

Law on Restricted Use of Tobacco Products
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Summary

The Law on Restricted Use of Tobacco Products stipulates the following matters: prohibition of use of tobacco products; obligations of the producers; advertising prohibitions; prohibition of selling; and oversight and penal provisions.

Tobacco products, in the sense of this Law, include cigarettes, cigars, smoking pipe tobacco, and smoking tobacco, chewing and nasal snuff tobacco, and other tobacco products.

Pursuant to Article 3 of the Law, the legislator imposed a general prohibition of tobacco smoking in public spaces including educational institutions, any institution used by children, school students, and university students, health care institutions and care providers, social institutions, and any other public institution. The tobacco smoking prohibition also applies to all Federation of BiH, cantonal, city, and municipal administration offices and agencies and other legal entities which include workspace. The tobacco smoking prohibition also applies to workspaces of companies and other legal entities involving work with clients and also spaces in which two or more employees work and where at least one of them is a non-smoker.

Additionally, the tobacco smoking prohibition applies to indoor spaces which serve for public and sports events and other similar events, ceremonies and competitions; spaces used for audio/video recording and broadcasting; spaces used for public meetings and other similar events involving citizens (Article 4).

In accordance with Article 5 of the Law, restaurants, bars, and other catering establishments which serve food and beverages should assign a separate smoking spaces. Smoking is completely prohibited in bakeries and fast food restaurants.

Furthermore, the Law also imposed general prohibition of tobacco smoking in public transportation vehicles (including city transit vehicles); public rail road, air and sea transportation, except in rooms designated for smoking; cable cars; and elevators. Smoking is forbidden in the stations and stops, except in rooms designated for smoking.

The Law also stipulates obligations of tobacco producers including obligation to print certain information on the packaging, labeling, and such).

Article 9 the Law imposes advertising prohibition for tobacco product in newspapers, radio and TV, in cinema, films, on billboards, signs, stickers and other types of advertising in public spaces, on buildings and transportation vehicles using neon signs, in books, magazines, calendar, and clothes. It is also prohibited sponsorship of sports, art, and other public events by companies which produce and sell tobacco products.

Article 12 of the Law prohibits selling of tobacco products within 100 meters from preschool institutions and schools and on the grounds of sports and recreation facilities. Additionally, the Law prohibits selling of tobacco products to persons under the age of 15.

Oversight of enforcement of provision of this Law is responsibility of sanitation, labor, and market inspections of the Federation of BiH Inspection Office, and also the Federation of BiH Ministry of Finance and the Federation of BiH Customs Administration.

The Law was amended in 2011 in order to harmonize its tobacco product packaging provisions with the European Union regulations. The amendments provided legal basis for enactment of Regulation on Tobacco Products Packaging. This Regulation was effectively enacted and harmonized with the Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products. Also, the amendments of the Law proscribed higher fines for violations of the provisions as to reflect the Federation of BiH Law on Violations which was in effect at the time of the enactment.

I hereby certify that this is a true, faithful and accurate translation into English of the Bosnian original.

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