

Submission from Mr Philippe CHAN

I would like to share my point of view on Smoking (Public Health) (Amendment) Bill 2019 as an individual and an ex-smoker.

As someone who has not smoked for more than 10 years, I find that traditional cigarettes are more of a nuisance to the public compared with e-cigarettes. Although smoking in public has been banned from 1 January 2007 under the government's revised Smoking (Public Health) Ordinance, which was one of the key reasons for me to quit smoking as well as for my long term well being. On many occasions whether I visit restaurant and bar establishments with family or friends unfortunately I still have to endure second-hand smoke.

Sometimes when we visit traditional Chinese restaurants with relatives who have babies and small children with them, the effects of the second-hand smoke nearby disrupts our appetite during a meal, and also the overall well being of those around me. Despite complaining to the establishment there is only so much they will do as their do not wish to upset their regular clientele.

Similarly when I am outdoors, even in some designated non-smoking areas I see people are still smoking and ignoring the regulation, and the second-hand smoke becomes noticeable. But recently when I visit some countries such as Japan where there are still a large number of smokers, the government has done a much better job in legislating the sale and use of traditional cigarettes in the public, as a result I don't notice people smoking in the public as much as I used to 10 years ago.

I feel the government should do more to tackle traditional cigarettes in terms of taxation and pricing. For instance in the UK a packet of cigarette is on average £10.40 a packet, whilst in the EU such as France a packet is now averaging €8 a packet. In Hong Kong the retail price is still around HK\$60 a packet (and HK has now been ranked the most expensive city to live in according to 15th Annual Demographia International Housing Affordability Survey published in Jan 19).

Whereas for e-cigarettes I have not had this experience of unpleasantness when I am in the public area. Whilst there are concerns on the safety of the devices which I feel the government can regulate accordingly, but the dangers to the public is more adherent as there are more fires started by traditional cigarettes rather than e-cigarettes over the past few years. By banning e-cigarettes the government will boost traditional tobacco products rather than reduce smoking, as those consumers will either go to the black market to purchase their products or drive them to consume traditional cigarettes again. Hence in 2018, more than 20 million contraband cigarettes were seized by the government, how many more slipped through the customs and ended up in the public's hands? It is anyone's guess.

By providing a proper regulation on e-cigarettes to be sold in the retail market could be more beneficial to the government as it can collect taxes on this category given that the trend of younger smokers are switching away from the traditional cigarettes. It will reduce consumption in traditional cigarettes which will also in turn reduce second-hand smoke and the demand in the black market through an ageing population. Therefore I would ask the authority to reconsider its position on the legislation and consult the public before reaching its decision.