

LAW

No. 49/2013

FOR SOME CHANGES AND ADDITIONS TO LAW NO . 9636 , DATED 06/11/2006

" HEALTH PROTECTION FROM TOBACCO PRODUCTS "

Pursuant to Articles 78 and 83 paragraph 1 of the Constitution , with the proposal of the Council of Ministers ,

ASSEMBLY

REPUBLIC OF ALBANIA

DECIDED :

In law no . 9636 , dated 06.11.2006 " On protection of health from tobacco products " include the following changes and additions : 1,252

Article 1

In the whole law , the term " Tax Police " is replaced with " tax authorities " .

Article 2

In section 3 the following:

1 . Point 12 is amended as follows :

" 12 . " Public environment " means any environment open to the public . " .

2 . At the end of paragraph 13 , the words " attended during working hours " removed .

3 . After point 18 to point 17 is added as follows:

" 18 . " Closed Environment " is :

a) an environment that has the ceiling or roof , doors, windows or trails that can be open or closed and is completely restricted to the walls of permanent or temporary ;

b) an environment that has the ceiling or roof , doors, windows or trails that can be open or closed and is limited to the walls of permanent or temporary , the walls of which have permanent openings that can not be opened or closed , with area less than 50 percent of the total area of the walls . " .

Article 3

In section 4 the following:

1 . In the first paragraph , after the word " warning " the words " in text and / or image ."

2 . , The last paragraph , the word " text " is replaced with the word " content " .

Article 4

In Article 15 , letter " f " is amended as follows :

" F) other public environments closed . " .

Article 5

At the end of a sentence to Article 16 as follows:

" Form and text warning signs shall be determined by ICHPTP . " .

Article 6

In Article 19 the following:

1 . Denomination " State Sanitary Inspectorate " is replaced with " Inspectorate covering the area of health ."

2 . After last paragraph added a paragraph with the following contents :

"Bodies of control , as defined in this article , verify compliance with legal requirements stemming from this law , in accordance with this Law and the Law. 10433 , dated 16.06.2011 "On inspection in the Republic of Albania." ' .

Article 7

In Article 20 the following amendments and additions:

1 . Letters " c " and " s " are amended as follows :

" C) violation of Article 10 shall be punished with confiscation of tobacco products and 100,000 (one hundred thousand) , as appropriate , subject retailer or the owner of the activity provided ; 1253

h) failure of the obligations stipulated in Articles 15 and 16 of the owner / administrator or designated person in charge of them punished with 50,000 (fifty thousand) for the owner / administrator of the site or the person appointed by them . " .

2 . After the letter " h " added a paragraph with the following contents :

" The measure of confiscation and destruction are major penalties , while the penalty is the main sentence when provided as a separate sentence and punishment when given simultaneously with the extent of confiscation or destruction . " .

3 . Last paragraph is amended as follows :

" An appeal against decisions of the inspectorate covering health field is done in accordance with the law for inspection and appeal to tax authorities , customs , local police or the municipality made under the legislation in force . " .

Article 8

transitional provision

The existing inspection continues to exert its function under the current organization until a new body , as provided in the amendments made by this law .

Article 9

This law enters into force 15 days after publication in the Official Journal .

Approved on 02/14/2013

Promulgated by decree no . 8008 , dated 03.01.2013 of the President of the Republic of Albania ,

Nishani