend violators, they approach the offender and introduce themselves by showing their enforcement authority cards, confiscate the cigarette or



Inspectors checking the compliance of establishments operating at night.

the device, secure them in sealed and properly labeled containers, and ask for the offender's identification card or travel document. The identification card or travel document and the site where the violation was committed are photographed. A Notice of Violation is prepared and served to the violator. The Notice of Violation bears the date of court appearance in cases where the offender failed to pay the compound within the specified period. A list of confiscated cigarettes/vapes is documented which will be included in the prepared violation report, investigation diary and digital forensic photography to be submitted for consent to compound or to prosecute the violator.

3. System for prosecuting violations

If permitted by law, a citation or notice of offence can be issued to violators. This mechanism typically includes the violator's personal information, a description of the violation committed, and the corresponding fine. Generally, these systems include a provision allowing violators to opt out of contesting the citation by paying the fine within a specified timeframe. This process allows the offence to be discharged without requiring a court appearance.

Additionally, a tobacco control law may specify that if the citation or notice is not paid within the designated timeframe, it may be treated as a summons. Countries such as Fiji^v, the Philippines, and Samoa^{vi} include such mechanisms in their respective tobacco control laws.

4. National coordinating mechanism to ensure a consistent approach to nationwide monitoring

A national coordinating mechanism may be best placed to monitor nationwide compliance with national smoke-free laws. Countries or cities mobilising local-level resources should have such national-level coordination to ensure consistency in implementing and enforcing smoke-free legislation. The national coordinator may facilitate efforts to monitor the compliance of the different cities or states with the smoke-free law by compiling regular compliance assessment reports.

^v Fiji Government. Tobacco Control Act 2010 (Tobacco Control (Amendment) Act 2022). Available from: <https://www.laws.gov.fj/Acts/DisplayAct/3041#>

^{vi} Ministry of Health, Samoa. The Tobacco Control Act 2008. Available from: https://www.health.gov.ws/wp-content/uploads/2022/07/15Tobacco_Control_Act_2008_-_Eng.pdf

5. Funding mechanism

Resources are needed to educate businesses, train inspectors, coordinate the inspection process and compensate personnel for inspections of businesses outside of normal working hours (3). The budget or funding for the operational expenses of the task force should be identified. The task force should ensure that there is adequate budget for enforcement, public education and awareness, and other important tasks. If the law provides that the collected fines will go to a specific fund or to specifically support enforcement activities, then operations may be prepared for in advance. Countries may consider identifying sustainable funding mechanisms for enforcement which may be funded by a variety of sources, including dedicated tax revenues, business licensing fees and dedicated revenues from fines paid by violators (3).

6. Enforcement action plan

The enforcement action plan serves as a foundational instrument in promoting legal compliance, aligning operational strategies with existing policies and guidelines. It functions as a structured framework, delineating strategic methodologies and activity timelines over defined periods (e.g., annual, bi-annual). Grounded in the essential components of the enforcement infrastructure, the plan encompasses the organizational structure of responsible agency(ies), coordinating mechanisms, delegated powers and responsibilities assigned to inspectors/enforcers. It also covers aspects such as the inspection schedule, inspection protocol, and procedures for monitoring and responding to complaints. The plan should ensure systematic implementation and optimal allocation of necessary resources, contributing significantly to the precision and efficacy of the overall enforcement process.

B. Community engagement

Securing the support of the community and engaging them in monitoring compliance and reporting violations expands the reach of enforcement agencies and reduces the resources required (3). A telephone hotline, or tip line, is a helpful tool for the public to report violations. This hotline should be placed on No Smoking signage to inform the public on how to report violations. A government-sponsored toll-free telephone line can also be used to provide information to callers wanting to know more about smoke-free laws. With the widespread popularity of new messaging applications on mobile phones, countries can use them to allow the public to report complaints or violations as well.

Reporting violations (Malaysia)

KEMENTERIAN KESEHATAN MALAYSIA

ADUAN MEROKOK

Di semua tempat larangan merokok

JANGAN LUPA

03 - 8892 4530
Panggilan pada waktu pejabat sahaja

010 - 860 8949
Mesej aduan merokok dan pertanyaan berkaitan jangkitan COVID-19

Bahagian Kawalan Penyakit KKM
mQuit Services
Barisan Berhenti Merokok

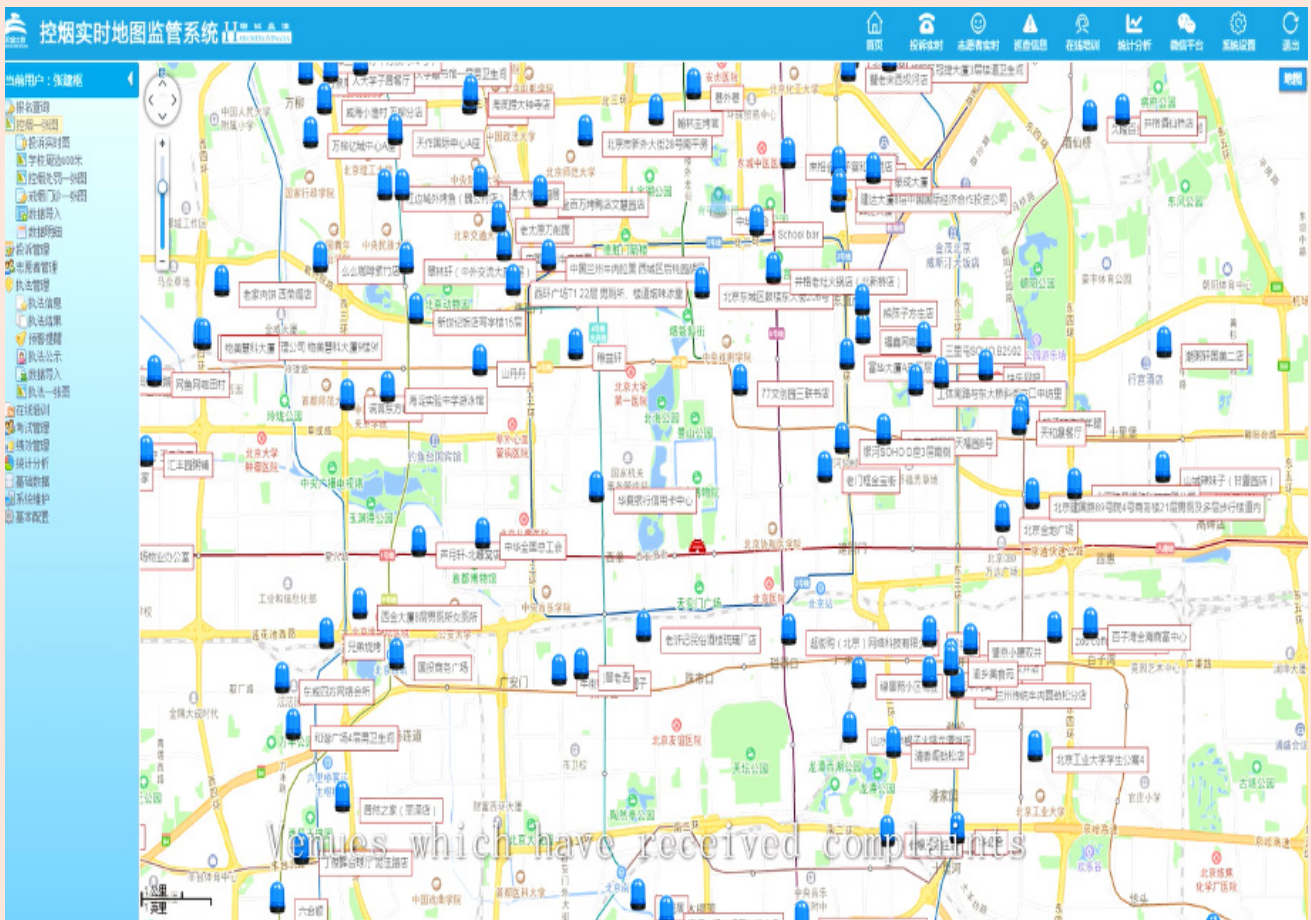
DAFTARAN PERKHIDMATAN BERHENTI MEROKOK
http://www.psmqr.gov.my
http://www.psmqr.gov.my
TOLL-FREE 03-8892 4530

Ministry of Health Hotline on reporting smoking violations.

Best Practice: Reporting and monitoring violations with swift action, Beijing, China (6)

The Health Inspection and Supervision Institute of Beijing (HISI) is the lead enforcement agency of the smoke-free provisions of the ordinance. The Beijing Tobacco Control Association (BTCA) developed the Beijing Tobacco Control Map funded by the Beijing Science and Technology Commission. The premise of BTCA's model is that all citizens can and must contribute to tobacco control efforts. The BTCA mobile enforcement platform, with its expansive network of citizen reporters and trained volunteers, complements the government complaints hotline mandated by the smoking ordinance. This digital system collects tobacco control information, data visualization, and mapping. The BTCA Map has a Complaint Map generated by the data of reported violations by the public through the social media platform, WeChat. This mobile enforcement application enables citizens to use their mobile phones to take photos of and report smoking violations in real time by sending them through the App. These reported smoking violations are then recorded and uploaded to a live, interactive tobacco control map on the BTCA's website using tri-coloured flashing lights to identify reported venues.

A key component of the Beijing Smoke-free Law is keeping focus on venues instead of individuals and having a responsible unit system in place. Data from the Complaint Map will show places lighted up in blue indicating venues which have been reported for smoking violations one or two times. Places lighted up in yellow are indicative of venues that have been reported for violations three to four times while places lighted up in red are venues that have been reported for violations five times or more. With the appearance of a marker on the map, volunteers can visit the site with the complaint and place a remark after the inspection if it was "Resolved" or if the venue is a "Repeat Violator".



The Tobacco Control Map on the BTCA website

A blue light alerts volunteers to verify violations on-the-scene and to inform the venue managers or owners to take corrective action. A follow-up visit to the venue that received the complaint will be done. If corrective actions have been found to be satisfactory, the light on the map for that venue will be switched off. Inspection volunteers are automatically notified by the system to inspect venues with more than five complaints, and they verify complaints, educate venue managers and report continued non-compliance to enforcement officers. For reported venues that have not taken corrective measures, the authorised enforcers may call these venue managers for a face-to-face meeting to educate them on their legal duties, and conduct formal investigation, collect evidence, and impose penalties for violations. Venues receiving the highest number of complaints will be reported by the media partners.



Triggered by the blue light alert, volunteers visit a venue reported for violations.
Photo Credit: BTCA

C. Public awareness campaign

Raising awareness among the public and opinion leaders about the risks of secondhand smoke exposure through ongoing information campaigns is an important component of any effort to strengthen smoke-free compliance. Partnership with civil society organizations significantly contributes to any government efforts to educate the public and advocate for strong enforcement (5).

1. Public awareness and education on the harms of smoking and on the provisions of the smoke-free law

Raising public awareness on the harms of smoking and exposure to secondhand smoke, and the benefits of a smoke-free environment to health and business will encourage the public to support the implementation of the law. It is also important to include the different provisions of the smoke-free law/ordinance (such as what it covers or where it applies, its penalties, and its effectivity date). A major aim is to encourage the public and motivate smokers to comply with the smoke-free law. The Internet can be a platform for educating and raising awareness on the smoke-free campaign and law(s). Where possible, a website should be maintained by the task force to update the public on tobacco control/smoke-free news and updates. The website should contain important information including frequently asked questions (FAQs) to raise awareness and educate the public on the dangers of tobacco use and nicotine addiction, the harms of exposure to secondhand smoke, smoke-free ordinance/s, and the benefits of leading healthy, smoke-free lives. The website may also have a sign-up form for those who may want to receive related updates.

For example, Singapore's National Environment Agency (NEA) maintains a webpage on smoking prohibition which highlights laws, the smoking prohibition extension and signage/publicity materials.

Website: Information Materials (Singapore)



Photo Credit: NEA Website

2. Posting of 'No Smoking' signs and smoke-free campaign billboards in strategic areas

All establishments should be required by law to place 'No Smoking' signs. The dimensions and strategic location specifications for the signs should be placed in the law or the implementing guidelines to be followed by establishments (Refer to Page 8 on Duty of Compliance). Ideally, A 'Smoke-free City' billboard should be placed at all ports of entry of the city (land, sea, and air) to inform all visitors that smoking is prohibited in public places. Pictorial health warnings can also be placed on billboards to increase public awareness about tobacco harms.

Posting of 'No-Smoking' sign (City of Balanga, Philippines)

WELCOME TO SMOKE-FREE City of Balanga

NO SMOKING / NO VAPING

CITY ORDINANCE NO. 17 SERIES OF 2019
NEW COMPREHENSIVE TOBACCO AND NICOTINE REGULATION ORDINANCE

PENALTIES	FOR BUSINESS OWNERS AND THEIR ESTABLISHMENTS
FOR INDIVIDUAL PERSON	I. First Offense - P 5,000.00 + one day closure of business
I. First Offense - P 1,000.00	II. Second Offense - P 5,000.00 + one month closure of business
II. Second Offense - P 3,000.00	III. Third and Subsequent Offenses - P 5,000.00 + one year closure of business
III. Third and Subsequent Offenses - P 5,000.00	

CITY GOVERNMENT OF BALANGA
 Mayor Francis Anthony S. Garcia

The City of Balanga, Philippines, is being promoted as a "Smoke-free University Town" with the support of the City Mayor and the City Health Officer.

Posting of 'No-Smoking' sign (Penang, Malaysia)



Launching of the 'No Smoking' sticker campaign in Penang, Malaysia.

3. Officially launch the enforcement of the law

Prior to the enforcement of the law, an intensified information and education campaign should be done in schools, workplaces, and communities. This will encourage support from the public, and smokers will be aware of the places where smoking is allowed or prohibited. The city should officially launch its smoke-free campaign to show the support of the head of the city and other government officials to the campaign.

Launching of Smoke-free Davao campaign (Davao City, Philippines)



The launching of the implementation of the smoke-free law in Davao City with the City Mayor, government officials, and the members of the Davao City Anti-Smoking Task Force.

4. Mass media and social media campaign

The task force should use advocacy to promote the smoke-free campaign. The use of multiple media platforms (radio, television, print media, and social media) helps generate wide awareness on the smoke-free law and the dangers of tobacco use and exposure to secondhand smoke to the health of smokers and non-smokers. The media can also be the allies of the task force in this campaign to increase its publicity.

Given the current norm of social media use, especially by youths and young adults, maintaining an online presence on the most popular media platforms is an effective way to capture the interest of the youth as well as connect and interact with them to educate them on the harms of tobacco use and nicotine addiction.



Social Media Platform (Iloilo City, Philippines)

In Iloilo City, Philippines, the task force created the Iloilo City Anti-Smoking Task Force Facebook Page and regularly posts smoke-free implementation and enforcement activities including updates on tobacco control measures to inform and educate the public on the harms of tobacco use and secondhand smoke to people and the environment, and what the Task Force under the City Government of Iloilo is doing to protect the public. This is also linked to the Facebook account of the Smoke-free Cities Asia Pacific Network (SCAN) where tobacco control news and updates are being shared with other SCAN members.

Social Media Platform (Kelantan, Malaysia)

Kelantan, Malaysia, has a Facebook account with the youth as its target audience, the Malaysian Youth for Generational End Game "My GEG", created in support of the government's tobacco endgame, and aimed to educate and inform young people of the harms caused by cigarette smoking and the use of electronic smoking devices such as ENDS and HTPs (products designed and marketed to lure the youth into nicotine addiction).

D. Enforcement training

1. Training of enforcers

Developing a process for training smoke-free enforcement officers is a crucial step in ensuring the effective implementation of smoke-free policies and regulations. This training should encompass an overview of the smoke-free law, the specific duties and tasks outlined in the legislation for enforcers, and the inspection protocol designed to guide their enforcement activities.

Training should encompass the practical techniques for identifying smoking violations, interacting with individuals who may be violating smoke-free laws, and documenting incidents accurately. The information conveyed during the training must be thorough enough to empower enforcers to fulfil their mandated duties in a legitimate manner. The enforcers should also be trained in conflict resolution to handle confrontations effectively and peacefully.

The following is an example of training contents for enforcers:

Overview of the smoke-free law/ordinance

- Prohibited acts with the corresponding fines and penalties
- Forms to record violations

Duties of enforcers

1. Conduct regular inspections: Establishments must be monitored for compliance, including identifying non-compliant businesses.
2. Gather and record evidence: Evidence of violations must be collected, ensuring proper documentation.
3. Issue citations: Citations for any violations of the smoke-free law must be provided.
4. Ensure compliance: Establishments and transportation services must be required to adhere to smoke-free regulations.
5. Remove tobacco advertising: Tobacco-related advertising, promotions, and banners in smoke-free areas must be taken down, if applicable.
6. Handle reports and investigations: Violation reports must be investigated, and corrective or legal actions must be taken, including prosecution, if necessary.
7. Coordinate with law enforcement: Enforcers must collaborate with law enforcement authorities when needed.
8. Prepare for prosecution: Necessary documentation and evidence must be compiled for legal action, if applicable.
9. Conduct awareness talks: Educational talks on tobacco-free and smoke-free initiatives in schools, communities, and workplaces must be conducted.

Inspection Protocols

1. Define uniform or clothing for types of inspections
2. Steps for entering premises and making proper introduction. Upon arrival, inspectors should introduce themselves to the person-in-charge, state their purpose, and present their credentials. This ensures proper communication and cooperation.
3. How to observe for violations by establishments whether there are:
 - Individuals smoking or using electronic smoking devices.
 - Visible “No Smoking” signs displayed
 - Evidence of smoking, such as ashtrays, cigarette butts, lingering cigarette smoke, or advertisements for conventional or electronic smoking products.
4. How to record violations and remind persons-in-charge of establishments on the requirements of the smoke-free law, its rules and regulations, and the appropriate fines/penalties for violations. Accurately record details such as the type of violation, location, time, and people involved.
5. How to approach someone who is observed to be smoking in a smoke-free area
6. Steps for collecting evidence based on the law. Inspectors should gather evidence in accordance with legal procedures, which may include:
 - Taking photographs of the violation (e.g., ashtrays, cigarette butts, missing signage).
 - Writing a detailed report of the violation, including observations and witness accounts.
 - Securing any physical evidence, such as cigarette butts or promotional materials, if needed for the investigation.
7. Steps for issuing a citation. Once sufficient evidence has been collected, issue a citation. The citation should:
 - Clearly outline the violation.
 - Reference the specific section of the smoke-free law.
 - State the associated penalties or fines.

Moreover, officers should be trained in conflict resolution and communication skills to handle potentially challenging situations diplomatically. Regular updates and refresher courses should be integrated to keep enforcement officers up-to-date with any changes in legislation and to enhance their effectiveness.

In Fiji, the Tobacco Control Enforcement Unit of the Ministry of Health and Medical Services holds annual tobacco control enforcement training for local and national government environmental health officers together with police officers. The training encompasses a review of enforcement team composition, delineation of roles, and detailed review of the standard operating procedure from investigation to administration and prosecution, including practical role-playing exercises.

Effective legislation should impose legal responsibilities for compliance on both affected business establishments and individual smokers, and should provide penalties for violations, which should apply to businesses and, possibly, smokers.

-Guidelines for Implementation of WHO FCTC Article 8

2. Training of stakeholders

Stakeholders including community groups, business owners and managers and community leaders are among the stakeholders to target for training. Reaching out to these stakeholders will help raise their awareness about the smoke-free law and compliance requirements. This can be done by conducting seminars or symposia to inform them about their duty of compliance under the law. A smoke-free toolkit or information package containing instructions about the law and samples of compliant “No Smoking” signage and the benefits of being smoke-free can be distributed during the event.

Public awareness and education (Cambodia)

Cambodia’s Smoke-free Environment in the Tourism Sector is a working group made up of professionals from both the health and tourism sectors. SFET-Cambodia raises awareness on the negative health and environmental impacts of tobacco and tobacco use, and promotes smoke-free tourism initiatives through various activities including education, capacity building, and the implementation of an awards program.



Cambodia’s Smoke-Free Environment in the Tourism Sector meeting with stakeholders led by the Ministry of Tourism’s Secretary of State.

E. Monitoring, evaluation, and impact assessment

Monitoring the implementation and evaluating the impact of smoke-free measures are important to sustaining, and in some cases strengthening, political and public support for smoke-free laws. Monitoring and evaluation will also help to document successes that will inform and assist the efforts of other cities or countries in adopting similar measures and actions (3).

The monitoring of enforcement activities involves the systematic recording of violations and complaints, results of inspections, penalties imposed, fines collected, and the incidence of violations per location. All enforcement activities should be documented, and a centralised database established for the storage of inspection reports, list of violators (individuals and establishments), cited offences, imposed fines, complaints received, and corresponding actions taken. This dataset serves as a pivotal metric for assessing the efficiency of enforcement measures and enables adaptive policy adjustments.

Concurrent with the monitoring of enforcement activities, the evaluation phase examines environmental impact measures including compliance with smoke-free laws. Specific indicators might include the presence of smokers or smell of tobacco smoke in smoke-free areas, and systematic checks of business establishments for adherence to their duties of compliance stated in the law. Assessing awareness levels of the law among individuals and establishment owners is imperative for tailoring targeted educational campaigns to enhance compliance.

Finally, impact assessment analyses broaden outcomes, including the prevalence of secondhand smoke exposure within a target or specific population, shifts in attitudes towards smoking in public places and overall tobacco use, and enhancements in knowledge regarding smoke-free environments and the associated health consequences.



Together, these components form a methodical approach that enables measurement, and where necessary, refinement of smoke-free implementation and enforcement.

Gathering evidence to advocate for expanding coverage of smoke-free laws

In addition to the regular and routine compliance monitoring with smoke-free laws, governments may benefit from gathering additional evidence to bolster their advocacy for more robust smoke-free laws. For instance, the island nation Kiribati aimed to expand the coverage of smoke-free areas and conducted an activity in which they measured and compared nicotine levels in the ambient air of areas fully covered by existing smoke-free laws with those not fully covered such as semi-enclosed areas and outdoor spaces adjacent to indoor smoke-free areas. The findings underscored ineffectiveness of allowing designated smoking areas, even in semi-enclosed spaces and emphasised the need for comprehensive smoke-free measures to encompass all public places [7]. Such evidence can prove valuable in advocating for the strengthening of smoke-free laws, thereby enhancing protection for everyone against the harmful effects of secondhand smoke exposure.



Shanghai's regular monitoring and evaluation of smoke-free enforcement

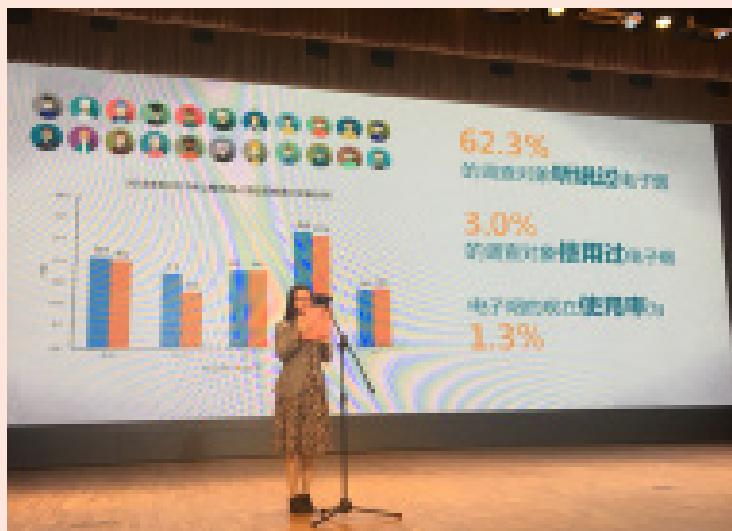
The Shanghai Regulations on Smoking Control in Public Places (Shanghai Regulations) were adopted by the Standing Committee of the Shanghai People's Congress on 10 December 2009, and came into effect on 1 March 2010. Since being amended on 11 November 2016, the Regulations have become a 100% smoke-free law, banning smoking in all indoor public places, indoor workplaces, and public transport. They were amended again on 28 October 2022, banning the use of e-cigarettes in places where smoking is prohibited.

The Shanghai Health Promotion Committee (SHPC), a multi-agency coordinating body chaired by the Vice Mayor and composed of more than 40 organizations, including about 30 government agencies such as Health, Education, Public Security, Market Regulation, etc., and associations like the women's federation, youth league, Red Cross, news agencies, railway company, airport company, broadcasting and television company, etc., [8] is responsible for organizing, coordinating, instructing, and supervising public health-related work, including tobacco control as mandated by the Shanghai Regulations.

Among other responsibilities, the SHPC coordinates law enforcement undertaken by various authorities and sectors, organises and conducts various forms of education campaigns on the control of smoking to educate the public on the harms of tobacco smoke and enhance public awareness of creating a smoke-free environment (Article 5 of the Shanghai Regulations). The committee also performs monitoring and evaluation of activities, reporting to the public through the media every year.

In March 2023, the Office of SHPC issued its monitoring and evaluation for the 2022 enforcement. In 2022, enforcement teams from various government agencies inspected 301,163 venues, resulting in fines for 469 venues and 340 individuals, with total fines amounting to RMB 1,648,750 and RMB 26,900, respectively. The violation percentage for cigarette use in smoke-free places remained at 12.3% (12.1% in 2021), and e-cigarette

use was 2.2%. The compliance percentages of venues regarding ashtrays, cigarette butts, and smoking rooms in smoke-free places were 93.4% (95.3% in 2021), 90.3% (90.4% in 2021), and 99.7% (99.7% in 2021), respectively. The citizens' awareness rate of the Shanghai Regulations was 88.7% (88.1% in 2021), and the supporting rate for a total ban on indoor smoking was 98% (98.7% in 2021) (9), (10).



On 30 May 2018, SHPC issued its 2017 Report on Monitoring and Evaluation of Tobacco Control in Shanghai Public Places.

Photo taken by Xiuyan Yu.

The consistent and systematic monitoring and evaluation conducted by SHPC on the implementation of the Shanghai Regulations plays a crucial role in improving its tobacco control policies. For example, different government agencies have been involved in the inspection of various venues, and previously, each agency had its own complaint hotline. The enforcement monitoring revealed that it was inconvenient for the public to remember which hotline to dial for complaints. Shanghai gradually consolidated all the hotlines into the Government Service Hotline '12345', initially in practice and later officially adopted through the 2016 amendment. Another example of monitoring results improving smoke-free laws to be more comprehensive is the adoption of a ban on e-cigarette use in smoke-free places.

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"A future free from tobacco and nicotine addiction".

