

# Enforcement Rules of the Tobacco Hazards Prevention Act

1. The full text for the Rules are promulgated and enforced on March 22th, 2023.

Article 1      These Rules are stipulated in accordance with the provisions of Article 46 of Tobacco Hazards Prevention Act (hereinafter referred to as “this Act”).

Article 2      The measuring unit stick for imposing Health and Welfare Surcharge on tobacco products mentioned in Paragraph 1 of Article 4 of this Act is not limited to a particular shape.

Article 3      The essential components of the designated tobacco products mentioned in this Act refer to devices that the designated tobacco products shall be used in conjunction with.

Article 4      The brand names used before the implementation of the amendment of this Act on January 11, 2009 mentioned in Paragraph 1 of Article 9 of this Act are limited to the brand names of which the products have been sold in Taiwan before January 11, 2009.

Article 5      The reference manuals, which is mentioned in Sub-paragraph 1 of Article 12 of this Act, excludes the documents stating only the instructions for use of the essential components of the designated tobacco products.

Article 6      The social welfare organizations, which are mentioned in Sub-paragraph 3 of Paragraph 1 of Article 18 of this Act, include long-term care institutions.

Article 7      The cigar clubs, which are mentioned in Sub-paragraph 11 of Paragraph 1 of Article 18 of this Act, are places for using or selling cigars.

The cigar clubs in the preceding Paragraph shall meet the following requirements:

- (1) Their business includes the retail of cigars.
- (2) The turnover from cigars or related utensils accounts for 50% or more of their total turnover.
- (3) Their facilities are sufficient to prevent the emissions or odor of cigar smoking from emitting to the staff only area or outside their premise.

Article 8      Smoking-related objects mentioned in Paragraph 2 of Article 19 of this Act refer to the utensils collecting residues of using tobacco products.

Article 9      The non-smoking places designated under Paragraph 1 of Article 20 of this Act shall have conspicuous non-smoking signs at all of their entrances, and shall not supply smoking-related objects.

Article 10     Where the scene of smoking occurs as necessary in television programs, songs and music videos, drama and theatrical performances, sports events, or other forms of performances, the warning that smoking is harmful to health shall be displayed simultaneously.

Article 11     The person in charge mentioned in Article 22, Paragraph 2 of Article 37, Paragraph 1 of Article 40 and Paragraph 2 of Article 41 of this Act are the person who actually manages the place.

Article 12     These Rules shall be enforced on March 22, 2023.