

The Smoking (Public Health) (Amendment Bill) 2005
Committee Stage Amendments (CSAs) to be moved by the Administration

Relevant part of the Bill	Content of the proposals	CSA to be moved	Time of Submission
To add in section 5 of the Ordinance	<p>In the Bills Committee meeting, Members proposed to use signs that indicate prohibition of smoking in the whole of a venue in view of future expansion of statutory no smoking areas.</p> <p>In this connection, we would need to add a sign to indicate that the whole venue is smokefree. This would be applicable to places like child care centres, schools, approved institutions, places of detention, places of refuge and reformatory schools.</p>	To add new provisions to set out this requirement, as well as the detailed specifications of the sign.	30 April 2006
Offences under Part III Clause 11	<p>In view of the complexity of the legal issues involved and the risk that litigation might follow if clause 11 is passed in the form contained in the Bill, we propose to introduce further provisions in relation to this clause. We propose that trade marks registered under the Trade Mark Ordinance and trade marks already in use before the enactment of the Bill which contains the words prohibited to be used on cigarette packets by the Bill may continue to be used on cigarette packets provided that there is a notation in the prescribed form on the cigarette packet. We will also prescribe the form of the notation.</p>	To introduce further provisions so as to stipulate the conditions to be met for the continued use of the trade marks which contain misleading descriptors and to prescribe notation to be put on the cigarette packets or retail containers.	Pending further consideration of the proposal by Bills Committee members
Meaning of tobacco advertisement	Subsequent to the deliberations of the Bills Committee, we propose to add in additional requirements for price boards:	To further amend Clause 15 to reflect results from latest deliberations in the Bills	30 April 2006

<p>Clause 15(d)</p>	<ul style="list-style-type: none"> ▪ the price board should not exceed 1 500 square centimetres ▪ each item on the price board should not exceed 50 square centimetres ▪ there should be a textual health warning on each price board with detailed specifications <p>Taking into consideration the unique operational mode of cigar shops, we propose allowing them to have 3 sets of catalog containing the names and prices of cigar products on sale, apart from the use of price markers and the price board inside the shop. The said catalogs could be offered for customers' sight upon request.</p>	<p>Committee.</p>	
<p>Consequential amendments Clause 37</p>	<p>To delete the mentioning of the Child Care Services Regulations and add in other necessary consequential amendments.</p>	<p>The Clause would be updated to reflect the latest necessary changes to be made in other legislation.</p>	<p>30 April 2006</p>
<p>Transitional provisions Clause 38</p>	<p>Our proposed implementation timetable is as follows:</p> <ul style="list-style-type: none"> ▪ Indoor workplaces, restaurants, billiard rooms, karaokes and bars open to all age groups would have to become smokefree by 1 January 2007. ▪ The statutory smoking ban on bars open to those aged 18 and above only, mahjong parlors, commercial bathhouses, mahjong clubs and nightclubs would commence on 1 July 2009. 	<p>Further provisions will be introduced to provide for the phased implementation of the smoking ban in different venues.</p>	<p>30 April 2006</p>

CSAs that are being considered by the Administration

Relevant part of the Bill	Probable content of the proposal	CSA to be moved	Pending
Designated no smoking areas Clause 20	Members would like to expand the statutory no smoking areas in “hospital” and “specified educational establishment” to the entirety of their premises, i.e. both indoor and outdoor areas.	An amendment to the new Schedule 2 would be necessary.	We have written to parties concerned and would report their responses to the Bills Committee.