Additional Questions on the Use of Implementation Guidelines by the Parties

Introduction

The additional questions contained in this module were developed in response to the mandate given to the Convention Secretariat by the Conference of the Parties in decision FCTC/COP5(11) "to update the reporting instrument, as appropriate, in consultation with the Parties, to facilitate the voluntary submission of information by the Parties on the use of the guidelines adopted by the Conference of the Parties".

The questions in this module have accordingly been developed to reflect the content of the guidelines and to supplement the questions already included in the core questionnaire of the WHO FCTC reporting instrument. Questions related to the content of the guidelines, but already included in the core reporting instrument, are not repeated here.

Discussions at the fifth session of the Conference of the Parties underlined the importance of collecting and sharing information on the use of the guidelines by the Parties and of developing an instrument which could capture the full complexity of the information that Parties had to share. The Conference also decided that the provision of such information through this module would be voluntary. Parties are encouraged, if they wish so, to submit this optional module along with their regular (mandatory) biennial implementation reports.

Parties should complete and submit the online form provided. The questions have three response options: "yes", "no", or "other". Please tick the response "other" if, for example, the matter is not applicable in your jurisdiction; relevant information is not available; or implementation of that particular measure is in progress but has not yet been completed. When the "other" option is chosen, please use the data entry field that is clearly indicated to provide details concerning your answer, as appropriate/possible. Details may of course also be provided when the "yes" and "no" options are selected.

Submitted questionnaires will be analysed and the findings presented in the respective global progress report on implementation of the Convention. They will also be reflected in the implementation database of the WHO FCTC, thus facilitating exchange of information and best practices concerning the use of the guidelines adopted by the Conference of the Parties.

Should you have any questions concerning the use of this form please contact: copreporting@who.int.

QUICK LINKS TO THE FOLLOWING SECTIONS OF THE MODULE:

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ORIGIN OF THE REPORT

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A. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF ARTICLE 5.3 (with reference to section 3.1.2 of the core questionnaire)

Back to start

A1 Have you informed and educated all branches of government about the need to protect tobacco control policies from commercial and other vested interests of the tobacco industry and about the strategies and tactics used by the tobacco industry to interfere with such policies? (Recommendation 1 under the Guidelines)

Other

A2 Have you established measures to ensure that government bodies and persons working for these bodies interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products? (Recommendation 2 under the Guidelines)

Other

A3 Have you had, in the past two years, any interaction with the tobacco industry to enable effective regulation of the tobacco industry and tobacco products? (Recommendations 2.1 and 2.2 under the Guidelines)

Yes

A3.1 If yes, please indicate whether you ensured transparency of the interactions which occurred (e.g. Were they conducted in public, for example through public hearings? Was there public notice of interactions? Was there disclosure of the records of such interactions to the public?).

Yes

A3.2 Please provide details, as appropriate.

Sensitisation on article 5.3 was conducted for Immigration and Customs Officers at major border (Aflao and Elubo) and Ports (Tema and takoradi).
All stakeholders at the inaugural meeting of the tobacco control interagency coordinative committee (TC IACC) were sensitised on article 5.3.
Currently, Tobacco Control regulation is under preparation and article 5.3 elements have been included

Food and Drug Authority interacted with the Tobacco Industry and there was public notice of the interaction

A4 Have you entered into any partnerships or non-binding or non-enforceable agreements as well as any voluntary arrangement with the tobacco industry or any entity or person working to further its interests? (Recommendation 3.1 under the Guidelines)

No

A4.1 Please provide details, as appropriate.

A5 Are you aware of any youth, public education or other initiatives related to tobacco control organized or promoted by the tobacco industry in your jurisdiction? (Recommendation 3.2 under the Guidelines)

No

A5.1 Please provide details, as appropriate.

A6 Are you aware of any offer for assistance or proposed tobacco control legislation or policy drafted by or in collaboration with the tobacco industry?

No

A6.1 Please provide details, as appropriate.

A7 Have you formulated, adopted and implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry?

No

A7.1 If yes, please provide a copy of the text.

A8 Do you require government officials to declare and divest themselves of direct interests in the tobacco industry? (Recommendation 4.6 under the Guidelines)

No

A8.1 Please provide details, as appropriate.

A9 Have you implemented any policy to prevent any person employed by the tobacco industry or any entity working to further its interests from being a member of any government body, committee or advisory group that sets or implements tobacco control or public health policy? (Recommendation 4.8 under the Guidelines)

No

A9.1 Please provide details, as appropriate.

A10 Do you prevent nomination of any person employed by the tobacco industry or any entity working to further its interests to serve on delegations to (Recommendation 4.9 under the Guidelines):

A10.1 - meetings of the Conference of the Parties?

Yes

A10.2 - meetings of the subsidiary bodies of the Conference of the Parties?

Yes

A10.3 - meetings of any other bodies established pursuant to decisions of the Conference of the Parties?

Yes

A10.4 Please provide details, as appropriate.

A11 Do you prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns? (Recommendation 4.11 under the Guidelines)

No

A11.1 Please provide details, as appropriate.

A12 Do you require the tobacco industry to periodically submit information on (Recommendation 5.2 under the Guidelines):

A12.1 - tobacco production and manufacture?

Yes

A12.2 - market share?

No

A12.3 - marketing expenditures?

No

A12.4 - revenues?

No

A12.5 - lobbying?

No

A12.6 - philanthropy?

No

A12.7 - political contributions?

No

A12.8 Any other activities not prohibited or not yet prohibited under Article 13 of the Convention?

No

A12.9 Please provide details, as appropriate.

A13 Do you require the disclosure of registration of (Recommendation 5.3 under the Guidelines):

A13.1 - tobacco industry entities?

No

A13.2 - organizations affiliated to the tobacco industry?

No

A13.3 - individuals acting on behalf of the tobacco industry, including lobbyists?

No

A13.4 Please provide details, as appropriate.

A14 Do you grant any incentives, privileges, benefits or preferential tax exemptions to the tobacco industry to establish or run their business? (Recommendations 7.1 and 7.3 under the Guidelines)

No

A14.1 Please provide details, as appropriate.

A15 Do you have any State-owned tobacco industry operating in your jurisdiction? (Recommendation 8 under the Guidelines)

No

If yes, please indicate whether you ensured that:

A15.1 ... State-owned tobacco industry is treated in the same way as any other member of the tobacco industry in respect of setting and implementing tobacco control policy?

A15.2 ... the setting and implementing of tobacco control policy are separated from overseeing and managing tobacco industry?

A15.3 ... representatives of State-owned tobacco industry do not form part of delegations to meetings of the Conference of the Parties and its subsidiary bodies?

A15.4 Please provide details, as appropriate.

B. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF ARTICLE 8 (with reference to section 3.2.2 of the core questionnaire)

Back to start

B1 To ensure support for and smooth implementation of your legislation covering protection from exposure to tobacco smoke, have you implemented (Section "Inform, consult and involve..." under the Guidelines):

B1.1 - awareness raising programmes among the public and opinion leaders about the risks of second-hand smoke exposure through ongoing information campaigns in the course of developing the legislation?

Yes

B1.2 - consultations with affected businesses and other organizations and institutions in the course of developing the legislation?

Yes

B1.3 - an education campaign leading up to implementation of the law to provide information to the public and the affected stakeholders?

Yes

B1.4 Please provide details, as appropriate.

Sensitisation among polytechnics (Takoradi, Accra, Ho, Kumasi and Sunyani).
School health coordinator, cicil society etc participate in preparation of Tobacco control regulation

B2 Does the legislation covering protection from exposure to tobacco smoke place responsibility for compliance on owners, managers or other persons in charge of affected premises? (Section "Enforcement" under the Guidelines)

Yes

If yes, do the duties and responsibilities include the following:

B2.1 - posting of clear signs at entrances and other appropriate locations indicating that smoking is not permitted?

Yes

B2.2 - removing ashtrays from the premises?

Yes

B2.3 - supervising the observance of rules?

Yes

B2.4 - taking reasonable specified steps to discourage individuals from smoking on the premises?

Yes

B2.5 Please provide details, as appropriate.

B3 Does the legislation on protection from exposure to tobacco smoke specify fines or other monetary penalties for violations? (Section "Enforcement" under the Guidelines)

Yes

B3.1 If yes, do you consider these fines to be sufficiently large to deter violations?

Yes

B3.2 Please provide details, as appropriate (e.g. the number of recorded violations and fines applied).

The fines are in "penalty units" convertible into Ghana cedis and considered appropriate.
No violation recorded so far.

B4 Does the legislation on protection from exposure to tobacco smoke allow for administrative sanctions, such as the suspension of business licences, against businesses that defy the law repeatedly? (Section "Enforcement" under the Guidelines)

No

B4.1 Please provide details, as appropriate.

The law provides for penalty in fines or imprisonment

B5 Does the legislation on protection from exposure to tobacco smoke specify that members of the public may initiate complaints and authorize any person or nongovernmental organization to initiate action to compel compliance with such measures? (Section "Enforcement" under the Guidelines)

Yes

B5.1 Please provide details, as appropriate.

Any body can initiate complaint and report to the appropriate authority

B6 Does the legislation on protection from exposure to tobacco smoke include a toll-free telephone complaint hotline or a similar system to encourage the public to report violations? (Section "Enforcement" under the Guidelines)

No

B6.1 Please provide details, as appropriate.

C. QUESTIONS CONCERNING THE PARTIAL GUIDELINES FOR IMPLEMENTATION OF ARTICLES 9 AND 10 (with reference to sections 3.2.3 and 3.2.4 of the core questionnaire) *Back to start*

C1 Is there any laboratory in your jurisdiction able to perform measurements concerning the contents and emissions of tobacco products available on your market? (Sections 2.4 and 2.5 under the Guidelines)

Yes

C1.1 If yes, please indicate whether the laboratory undertaking the tests and measurements is accredited in accordance with International Organization for Standardization (ISO) Standard 17025 (General requirements for the competence of testing and calibration laboratories), by a recognized accreditation body.

Yes

C1.2 If yes, please indicate whether the laboratory used for compliance purposes is governmental or independent laboratory that is not owned or controlled, directly or indirectly, by the tobacco industry?

Government owned and called Ghana Standards Authority

C1.3 If no, please indicate where, if any, such measurements are performed for the tobacco products available on your national market?

C1.4 Please provide any other details, as appropriate.

C2 Do you require that manufacturers and importers of tobacco products disclose to governmental authorities information on the ingredients used in the manufacture of their tobacco products? (Section 3.1.1 under the Guidelines)

Yes

C2.1 If yes, is such disclosure required:

C2.1.1 - at specified intervals?

No

C2.1.2 - by product type?

No

C2.1.3 - for each brand within a brand family?

Yes

C2.1.4 - on the quantities thereof per unit of each tobacco

Yes

C2.1.5 - on the ingredients present in the product's components (e.g. filter, papers, glue)?

Yes

C2.1.6 - on type(s) of tobacco leaves used (e.g. Virginia, Burley, Oriental)?

Yes

C2.1.7 - on percentage of reconstituted tobacco used?

C2.1.8 - on percentage of expanded tobacco used?

No

C2.2 Do you require that manufacturers and importers notify governmental authorities of any changes to tobacco product ingredients when or before the change is made?

Yes

C2.3 Do you require that manufacturers disclose the name, address and other contact

information of each ingredient's supplier?

No

C2.4 Please provide details, as appropriate.

C3 Do you regulate, by prohibiting or restricting, the following ingredients in tobacco products (Section 3.1.2 under the Guidelines):

C3.1 - ingredients that may be used to increase palatability in tobacco products (e.g. sugars, sweeteners)?

No

C3.2 - flavouring substances (e.g. benzaldehyde, maltol, menthol and vanillin) or spices and herbs to improve palatability (e.g. cinnamon, ginger and mint)?

No

C3.3 - ingredients that have colouring properties (e.g. inks, pigments)?

No

C3.4 - ingredients used to create the impression that products have health benefits (e.g. vitamins, fruits and vegetables, amino acids, essential fatty acids)?

No

C3.5 - ingredients associated with energy and vitality (e.g. caffeine, taurine)?

No

C3.6 Please provide details, as appropriate.

C4 Do you require that cigarettes commercialized on your market comply with reduced ignition propensity standards? (Section 3.3.2.1 under the Guidelines)

Yes

C4.1 Please provide details, as appropriate.

C5 Do you require the disclosure, to governmental authorities, by manufacturers and importers of tobacco products of the following information (Section 3.4 under the Guidelines):

C5.1 - product characteristics, such as design features?

No

C5.2 - reports of laboratory tests for the measurement of a particular design feature?

No

C5.3 - general company information, including the name, street address and contact information of the principal place of business and of each manufacturing and importing facility?

No

C5.4 - for each brand within a brand family, sales volume information in units (e.g. number of cigarettes or cigars, or weight of roll-your-own tobacco)

No

C5.5 Please provide details, as appropriate.

C6 In relation to the enforcement of measures under Articles 9 and 10 of the Convention (Section 4 under the Guidelines):

C6.1 Does your legislation stipulate the authority or authorities responsible for enforcement?

Yes

C6.2 If yes, does the infrastructure necessary for compliance monitoring and enforcement activities exist within the authority or authorities?

Yes

C6.3 Do you use inspectors or enforcement agents to conduct regular visits to manufacturing and importing facilities, as well as points of sale, to ensure compliance?

Yes

C6.4 Have you specified a deadline following which the tobacco industry and retailers must only supply tobacco products that comply with relevant requirements?

Yes

C6.5 Have you specified a deadline following which the tobacco industry and retailers must only supply cigarettes that comply with the required RIP standard?

No

C6.6 Do you conduct visits at manufacturers' facilities to verify whether any prohibited or restricted ingredient is being used?

Other

C6.7 In order to deter non-compliance with the relevant law, have you specified appropriate sanctions, such as criminal sanctions, monetary amounts, corrective actions, and the suspension, limitation or cancellation of business and import licences?

Yes

C6.8 Do you ensure that non-compliant tobacco products are seized, forfeited and destroyed under supervision, in accordance with the national law?

Yes

C6.9 Do you specify a range of fines or other penalties commensurate with the severity of the violation?

Yes

C6.10 Please provide details, as appropriate.

According to the law, a fine of not more than 750 penalty units or term of imprisonment of not more than 3 years. 1 penalty unit is equivalent to GH¢12.00 (total of GHC 9,000) or to both. Continuing offence to a further fine of ten penalty units for each day during which the offence continues. Administrative penalties of GH¢25, 000.00

C7 Do you use a sampling strategy to perform verification of tobacco products (Section 4.6 under the Guidelines):

C7.1 - for the presence of prohibited or restricted ingredients?

No

C7.2 - to ascertain whether they comply with the required RIP performance standard?

No

C8 Do you use or have you considered using the following means of financing tobacco product regulation measures, by placing their costs on the tobacco industry and retailers (Section 2.3 and Appendix 1 under the Guidelines):

C8.1 - tobacco product registration fees?

Yes

C8.2 - designated tobacco taxes?

No

C8.3 - tobacco manufacturing and/or importing licensing fees?

Yes

C8.4 - tobacco selling licences for distributors and retailers?

No

C8.5 - non-compliance fees levied on the tobacco industry and retailers, such as administrative monetary penalties?

Yes

C8.6 - annual tobacco surveillance/control fees for the tobacco industry and retailers?

No

C8.7 Please provide details, as appropriate.

D. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF ARTICLE 11 (with reference to section 3.2.5 of the core questionnaire)

Back to start

D1 Does your legislation require health warnings to be positioned on both front and back of each package, rather than just one side? (Section "Location" under the Guidelines)

Yes

D1.1 Please provide details, as appropriate.

D2 Does your legislation require health warnings to be positioned at the top of the principal display areas rather than at the bottom? (Section "Location" under the Guidelines)

No

D2.1 Please provide details, as appropriate.

In the regulation currently being finalised, the "Top" has been included.

D3 Does your legislation require the frame of the health warning to be excluded from the size of the warning itself? (Section "Size" under the Guidelines)

Yes

D3.1 Please provide details, as appropriate.

D4 Does your legislation require rotation of warnings to be implemented by (Section "Rotation" under the Guidelines):

D4.1 - having multiple health warnings and messages appearing concurrently?

Yes

D4.2 - setting a date after which the health warning and message content will change, such as a new set of warnings after 12-36 months?

Yes

D4.3 Please provide details on the above, as appropriate.

D4.4 If none of the above two methods described in D4.1 and D4.2 are applied, please describe how rotation takes place.

D5 Do your health warnings address the following issues (Sections "Message content" and "Targeting population subgroups" under the Guidelines):

D5.1 - harmful health effects of tobacco use?

Yes

D5.2 - impact of exposure to tobacco smoke?

Yes

D5.3 - advice on cessation?

Yes

D5.4 - the addictive nature of tobacco?

Yes

D5.5 - adverse economic and social outcomes? (for example, annual cost of purchasing tobacco products)

D5.6 - the impact of tobacco use on others? (premature illness of one's father due to smoking, for example, or death of a loved one due to exposure to tobacco smoke)

No

D5.7 - tobacco industry practices?

No

D5.8 - target population subgroups, such as youth?

Yes

D5.9 Please provide details, as appropriate.

D6 Does your legislation ban the display of quantitative information on tobacco product packaging and labelling about tobacco constituents and emissions (such as tar, nicotine and carbon monoxide yields), including when used as part of a brand name or trademark? (Section "Constituents and emissions" under the Guidelines)

No

D6.1 Please provide details, as appropriate.

D7 Do you conduct pre-market testing of health warnings and messages that are planned to be placed on tobacco product packaging? (Section "Pre-marketing testing" under the Guidelines)

Yes

D7.1 Please provide details, as appropriate.

In 2013, a civil Society Organisation (VALD in partnership with Ghana health Service conducted market survey on health warnings and Tobacco Industry entities operating in Ghana,.

D8 Does your legislation prevent the display of expiry dates on tobacco packaging? (Section "Preventing packaging and labelling that is misleading or deceptive" under the Guidelines)

Yes

D8.1 Please provide details, as appropriate.

D9 Does your legislation on packaging and labelling stipulate the same requirements for tobacco products sold in duty-free stores as for tobacco products sold in regular stores? (Section "Scope" under the Guidelines)

Yes

D9.1 If you responded "no", how are the packaging and labelling requirements different for tobacco products sold in duty-free stores?

D9.2 Please provide details, as appropriate.

D10 Does your legislation mandate plain packaging (e.g. prohibiting the use of logos, colours, brand images, or promotional information on packaging other than brand names and product names displayed in a standard colour and font style)? (Section "Plain packaging" under the Guidelines)

No

D10.1 Please provide details, as appropriate.

D11 Do you conduct pre-market testing of health warnings and messages that are planned to be placed on tobacco product packaging? (Section "Pre-market testing" under the Guidelines)

Yes

D11.1 Please provide details, as appropriate.

All messages in use in ghana were selected after pre-market testing based on their ease of understanding and impact of message when read

D12 In relation to the enforcement of measures under Article 11 of the Convention (Section "Legal measures" and "Enforcement" under the Guidelines):

D12.1 Does the legislation on packaging and labelling of tobacco products specify fines or other penalties for violations?

Yes

D12.2 If yes, do you consider these fines commensurate with the severity of violations and are sufficiently large to deter violations?

Yes

D12.3 Do you use inspectors or enforcement agents to conduct regular spot checks of tobacco products at manufacturing and importing facilities, as well as points of sale, to

ensure that packaging and labelling comply with the law?

Yes

D12.4 Please provide details, as appropriate (e.g, the number of recorded violations and fines applied).

D13 Have you conducted an assessment of the impact of packaging and labelling measures on the target populations (e.g, by measuring aspects such as noticeability, comprehension, credibility, informativeness, recall and personal relevance of health warnings and messages)? (Section "Impact on populations" under the Guidelines)

No

D13.1 Please provide details, as appropriate.

D14 Should you have such experience, have you shared with other Parties your legal and other expertise in countering tobacco industry arguments against packaging and labelling measures? (Section "International cooperation" under the Guidelines)

No

D14.1 Please provide details, as appropriate.

E. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF ARTICLE 12 (with reference to section 3.2.6 of the core questionnaire)

Back to start

E1 Have you established an infrastructure to support education, communication and training? (Section "Providing an infrastructure to raise public awareness" under the Guidelines)

Yes

E1.1 If yes, please describe its functions.

Act 851 provides for education, truing and communication.

Ghana Health Service (GHS), School Health Programme (SHEP) of Ghana Education Service (GES), Food and Drug Authority (FDA) and Vision for Alternate Development (VALD) have separately and jointly carried out sensitisation among basic schools, Junior and senior High Schools and Polytechnics

There have been series of sensitisation exercises in communities, at market places, lorry parks and religious houses (Churches and mosques)

Media sensitisation have been carried out

The public is sensitised repeatedly through radio and TV discussions

E2 Have you developed an action plan for the implementation of education, communication and training activities within your comprehensive tobacco control programme? (Section "Providing an infrastructure to raise public awareness" under the Guidelines)

Yes

E2.1 If yes, please provide details concerning its content.

The current plan includes
1. Training in Tobacco control (School of Public Health Legon and College of Health, Kintampo)
2. Sensitisation of practicing health professional (Seminar at Ghana College of Physicians and Surgeons)
3. Sensitisation of Immigration, Customs and Port HealthOfficers
4. Sensitisation in school (BS, JHS, SHS)
5. Radio and Tv discussions (Awareness creation for the general public)
6. Sensitisation among key stakeholders (Parliamentary select committee on Health, TC IACC)
7. Production and distribution of smokers bodies poster, leaflets and anti-smoking Tv Track "Don't Start"

E3 Do you have in your country any web site on education, communication and training, for example to communicate success stories and address implementation of Article 12 of the Convention? (Section "Running effective education, communication and training programmes" under the Guidelines)

No

E3.1 Please provide details, as appropriate.

E4 Do you actively involve members of civil society, in different phases of education, communication and training programmes, such as planning, developing, implementing, monitoring and evaluating? (Section "Involving civil society" under the Guidelines)

Yes

E4.1 Please provide details, as appropriate.

Civil Society, particularly VALD, has participated in most of the educational programmes in schools, with stakeholders, in communities and with the media

E5 In your country, does any tobacco company fund or co-fund any youth prevention programmes? (these have been demonstrated to be ineffective and even counterproductive, and have been publicly disapproved by the World Health Organization) (Section "Ensuring wide access to information on the tobacco industry" under the Guidelines)

No

E5.1 Please provide details, as appropriate.

E6 In what ways, if any, do you raise awareness of the implementation of the Convention in relevant international organizations, platforms and with civil society to ensure that raising awareness of the Convention is not confined to tobacco control meetings and the health sector? (Section "Strengthening international cooperation" under the Guidelines)

E7 Do you regularly monitor and evaluate your education, communication and training programmes? (Section "Monitoring of implementation and revision of the Guidelines")

Yes

E7.1 If yes, do you use the results of the monitoring and evaluation processes for programme improvement?

Yes

E7.2 Please provide details, as appropriate.

VALD has conducted evaluation in selected schools and communities to assess the level of awareness and the impact of the education.

At the School of Public health master in Public Health, Tobacco Control is part of the examinable Non-communicable disease subjects which most of the students show interest, offer and do well.

E8 In the past two years, has there been in your country an anti-tobacco media campaign (Section "Running effective education, communication and training programmes" and Appendix 5 under the Guidelines):

E8.1 - aired on television?

Yes

E8.2 - aired on radio?

Yes

E8.3 - published on billboards?

No

E8.4 - communicated through any other media?

Yes

E8.5 Please provide details, as appropriate.

GHS, VALD and FDA officers have on several occasions appeared on radio and Tv to educate and raised awareness on harmful effects of tobacco use, the FCTC, Act 851 among others.

VALD in collaboration with GHS and WHO produced fliers and posters on Act 851 and distributed across the country

F. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF

ARTICLE 13 (with reference to section 3.2.7 of the core questionnaire)

Back to start

F1 Do you provide for any exception to a comprehensive ban on tobacco advertising, promotion and sponsorship for the purpose of providing product information to actors within the tobacco trade? (Section "Communication within the tobacco trade" under the Guidelines)

No

F1.1 Please provide details, as appropriate.

Act 851 provides for comprehensive ban of all forms of TAPS

F2 Should you require the disclosure to relevant Government authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited, are such disclosures (Section "Obligations related to Article 13.4 of the Convention" under the Guidelines):

F2.1 - required at regular intervals prescribed by law?

No

F2.2 - made in response to specific requests?

No

F2.3 - required both in total and by brand?

No

F2.4 Please provide details, as appropriate.

F3 Should you require the disclosure to relevant Government authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited, are such disclosures required to provide information about (Section "Obligations related to Article 13.4 of the Convention" under the Guidelines):

F3.1 - the kind of advertising, promotion or sponsorship, including its content, form and type of media?

No

F3.2 - the placement and extent or frequency of the advertising, promotion or sponsorship?

No

F3.3 - the identity of all entities involved in the advertising, promotion and sponsorship, including advertising and production companies?

No

F3.4 - in the case of cross-border advertising, promotion or sponsorship originating from a Party's territory, the territory or territories in which it is intended to be, or may be, received?

No

F3.5 - the amount of financial or other resources used for the advertising, promotion or sponsorship?

No

F3.6 Please provide details, as appropriate.

Act 851 provides for comprehensive ban of all forms of TAPS

F4 If you responded "yes" to any question under F2 and F3, do you require that such information be readily available to the public (e.g. via the Internet) while ensuring the protection of trade secrets? (Section "Obligations related to Article 13.4 of the Convention" under the Guidelines)

Other

F4.1 Please provide details, as appropriate.

F5 Does your legislation define the entities responsible for tobacco advertising, promotion and sponsorship? (Section "Responsible entities" under the Guidelines)

Yes

If you responded "yes", does your legislation stipulate:

F5.1 - that primary responsibility lies with the initiator of advertising, promotion, or sponsorship, usually tobacco manufacturers, wholesale distributors importers, retailers, and their agents and associations?

Yes

F5.2 - that persons or entities that produce or publish media content must not include tobacco advertising, promotion and sponsorship in that content?

Yes

F5.3 - that persons or entities such as event organizers, sportspeople and celebrities, must not engage in tobacco advertising, promotion and sponsorship?

Yes

F5.4 - that entities involved in analogue or digital media and communication must remove or disable access to content after they have been made aware of the tobacco advertising, promotion and sponsorship?

Yes

F6 If you have included in your legislation a ban on cross-border advertising originating from your territory, does that ban apply to (Section "Cross-border advertising, promotion and sponsorship originating from a Party's territory (out-flowing material)" under the guidelines):

F6.1 - all publications and products printed or produced within your territory, whether they are targeting persons within your territory or persons in the territories of other States?

Yes

F6.2 - the placing of tobacco advertising, promotion and sponsorship on the Internet or another cross-border communications technology by any person or entity within your territory?

Yes

F6.3 - any person or entity that broadcasts tobacco advertising, promotion and sponsorship that could be received in another state?

Yes

F6.4 Please provide details, as appropriate.

F7 If you have included in your legislation a ban on cross-border advertising entering your territory, does that ban apply to (Section "Cross-border advertising, promotion and sponsorship entering a Party's territory" under the Guidelines):

F7.1 - publications and products printed or produced in other States entering your territory or targeting persons within your territory?

Yes

F7.2 - all Internet content that is accessible within your territory?

Yes

F7.3 - any other audio, visual or audiovisual material broadcast into or otherwise received in your territory, whether or not it is targeting persons in your territory?

Yes

F7.4 Please provide details, as appropriate.

Act 851 sections 1&2

F8 Have you introduced and applied penalties in cases of non-compliance with your tobacco advertising, promotion and sponsorship requirements? (Section "Domestic enforcement..." under the Guidelines)

Yes

F8.1 If that is the case, do the sanctions also include the obligation to remedy the infringement (for example, by removal of the advertising, promotion and sponsorship; publication of court decisions in a manner to be determined by the court and at the expense of the party or parties designated by the court; and funding of corrective counter-advertising).

Other

F8.2 Please provide details, as appropriate.

Act 851 provides for violators to be liable to summary conviction, fines and sanctions as appropriate

F9 Have you designated a competent, independent authority to monitor and enforce the laws and have you entrusted it with the necessary powers and resources? (Section "Monitoring, enforcement and access to justice" under the Guidelines)

Yes

F9.1 Please provide details, as appropriate.

Act 851 mandates the FDA to regulate tobacco in Ghana

F10 Does your legislation foresee the involvement of civil society in the monitoring and enforcement of the law? (Section "Monitoring, enforcement and access to justice" under the Guidelines)

Yes

F10.1 Please provide details, as appropriate.

Civil Society has been stated in the law as other agencies to assist in education and awareness creation and to report violations of the Tobacco Industry to MOH and FDA

G. QUESTIONS CONCERNING THE GUIDELINES FOR IMPLEMENTATION OF ARTICLE 14 (with reference to section 3.2.8 of the core questionnaire)

Back to start

G1 Have you ever conducted a national situation analysis on tobacco cessation and dependence treatment? (Section"Developing an infrastructure to support tobacco cessation and treatment of tobacco dependence" under the Guidelines)

Yes

G1.1 Please provide details, as appropriate.

Global Youth Tobacco Surveys 2000, 2006, 2009 referred

G2 Do you maintain an up-to-date, easily accessible information system on: (Section "Create or strengthen national coordination" under the Guidelines)

G2.1 - available tobacco cessation services ?

Yes

G2.2 - qualified service providers for tobacco users?

Yes

G2.3 Please provide details, as appropriate.

Treatment of addiction has been captured in Act 851 Section 67(1)
GHS in collaboration with WHO Afro has conducted cessation training for health professionals to equip them to initiate service provision.

Qualified service providers are in Accra Mental Hospital, Pantang Psychiatric hospital, Ankaful Mental Hospital, Korle-Bu and Komfo Anokye Teaching hospital

G3 Have you developed and implemented a national cessation strategy to promote tobacco cessation and provide tobacco dependence treatment? (Section "Develop and disseminate comprehensive guidelines" under the guidelines)

Other

G3.1 If so, is this strategy:

G3.1.1 - a standalone document?

Yes

G3.1.2 - incorporated into a comprehensive multisectoral national tobacco control strategy (in line with Article5.1 of the Convention)?

Other

G3.1.3 - incorporated into another national strategy with broader scope (e.g. national

health, public health, health promotion strategy or programme)

Other

G3.2 Please provide details, as appropriate.

Cessation Guidelines is in preparation and nearing 90% completion.

It is in line with the draft Disease Control and Prevention Department (DCD) 2014-2018 Strategy, the Disease Control Policy and the Ministry of Health Programme of Work (POW) 2013 and 2014.

G4 If you have developed national cessation strategy and treatment guidelines, do they have the following key characteristics? (Section "Develop and disseminate comprehensive guidelines")

G4.1 was their development protected from all actual and potential conflicts of interest?

Other

G4.2 were they developed in collaboration with key stakeholders, including but not limited to, health scientists, health professional organizations, health-care workers, educators, youth workers, nongovernmental organizations with relevant expertise in this area?

Yes

G4.3 were they commissioned or led by government, but in active partnership and consultation with other key stakeholders?

Yes

G4.4 If you responded "yes" to any of the above questions, please provide details.

G5 Do you ensure that recording of the tobacco use status is mandatory in (Section "Make the recording of tobacco use in medical notes mandatory" under the Guidelines):

G5.1 - all medical notes?

No

G5.2 - in death certification?

No

G5.3 Please provide details, as appropriate.

G6 Have you considered a sustainable source of funding for cessation help by utilizing (Section "Establish a sustainable source of funding for cessation help" under the Guidelines):

G6.1 - designated tobacco taxes?

No

G6.2 -tobacco manufacturing and/or importing licensing fees?

No

G6.3 - tobacco product registration fees?

No

G6.4 - tobacco selling licences for distributors and retailers

No

G6.5 - noncompliance fees levied on the tobacco industry and retailers, such as administrative monetary penalties?

No

G6.6 - annual tobacco surveillance/control fees for the tobacco industry and retailers?

No

G6.7 Please provide details, as appropriate.

Attempt was made during the hearing on the Public health act to get Parliament establish Tobacco Control Fund in Act 851 but was not acceptable. The above consideration are worth looking into in the course of time

G7 Have you integrated brief advice into the following structures of your health-care system (Section "Establish population-level approaches" under the Guidelines):

G7.1 - primary health care?

Yes

G7.2 - secondary and tertiary health care?

Yes

G7.3 - specialist health-care systems?

Yes

G7.4 Please provide details, as appropriate.

Assessing tobacco use as risk factor for non-communicable disease as part of WHO PEN pilot in a district in Eastern Region (Primary level).

It is integrated into Mental Hospitals (Specialised) care system.

G8 What percentage of health-care workers have been trained in providing brief advice? (Section "Establish population-level approaches" under the Guidelines)

G9 Is there a quitline operational in your jurisdiction? (Section "Establish population-level approaches" under the Guidelines)

No

If yes, please indicate whether the quitline services have the following characteristics:

G9.1 - are they free of charge?

G9.2 - do they offer proactive support?

G9.3 - do they provide reactive support?

G9.4 - are they are widely publicized and advertised?

G9.5 - is the quitline number included on tobacco product packaging?

G9.6 Please provide details, as appropriate.

G10 Is any NRT or any other pharmaceutical cessation product on your country's essential drugs lists? (Section "Make medications available" under the Guidelines)

No

G10.1 If yes, please indicate the year in which such product(s) was/were placed on the list and provide other details, as appropriate.

G11 Is there any new and innovative approach to promoting tobacco cessation and providing tobacco dependence treatment used in your jurisdiction? Please indicate whether one or more approaches from the following list are applicable to your case (Section "Consider emerging research evidence and novel approaches and media" under the Guidelines):

G11.1 - celebration of a national No-Smoking Day

Yes

G11.1.1 If yes, on which date is it held?

Quit and win strategy has been used before with success

G11.2 - cell phone text messaging

No

G11.3 - internet-based behaviour support

No

G11.4 - use of electronic media, such as radio, for delivering cessation messages

No

G11.5 - local media which have wide access at the grass-roots level

No

G11.6 - use of cytisine in tobacco dependence treatment

No

G11.7 Please provide details or refer to any other approach used, as appropriate

G12 Do you monitor and evaluate tobacco cessation and tobacco dependence treatment strategies and programmes (Section "Monitoring and evaluation" under the Guidelines):

No

G12.1 - to observe trends?

No

G12.2 - to monitor treatment outcomes?

No

G12.3 If you responded "yes" to any of these questions, please give examples of process and outcome indicators used during the monitoring and evaluation of strategies and programmes.