

**Subcommittee on
Smoking (Public Health) (Notices) (Amendment) Order 2017**

Amendments proposed by the Government

In view of the concerns expressed by subcommittee members and the trade, the Government proposes to move the following amendments to the Amendment Order –

- (a) providing flexibility for affixing the seal of soft packs;
- (b) providing health warning images of a landscape orientation; and
- (c) extending the adaptation period by two months.

The detailed justifications are set out in the ensuing paragraphs.

Amendments related to soft packs

2. We have expressed at various occasions as well as in our papers CB(2)859/16-17(12)(Revised) and CB(2)1494/16-17(02) that transparent seals are already used on cigarette packets in the market, and their use should not be an insurmountable hurdle for the trade. Given the views of members, we have now drawn up a new set of health warning images catering for cigarette packets with seals, with size and positioning restrictions for the seal. The seal must be affixed to the top part of the two surfaces that bear the health warning and the surface that adjoins the top of those two surfaces. The following requirements also apply –

- (a) the packet does not have a lid that, when closed, forms part of a surface that bears the health warning;
- (b) the packet bears one specified seal that partially obscures the health warning appearing on a surface of the packet; and
- (c) the area of the health warning so obscured does not exceed 23 mm in width and 14 mm in length.

3. Illustrations are at **Annex A**.

Health warning images of landscape orientation

4. In view of the concerns expressed by subcommittee members, the Government will provide an additional set of health warning images, of a landscape orientation, to cater for different tobacco packets. The relevant images are at [Annex B](#).

Adaptation period

5. With amendments being proposed to the Amendment Order, the Government will extend the adaption period by two months, i.e., starting from 21 December 2017 (instead of 21 October 2017), we would allow tobacco products carrying the present form or the new form of health warnings to be put to sale; and from 21 June 2018 onwards (instead of 21 April 2018), tobacco products put to sale in Hong Kong should only carry the new form of health warnings. The trade will have a full 12-month adaptation period, as in the last amendment exercise, following the scrutiny by the subcommittee and formal adoption of the Amendment Order.

6. The draft resolution to be moved by the Government is at [Annex C](#) for reference.

Submissions to the Legislative Council

7. We notice that members of the public and the trade, including the Hong Kong Council on Smoking and Health and the tobacco companies as well as trade associations have made submissions to the Legislative Council (LegCo) again. The Government's response to the various issues and concerns has been set out in various papers tabled at LegCo for discussion, including CB(2)1456/14-15(07), CB(2)1808/14-15(01), CB(2)386/16-17(05), CB(2)991/16-17(12) and CB(2)859/16-17(12)(Revised) which are accessible for public information on the website of LegCo.

Food and Health Bureau
Department of Health
Department of Justice
June 2017

Annex A
附件 A

Illustrations of Revised Images for the Use of Soft Packs
為軟包提供的健康忠告圖像示意圖

式樣 1 / Form 1



Area for the seal
供封條附貼的範圍

式樣 2 / Form 2



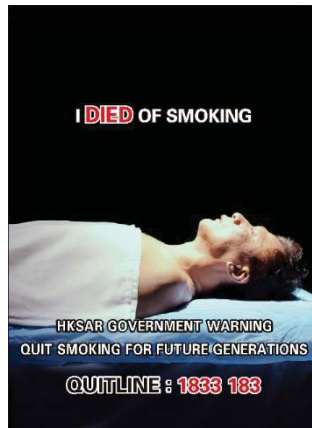
Area for the seal
供封條附貼的範圍

式樣 3 / Form 3



Area for the seal
供封條附貼的範圍

式樣 4 / Form 4



Area for the seal
供封條附貼的範圍

式樣 5 / Form 5



Area for the seal
供封條附貼的範圍

式樣 6 / Form 6



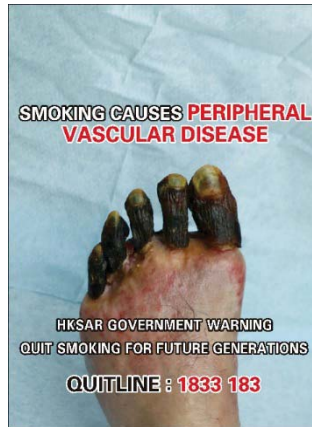
Area for the seal
供封條附貼的範圍

式樣 7 / Form 7



Area for the seal
供封條附貼的範圍

式樣 8 / Form 8



Area for the seal
供封條附貼的範圍

式樣 9 / Form 9



Area for the seal
供封條附貼的範圍

式樣 10 / Form 10



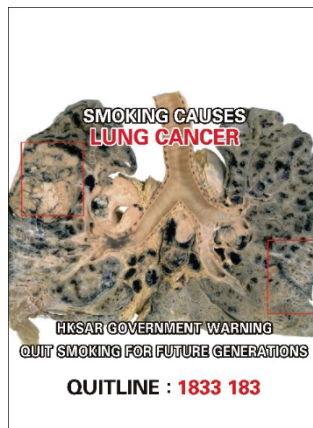
Area for the seal
供封條附貼的範圍

式樣 11 / Form 11



Area for the seal
供封條附貼的範圍

式樣 12 / Form 12



Area for the seal
供封條附貼的範圍

Health Warning Images with Landscape Orientation
橫向的健康忠告圖像

式樣1 / Form 1



式樣2 / Form 2



式樣3 / Form 3




式樣4 / Form 4



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙足以致命



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

I DIED OF SMOKING

式樣5 / Form 5



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民


違例吸煙：定額罰款
港幣1,500元



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING


SMOKING OFFENCE:
FIXED PENALTY HK\$1,500

式樣6 / Form 6



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致陽萎



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
IMPOTENCE

式樣7 / Form 7



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致衰老



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
AGEING

式樣8 / Form 8



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致
末梢血管疾病



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
PERIPHERAL
VASCULAR DISEASE

式樣9 / Form 9



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致中風



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
STROKE

式樣10 / Form 10



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致 心臟病



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
HEART DISEASE

式樣11 / Form 11



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

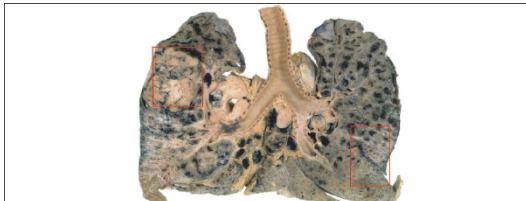
吸煙禍及子女



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

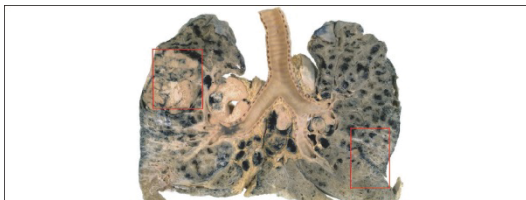
SMOKING HARMS
YOUR CHILDREN

式樣12 / Form 12



請為你的下一代戒煙
戒煙熱線：1833 183
香港特區政府忠告市民

吸煙引致 肺癌



QUIT SMOKING FOR FUTURE GENERATIONS
QUITLINE : 1833 183
HKSAR GOVERNMENT WARNING

SMOKING CAUSES
LUNG CANCER

Resolution of the Legislative Council

1

Interpretation and General Clauses Ordinance

Resolution of the Legislative Council

Smoking (Public Health) (Notices) (Amendment) Order 2017

Resolution made and passed by the Legislative Council under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) on [] June 2017.

Resolved that the Smoking (Public Health) (Notices) (Amendment) Order 2017, published in the Gazette as Legal Notice No. 66 of 2017 and laid on the table of the Legislative Council on 26 April 2017, be amended as set out in the Schedule.

Schedule

Amendments to Smoking (Public Health) (Notices) (Amendment) Order 2017

1. Section 1 amended (commencement)

Section 1—

Repeal

“October ”

Substitute

“December”.

2. Section 5 amended (paragraph 2A added (interpretation))

(1) Section 5—

Renumber new paragraph 2A as paragraph 2A(1).

(2) Section 5, new paragraph 2A(1)—

Add in alphabetical order

“*specified seal* (), in relation to a packet of cigarettes,
means an affixture to the packet that is affixed to—

(a) the top part of the 2 surfaces that bear the health
warning; and

(b) the surface that adjoins the top of those 2 surfaces;”.

(3) Section 5, after new paragraph 2A(1)—

Add

“(2) For the purpose of paragraph 3, a packet is a specified
packet with seal if—

- (a) the packet does not have a lid that, when closed, forms part of a surface that bears the health warning;
- (b) the packet bears one specified seal that partially obscures the health warning appearing on a surface of the packet; and
- (c) the area of the warning so obscured does not exceed 23 mm in width and 14 mm in length.”.

3. Section 6 amended (paragraph 3 amended (health warning and indication of tar and nicotine yields on packet or retail container of cigarettes))

- (1) Section 6, new paragraph 3(4)(a)—

Repeal subparagraph (a)

Substitute

“(a) it must be—

- (i) for a container and a packet other than a specified packet with seal—in either version A or version B of one of the forms prescribed in Part 2 of the Schedule; and
- (ii) for a specified packet with seal—in version C of one of the forms prescribed in Part 2 of the Schedule;”.

- (2) Section 6, new paragraph 3(4)(d), after “English version of”

Add

“either version A or version B of”.

- (3) Section 6, after new paragraph 3(8)—

Add

“(8A) Subparagraph (8) is not contravened in relation to a specified packet with seal by reason only of the affixture of a specified seal to the packet.”.

4. **Section 7 amended (paragraph 4A amended (health warning on retail container of cigar, pipe tobacco or cigarette tobacco (other than retail container containing one cigar))**

Section 7, new paragraph 4A(4)(a), after “be in”—

Add

“either version A or version B of”.

5. **Section 12 amended (Schedule amended)**

Section 12(1)—

Repeal new Part 2

Substitute

“Part 2

Forms of Health Warning on Packet of Cigarettes or Retail Containers of Tobacco Products (Not in Cylindrical Drum Shape, Not Containing One Cigar)

[Please refer to **Annex A** and **Annex B** for the
images of the forms of health warning.]

Specifications—

1. Each form is rectangular in shape and surrounded by a black line as demarcation.
2. The characters, letters and numbers are surrounded by either a black line or white line.
3. For the Chinese version, the characters and numbers are printed in “中黑體” typeface. For the English version, the letters and numbers are printed in Univers Bold typeface.
4. The graphic, characters, letters and numbers are printed by 4-colour printing with a minimum resolution of 300 dpi.”.

Clerk to the Legislative Council

June 2017