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**Hong Kong: Progress report on tobacco, and some suggestions**

**Hong Kong has done well:** Overall, Hong Kong has done well compared with many other places with regard to tobacco control; our smoking prevalence rates are a respectable 11.1%. We were early in introducing and then strengthening many laws from the 1980s.

However, if there is one lesson we have all learned since the first legislation in Hong Kong 40 years ago (1982), it is that no country can ever become complacent, for the tobacco industry is certainly not complacent. We must maintain our strongest effort to reach the “end-game” target – smoking rates under 5% by 2022 - in Hong Kong.

To achieve this, we suggest the following, all consistent with Hong Kong’s treaty obligations under the WHO FCTC:

**Smoke-free areas:**

- Licensees: Put the onus on licensees to enforce the legal smoke-free ban, to face a first and possibly second warning, and then lose the premises’ licence for at least 2 years (like alcohol sales to minors).
- Liquor Licensing Board: As an interim measure, a requirement could be placed by the Liquor Licensing Board to withhold licences where the illegal activity of smoking has been shown to have taken place (as per the Tobacco Control Officers)
- TCO office: Increase staffing for enforcement of smoke-free areas. It is woefully understaffed compared with Macau, for example. Macau has 70 officers for 514,000 population whereas HKG has only 99 for 7.2 million.
- Extend smoke-free areas: Make all public areas tobacco free, including outdoor areas of restaurant and pubs whether roofed, 50% enclosed or otherwise. Consider banning smoking in cars that are carrying children under 16 years inside.

**Sound, planned tobacco tax policy:**

- The Financial Secretary has acknowledged the global wisdom of health economists, that raising tax is the best way of reducing smoking among youth, as

it simply makes cigarettes unaffordable. Recent increases have been inadequate in reducing smoking among youth.

- Instead of a piecemeal year by year approach, let us have some longer term planning, for example, yearly increases, which also takes inflation into account. This would save an immense amount of time.
- Increase government funding to reduce smoking as currently tax revenue received from tobacco products far exceeds that spent.
- Note that a 2011 World Economic Forum and Harvard joint study concluded that the future costs of inaction on tobacco alone over the next 20 years far outweighed investment on prevention today, by a **factor of three**.

#### **Smuggling and counterfeit:**

- Require the manufacturers to control the supply chains of illicit cigarettes.
- Beef up dealing with the criminality of smuggling with mandatory minimum sentences, treating it as a serious crime.
- Many “duty free” cigarettes (7% of all genuine contraband seizures in 2009 and 2010) are finding their way into the marketplace. It is openly known and acknowledged by WHO and governments, eg the EU, that this business is propagated by the tobacco companies. They are evading paying government taxation and are conspiring to commit criminal offences.

#### **Packaging and display:**

- Give authority to the Department of Health to change and choose packet warnings every 2-3 years, so that it does not need to be approved by Legco on every occasion. Put the Quit number on the packet with the next change of warning. (this costs government nothing)
- Packaging: Introduce plain packaging within the next 3 years, as Australia has done, and other places are following suit.
- Ban counter display in shops: and move to under the counter.
- ALL retailers whether shop or news stand should be LICENSED to sell cigarettes and licensing enforced. Retailers should lose their licence if they sell to children.

#### **Quitting:**

- Increase quitting facilities and assistance and make these free to anyone who wants to quit.
- These premises must be open before and after normal work hours and in accessible locations transport wise.

#### **Tobacco industry behaviour:**

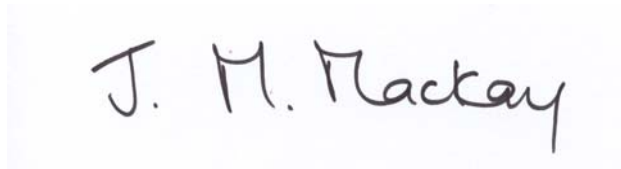
- Investigate tobacco industry funding and connections of Neo-libertarian front organisations that have sprung up recently in HK, especially those with charitable status, such as the Lion Rock Institute and Momentum 107. Revoke the charity

status of such front organisations if it found they are funded by the tobacco industry.

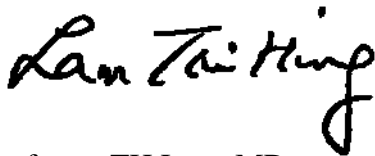
- Require disclosure of any tobacco funding of political parties as required under Article 5.3 of the FCTC, to which Hong Kong is signatory. In fact, such funding is banned.
- In line with other major high income countries, all political funding sources should be transparent and legally revealed so the public are aware of the party benefactors with possible links to their party policy decisions.

We would be happy to answer any questions on any of the above.

Yours sincerely,



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