

2020 - Questionnaire on the implementation of the Protocol to Eliminate Illicit Trade in Tobacco Products by its Parties

A. ORIGIN OF THE REPORT

Name of contracting Party:

Mauritius

Information on national contact responsible for preparation of the report:

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Period of reporting:

	Month	Year
Start date (SQ001)	January (1)	2018 (4)
End date (SQ002)	December (12)	2019 (5)

PART I: B. INTRODUCTION

ARTICLE 2 - RELATION BETWEEN THIS PROTOCOL AND OTHER AGREEMENTS AND LEGAL INSTRUMENTS

Please list any bilateral or multilateral agreements you entered into on issues relevant or additional to the Protocol, as mentioned in Article 2 of the WHO FCTC.

No such agreements have been entered to date.

PART II: C. GENERAL OBLIGATIONS

ARTICLE 5 - PROTECTION OF PERSONAL DATA

What measure have you taken, in particular in the past two years, to ensure the protection of personal data of individuals, regardless of nationality or residence, when implementing this Protocol?

Mauritius has implemented a new law on data protection namely the Data Protection Act 2017 which has come into force since 15 January 2018. The aim is to bring our data protection framework in line with the international standards, namely the European General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679 and to strengthen the control and personal autonomy of data subjects over their personal data.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

PART III: D. SUPPLY CHAIN CONTROL

ARTICLE 6 – LICENCE, EQUIVALENT APPROVAL OR CONTROL SYSTEM

Do you have a licensing system in place for any of the following activities:

Manufacture of tobacco products?

Yes ✓

Manufacture of manufacturing equipment?

No ✗

Import of tobacco products?

Yes ✓

Export of tobacco products?

Yes ✓

Import of manufacturing equipment?

No ✗

Export of manufacturing equipment?

No ✘

Do you require a license for any natural or legal person engaged in:

Retailing of tobacco products

Yes ✔

Growing of tobacco, except for traditional small-scale growers, farmers and producers

Yes ✔

Transporting commercial quantities of tobacco products or manufacturing equipment

Yes ✔

Wholesaling, brokering, warehousing or distribution of tobacco and tobacco products or manufacturing equipment

Yes ✔

Which competent authority/ies, if any, have been established or designated with regard to licensing?

National Agricultural Products Regulatory Office (NAPRO)

Does the competent authority have the prerogative to issue, renew, suspend, revoke and/or cancel licences for:

the manufacture of tobacco products?

Yes ✔

the import of tobacco products?

Yes ✔

the export of tobacco products?

Yes ✔

the manufacture of manufacturing equipment?

No ✘

the import of manufacturing equipment?

No ✘

the export of manufacturing equipment?

No ✘

Is the applicant for a license required to provide proof of any of the following?

When the applicant is a natural person

Its identity, including full name?

Yes ✔

Its tradename?

Yes ✔

Its business registration number (if any)?

Yes ✔

Applicable tax registration numbers (if any)?

Yes ✔

When the applicant is a legal person

Its full legal name?

Yes ✔

Its tradename?

Yes ✔

Its business registration number?

Yes ✔

Date and place of incorporation?

Yes ✔

Location of corporate headquarters and principal place of business

Yes ✔

Applicable tax registration numbers?

Yes ✔

Copies of articles of incorporation or equivalent documents?

Yes ✓

Its corporate affiliates

Yes ✓

Names of its directors and of any designated legal representatives

Yes ✓

Does the application for the licence requires the applicant to specify any of the following information?

precise business location of the manufacturing unit, warehouse location and production capacity of the business run by the applicant?

Yes ✓

product description?

Yes ✓

name of the product?

Yes ✓

registered trade mark (if any)?

Yes ✓

design?

Yes ✓

brand?

Yes ✓

model or make and serial number of the manufacturing equipment?

Yes ✓

description of where manufacturing equipment will be installed and used?

Yes ✓

documentation or a declaration regarding any criminal records?

Yes ✓

complete identification of the bank accounts intended to be used in the relevant transactions and other relevant payment details?

Yes ✓

a description of the intended use and intended market of sale of the tobacco products?

Yes ✓

How often, if at any time, are licence fees monitored and collected?

A patent fee of MUR 220,000 is payable to NAPRO for all importations.

What measures, if any, are taken to prevent, detect and investigate any irregular or fraudulent practices in the operation of the licensing system?

Inspection of regulated products is carried out after application and clearance is issued following conformity to NAPRO Regulations

How often, if at any time, are periodic review, renewal, inspection and audit of licences being undertaken? (please provide details)

As and when required by NAPRO

Are all licenced natural or legal persons obliged to inform, in advance, the competent authority of any change of location of their business or any significant change in information relevant to the activities as licenced?

Yes ✓

Are all licenced natural or legal persons obliged to inform the competent authority, for appropriate action, of any acquisition or disposal of manufacturing equipment?

No ✗

Please provide a brief description of the progress made in implementing Article 6 (Licence, equivalent approval or control system) in the past two years or since submission of your last report.

Article 6 has been implemented in line with the provisions of the National Agricultural Products Regulatory Office Act 2013 which is being fully enforced by the Authority.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

D2. ARTICLE 7 - DUE DILIGENCE

Is it a requirement to conduct due diligence before the commencement of a business relationship for all natural and legal persons:

engaged in the supply chain of tobacco?

Yes ✓

engaged in the supply chain of tobacco products?

Yes ✓

Is it a requirement to conduct due diligence during the course of a business relationship for all natural and legal persons?

engaged in the supply chain of tobacco?

Yes ✓

engaged in the supply chain of tobacco products?

Yes ✓

Is it a requirement for actors in the supply chain of tobacco and tobacco products to conduct due diligence with regards to customer identification?

Yes ✓

As part of due diligence of the supply chain, for the purpose of customer identification, do you require documentation or a declaration regarding any criminal records required for customer identification?

Yes ✓

As part of due diligence of the supply chain, for the purpose of customer identification, do you require identification of the bank accounts intended to be used in transactions?

Yes ✓

Have any legal or natural persons been "blocked" as customers within your jurisdiction?

No ✗

Please provide a brief description of the progress made in implementing Article 7 (Due diligence) in the past two years or since submission of your last report.

Due diligence is being applied fully with the NAPRO Regulations 2013 and the same is being maintained

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

D3. ARTICLE 8 - TRACKING AND TRACING

Has a tracking and tracing system been established in your jurisdiction (also in relation to Article 15.2.b of the WHO FCTC)?

Yes ✓

Is it a requirement that unique, secure and non-removable identification markings (“unique identification markings”), such as codes or stamps, are affixed to or form part of:

All unit packets of cigarettes

Yes ✓

All unit packages of cigarettes

Yes ✓

Any outside packaging of cigarettes

Yes ✓

All unit packets of other tobacco products

Yes ✓

All unit packages of other tobacco products

Yes ✓

Any outside packaging of other tobacco products

Yes ✓

Is the following information available in your jurisdiction, either directly or accessible by means of link?

Date of manufacture

Yes ✓

Location of manufacture

Yes ✓

Manufacturing facility

Yes ✓

Machine used to manufacture tobacco products

No ✗

Production shift or time of manufacture

No ✗

Information (name, invoice, order and payment records) on the first customer who is not affiliated with the manufacture

Yes ✓

The intended market of retail sale

Yes ✓

Product description

Yes ✓

Any warehousing and shipping

Yes ✓

The identity of any subsequent purchaser

Yes ✓

Shipment details (intended shipment route, the shipment date, shipment destination, point of departure and consignee)

Yes ✓

How is this information specified under D33 recorded in your country?

It is a legal requirement for all importers of cigarettes to submit a Monthly Return concerning excise stamps, the quantity of cigarettes imported and a number of ex-warehousing Bills of entry. All these information are input in a system maintained at the Customs Department of MRA.

Is the recorded information accessible to the global information sharing focal point through a secure electronic interface?

No ✘

In which way have you ensured that any of the obligations assigned to your government are not delegated to or performed by the tobacco industry?

Tobacco Industry monitoring is strictly done as in line with article 5.3 of the WHO FCTC. Since the implementation of excise stamps in 2008, the excise stamps are procured by the competent authority through open tender exercise and then sold to importers for affixing on packs at the factory.

Which percentage of the costs associated with the government's obligations concerning the tracking and tracing regime, has the tobacco industry been required to bear?

In the absence of tobacco manufacturers on our territory, importers of tobacco products are required to purchase Excise Stamps, which is an essential component of our tracking and tracing system, from the Mauritius Revenue Authority and thereafter submit a monthly return on the number of Excise stamps used and number of same damaged. The liability of the tobacco industry with regards to tracking and tracing has been well established.

Please provide a brief description of the progress made in implementing Article 8 (Tracking and tracing) in the past two years or since submission of your last report.

The Mauritius Revenue Authority has developed a Mobile Application that is constantly used for enforcement purposes of the tracking and tracing system.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

D4. ARTICLE 9 - RECORD-KEEPING

Do you require maintenance of complete and accurate records of all relevant transactions, for all natural and legal persons engaged in the supply chain of:

Tobacco?

Yes ✓

Tobacco products?

Yes ✓

Manufacturing equipment?

Yes ✓

What information do you require persons licenced in accordance with Article 6 of the Protocol to provide to the competent authorities?:

The Republic is an importer of cigarettes and tobacco products. As such all imports are controlled and we have all the data regarding importers and imports. The duty free allowance is restricted and the incoming passenger can pay duty and taxes on a limited quantity above the duty free allowance. Information pertaining to the Importation company and other details on the address, business registration no., details on the products being imported, the HS Code if any, the country of importation, the amount being imported, shipping details (manifest) amongst others.

In your country, are tobacco products and manufacturing equipment sold or manufactured for export, or subject to duty-suspended movement in transit or transshipment on the territory?

No ✗

What kind of measures have you adopted (legislative, executive, administrative or other measures) for record-keeping?

Importers are required legally to submit a Monthly Return on excise stamps, quantity of cigarettes imported and number of ex-warehousing Bills of Entry validated at Customs.

Have you established a system for sharing with other Parties details contained in all records kept in accordance with Article 9?

Yes ✓

Do you cooperate with other Parties and with competent international organizations in progressively sharing and developing improved systems for record-keeping?

Yes ✓

Please provide a brief description of the progress made in implementing Article 9 (Record keeping) in the past two years or since submission of your last report.

The implementation of Article 9 (Record keeping) is being closely monitored and maintained for good governance in order to ensure all legislative, executive, administrative or other measures which are adopted are in line with efficient record keeping. The well-established system of Record keeping safeguarding all data collected from importers with regards to duty paid on goods, Cost Insurance Freight, brands imported, airway bill references, customs declarations amongst others. The database is subject to scrutiny by the Customs Authorities and is secured for future references.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

At the local level information is shared with NAPRO and the Ministry of Finance. Sharing of information with other countries is done through Customs Mutual Administration Assistance Agreements. Data on seizures are also shared on the Customs Enforcement Network.

D5. ARTICLE 10 - SECURITY AND PREVENTATIVE MEASURES

What kind of measures are in place in your jurisdiction to prevent diversion of tobacco products into illicit trade channels?

All consignments of cigarettes imported are escorted by Customs from the port to the importer's bonded warehouse. A Bill of Entry is validated in the Customs Management System for all importations and ex-warehousing for home consumption upon payment of duties and taxes. Cigarettes put for duty free sale are escorted by Customs. All importers of cigarettes and operators of duty free shops are legally required to submit a Monthly Return to Customs.

Do you have sanctions in place when licensees do not adhere to the provisions of article 10?

Yes ✓

If so, please provide further information regarding the kind of sanctions.

Sanctions in terms of penalties and criminal proceedings are stipulated in our legislations.

Please provide a brief description of the progress made in implementing Article 10 (Security and preventive measures) in the past two years or since submission of your last report.

Article 10 has been closely monitored by the concerned authorities and all necessary steps have been adopted to prevent the diversion of tobacco products into illicit trade channels.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

D6. ARTICLE 11 - SALE BY INTERNET, TELECOMMUNICATION OR ANY OTHER EVOLVING TECHNOLOGY

Does the Protocol apply to all sales through internet, telecommunication or any other evolving technology?

Yes ✓

Have you banned sales of tobacco products through internet, telecommunication or any other evolving technology?

No ✕

Please provide a brief description of the progress made in implementing Article 11 (Sales by Internet, telecommunication or any other evolving technology) in the past two years or since submission of your last report.

Necessary amendments have been brought in our existing legislation pending vetting from the Attorney General's Office.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

D7. ARTICLE 12 - FREE ZONES AND INTERNATIONAL TRANSIT

Do you have authorizations to conduct controls in free zones, by use of all relevant measures as provided in the Protocol?

No ✘

Do you prohibit the intermingling of tobacco products with non-tobacco products in a single container or any other such similar transportation unit at the time of removal from free zones?

No ✘

Do you control transit or transshipment of tobacco products and/or manufacturing equipment?

No ✘

Please provide a brief description of the progress made in implementing Article 12 (Free zones and international transit) in the past two years or since submission of your last report.

FTZ viewed as outside of Customs control unless there is evidence of criminality. The following customs controls are exercised: submission of import and export declarations, surveys conducted on a regular basis, risk-based physical examination and scanning of containers, an online tracking system for containers entering and leaving free zones, and annual audit systems.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Transit trade is monitored but limited checks and enforcement are done.

There are no legal provisions prohibiting the intermingling of tobacco products in a container. This policy will be positively considered in the near future.

D8. ARTICLE 13 - DUTY FREE SALES

Do you allow duty-free sales in your jurisdiction?

Yes ✔

If yes, are they taking place?

Yes ✔

Do you implement effective measures to subject any duty-free sales to all relevant provisions of this Protocol?

Yes ✔

If yes, please provide details

Duty-free sales of tobacco products are subject to the relevant provisions of the Protocol and are being closely monitored by the Mauritius Revenue Authority.

Please provide a brief description of the progress made in implementing Article 13 (Duty free sales) in the past two years or since submission of your last report.

Duty-free sales have been strictly restricted to incoming passengers and outbound passengers may also have access to duty-free sales of tobacco products. It is to be noted that there is a limit imposed on all incoming passengers.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

PART IV: E. OFFENCES (Articles 14-19 of the Protocol)

ARTICLE 14: UNLAWFUL CONDUCT INCLUDING CRIMINAL OFFENCES

Please note that information requested in this section might be of confidential nature and might only be made accessible to Parties to the Protocol only, upon their request, unless otherwise stated by the transmitting Party.

In accordance with the Protocol, does the following constitute an unlawful conduct in your country's domestic laws?

	Tobacco	Tobacco Products	Manufacturing equipment
E11a. Illicit manufacturing, wholesaling, brokering, selling, transporting, distributing, storing, shipping, importing or exporting of:	1	1	
E11b. Tax evasion for tobacco products for:	1	1	
E11c. Smuggling or attempted smuggling of:	1	1	
E11d. Falsification of markings for:	1	1	
E11e. Counterfeiting of :	1	1	

In accordance with the Protocol, does the following constitute an unlawful conduct in your country's domestic law?

concealment of tobacco products?

Yes ✓

intermingling of tobacco products with non-tobacco products in contravention of Article 12.2 (*Free Zones and international transit*) of the Protocol?

Yes ✓

illicit trade of tobacco products through the Internet or other technology-based modes of sale?

Yes ✓

acting against good faith in relation to the supply chain of tobacco products?

Yes ✓

obstructing any public officer or an authorized officer in the performance of duties relating to the prevention, deterrence, detection, investigation or elimination of illicit trade in tobacco, tobacco products or manufacturing equipment?

Yes ✓

fraud?

Yes ✓

money laundering?

Yes ✓

Does any of the above activities constitute criminal offences in your jurisdiction?

Yes ✓

If yes, please provide further details.

Above constitute offenses under the Excise Act 1994, Mauritius Revenue Authority Act 2004, National Agricultural Products Regulatory Office Act 2013, Criminal Code Act, Financial Intelligence, and Anti-Money Laundering Act.

Please attach the relevant legislation concerning the establishment of unlawful conduct in your country.

No comment

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Please provide a brief description of the progress made in implementing Article 14 (Unlawful conduct including criminal offences) in the past two years or since submission of your last report.

The relevant provisions of the different legislations have been enforced by the respective authorities under the powers conferred by law. Enforcement actions have been strengthened and more vigilance exercised to track offenders.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

E2. ARTICLE 15: LIABILITY OF LEGAL PERSONS

Has the liability of legal persons been established for the unlawful conduct (including criminal offences) under Article 14 of the Protocol?

Yes ✓

Please provide a brief description of the progress made in implementing Article 15 (Liability of legal persons) in the past two years or since submission of your last report.

The Office of the Director of Public Prosecution (ODPP) is the independent authority to establish whether a prima facie case has been proved against any offender and the liability of the legal persons are also examined prior to initiating any legal proceeding. This philosophy is been strengthened and maintained by the ODPP.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

E3. ARTICLE 16: PROSECUTIONS AND SANCTIONS

Is it ensured that persons held liable for the unlawful conduct (including criminal offences) under Article 14 are subjected to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions?

Yes ✓

Please provide a brief description of the progress made in implementing Article 16 (Prosecutions and sanctions) in the past two years or since submission of your last report.

The Office of the Director of Public Prosecution (ODPP) is the independent authority to establish whether a prima facie case has been proved against any offender prior to initiating of any legal proceeding. This philosophy is been strengthened and maintained by the ODPP.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

E4. ARTICLE 17: SEIZURE PAYMENTS

Have you adopted legislative and / or other measures to levy an amount proportionate to lost taxes and duties from the producer, manufacturer, distributor, importer or exporter of seized tobacco, tobacco products and /or manufacturing equipment?

Yes ✓

Please provide a brief description of the progress made in implementing Article 17 (Seizure payments) in the past two years or since submission of your last report.

This is being enforced by the Mauritius Revenue Authority under the legal provisions of legislations governing the organization and enforcement actions have been strengthened.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

E5. ARTICLE 18: DISPOSAL OR DESTRUCTION

Please provide information on the quantity of confiscated tobacco, tobacco products and manufacturing equipment that was destroyed (e.g, product, unit, quantity, by year and destruction method), if available.

All cigarettes seized by the Customs Department of MRA are destroyed on a quarterly basis. The method used is cut and crush and disposal at a landfill under the supervision of the Customs and Finance and Administration Departments of MRA and the NAPRO. The quantity of seized cigarettes destroyed by MRA is 180,000 and 200,000 sticks for the years 2018 and 2019 respectively.

Please provide a brief description of the progress made in implementing Article 18 (Disposal or destruction) in the past two years or since submission of your last report.

All cigarettes seized are systematically destroyed in accordance with national legislation. Statistics provided

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

E6. ARTICLE 19: SPECIAL INVESTIGATIVE TECHNIQUES

Do you allow the use of controlled delivery and other special investigative techniques to effectively combat illicit trade in tobacco, tobacco products or manufacturing equipment?

Yes ✓

If yes, please provide details.

This operation is being done jointly by the Customs Department and the Police upon receiving of information from reliable sources.

Have you concluded any bilateral or multilateral agreement or arrangement for the use of techniques mentioned above when investigating the criminal offences established in accordance with Article 14 of the Protocol?

Yes ✓

If yes, please give further details on any agreement or international cooperation with other Parties for the use of such techniques in this area.

The Nairobi Convention and Johannesburg Convention on Customs Mutual Administrative Assistance. The Customs Enforcement Network is also used to share information on seizures.

Please provide a brief description of the progress made in implementing Article 19 (Special investigative techniques) in the past two years or since submission of your last report.

Further to above agreement sharing of information is being enhanced and best practices adopted on all investigative techniques.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

PART V: F. INTERNATIONAL COOPERATION

ARTICLE 20 – GENERAL INFORMATION SHARING

Article 20.1(a) SEIZURES OF ILLICIT...

	Quantity seized	Value of seizures Please specify currency (e.g. in USD or local currency)	Description of seized product	Date and place of manu- facture	Taxes evaded (in USD or local cur- rency; please, specify)
F11a. ...tobacco (raw)	-	-	-	-	-
F11b. ...smoking tobacco products	147,465 sticks	-	cigarettes	-	-
F11c. ...smokeless to- bacco products	-	-	-	-	-
F11d. ...waterpipe tobacco products	-	-	-	-	-
F11e. ...heated tobacco units	-	-	-	-	-
F11f. ...other to- bacco products (please specify)	55.975 kgs	-	flavoured tobacco	-	-
F11g. ...manufacturing equipment	-	-	-	-	-
F11h. ...other products (devices for ENDS; cartridges for ENDS; holders/heating elements for heated tobacco units; other (please specify))	-	-	-	-	-

Please provide examples of some of your seizures, if available.

All seizures have been detailed above.

Article 20.1(b) TOBACCO TRADE-RELATED MATTERS...

	Import (please specify unit)	Export (please specify unit)	Transit (please specify unit)	Taxes paid (in USD or local currency; please, specify)	Duty free sales (in USD or local currency; please, specify)	Quantity or value of domestic production (please specify unit)
F12a. ...tobacco (raw)	-	-	-	-	-	-
F12b. ...smoking tobacco products	1,041,080,000 sticks of cigarettes + Cigarillos – 230 kg	-	-	-	-	-
F12c. ...smokeless tobacco products	-	-	-	-	-	-
F12d. ...waterpipe tobacco products	42kgs	-	-	-	-	-
F12e. ...heated tobacco units	-	-	-	-	-	-
F12f. ...other tobacco products (please specify)	8,300 kg (Flavoured tobacco)	-	-	-	-	-
F12g. ...manufacturing equipment	-	-	-	-	-	-
F12h. ...other products (devices for ENDS; cartridges for ENDS; holders/heating elements for heated tobacco units; other (please specify))	-	-	-	-	-	-

Please provide a brief description of the progress made in implementing Article 20 (General information sharing) in the past two years or since submission of your last report.

MRA Customs share information with national authorities and international organisations subject to the provisions of the Data Protection Act.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F2. ARTICLE 21 – ENFORCEMENT INFORMATION SHARING

Have you exchanged enforcement information with another Party on your own initiative or on their request?

No ✘

Please provide a brief description of the progress made in implementing Article 21 (Enforcement information sharing) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F3. ARTICLE 22 – INFORMATION SHARING: CONFIDENTIALITY AND PROTECTION OF INFORMATION

Have you designated competent national authority or authorities to which data referred to in Articles 20, 21 and 24 of the Protocol are supplied?

No ✘

Please provide a brief description of the progress made in implementing Article 22 (Information sharing: General Obligations) in the past two years or since submission of your last report.

The Data Protection Office has been ensuring the responsibility as a regulator to ensure compliance with the Data Protection Act 2017 as the domestic law and any other regulations made under the said Act.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F4. ARTICLE 23 - ASSISTANCE AND COOPERATION:

Have you provided financial or technical assistance (be it through unilateral, bilateral, multilateral agreements, and/or through international and regional organizations) in any of the following areas:

F41a. Information gathering	No
F41b. Law enforcement	No
F41c. Tracking and tracing	No
F41d. Information management	No
F41e. Protection of personal data	No
F41f. Interdiction	No
F41g. Electronic surveillance	No
F41h. Forensic analysis	No
F41i. Mutual legal assistance	No
F41j. Extradition	No

Have you received financial or technical assistance (be it through unilateral, bilateral, multilateral agreements, and/or through international and regional organizations) in any of the following areas:

F42a. Information gathering	No
F42b. Law enforcement	No
F42c. Tracking and tracing	No
F42d. Information management	No
F42e. Protection of personal data	No
F42f. Interdiction	No
F42g. Electronic surveillance	No
F42h. Forensic analysis	No
F42i. Mutual legal assistance	No
F42j. Extradition	No

Have you developed or conducted research on identifying the exact geographical origin of seized tobacco and tobacco products?

No

Please provide a brief description of the progress made in implementing Article 23 (Assistance and cooperation: training technical assistance and cooperation in scientific, technical and technological matters) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F5. ARTICLE 24 – ASSISTANCE AND COOPERATION: INVESTIGATION AND PROSECUTION

Have you entered in multilateral, regional or bilateral arrangements for the purpose of the advancement of investigation and prosecution of offences in accordance to Article 24 of the Protocol?

No

Have you cooperated and exchanged relevant information?

No

Please provide a brief description of the progress made in implementing Article 24 (Assistance and cooperation: investigation and prosecution of offences) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F6. ARTICLE 26 - JURISDICTION

Have you adopted measures to establish your jurisdiction over the criminal offences in accordance with Article 14 of the Protocol?

No ✘

Please provide a brief description of the progress made in implementing Article 26 (Jurisdiction) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F7. ARTICLE 27 – LAW ENFORCEMENT COOPERATION

Have you established mechanisms for effective domestic cooperation, including between customs, police and other law enforcement agencies, for the benefit of information sharing and law enforcement?

No ✘

Have you established mechanisms for cooperation with other Parties for the benefit of information sharing and law enforcement?

No ✘

Please provide a brief description of the progress made in implementing Article 27 (Law enforcement cooperation) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F8. ARTICLE 28 – ASSISTANCE ADMINISTRATIVE MUTUELLE

Have you entered into a procedure of mutual administrative assistance with another Party on the basis of the Protocol?

No ✘

Please provide a brief description of the progress made in implementing Article 28 (Mutual administrative assistance) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F9. ARTICLE 29 – MUTUAL LEGAL ASSISTANCE

Have you entered into mutual legal assistance procedures with another Party on the basis of the Protocol?

No ✘

Have you designated a central authority for the purpose of mutual legal assistance?

No ✘

Please provide a brief description of the progress made in implementing Article 29 (Mutual legal assistance) in the past two years or since submission of your last report.

Procedures are underway at the level of the Attorney General's Office to designate a central authority.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

F10. ARTICLE 30 – EXTRADITION and ARTICLE 31 – MEASURES TO ENSURE EXTRADITION

Have you utilized the Protocol for the purposes of extradition?

No ✘

Please provide a brief description of the progress made in implementing Articles 30 (Extradition) and 31 (Measures to ensure extradition) in the past two years or since submission of your last report.

NONE

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

NONE

PART VI: G. PRIORITIES AND COMMENTS

What are the priorities for implementation of the Protocol in your jurisdiction?

- The Public Health (Restrictions on Tobacco Products) Regulations 2008 is in the process of being amended in line with the different articles of the Protocol.
 - Designation of a central authority in consultation with the Attorney General's Office is also being considered.
 - Procedures for consideration of mutual legal assistance are also underway in line with the advice of the Attorney General's Office.
 - The possibility of embarking on the setting up of a monitoring committee with all concerned stakeholders to oversee the implementation status of the Protocol will need to be envisaged by the Ministry. The committee to meet twice a year will be contemplated.
-

In relation to Article 36 of the Protocol, do you finance your national activities, in accordance with your national plans, priorities and programmes?

Yes ✔

If yes, please provide the amount devoted to the implementation of the Protocol within the past two years or since the submission of your last report

There has not been any reported specific fund devoted solely to the implementation of the Protocol in as much as several stakeholders are involved in its implementation as part of our tobacco control strategy. However, it is to be noted that all revenues from taxes are credited to the Consolidated Fund whereby part of the fund is used to finance Government expenditure, including the tobacco control programmes and projects of the Ministry of Health and Wellness.

Have you identified any specific gaps between the resources available and the needs assessed for implementing the Protocol?

No

What, if any, are the constraints or barriers, other than lack of resources, you have encountered in implementing the Protocol?

As Party to the Protocol, different stakeholders have been mandated to ensure the implementation of the relevant articles of the Protocol and so far there have not been major constraints or barriers in the implementation process to date. However the lack of technical know-how on the implementation of key aspects of some articles of the Protocol is strongly felt and it would be a wise initiative for the Convention Secretariat to explore avenues of capacity building in these sectors to ensure timely and satisfactory implementations.

If any of the actions reported in this instrument were only taken at subnational level, please give further information here.

NONE

Please provide any other relevant information not covered elsewhere that you consider important.

NONE

Please provide any suggestions for further development and revision of this reporting instrument.

NONE
