

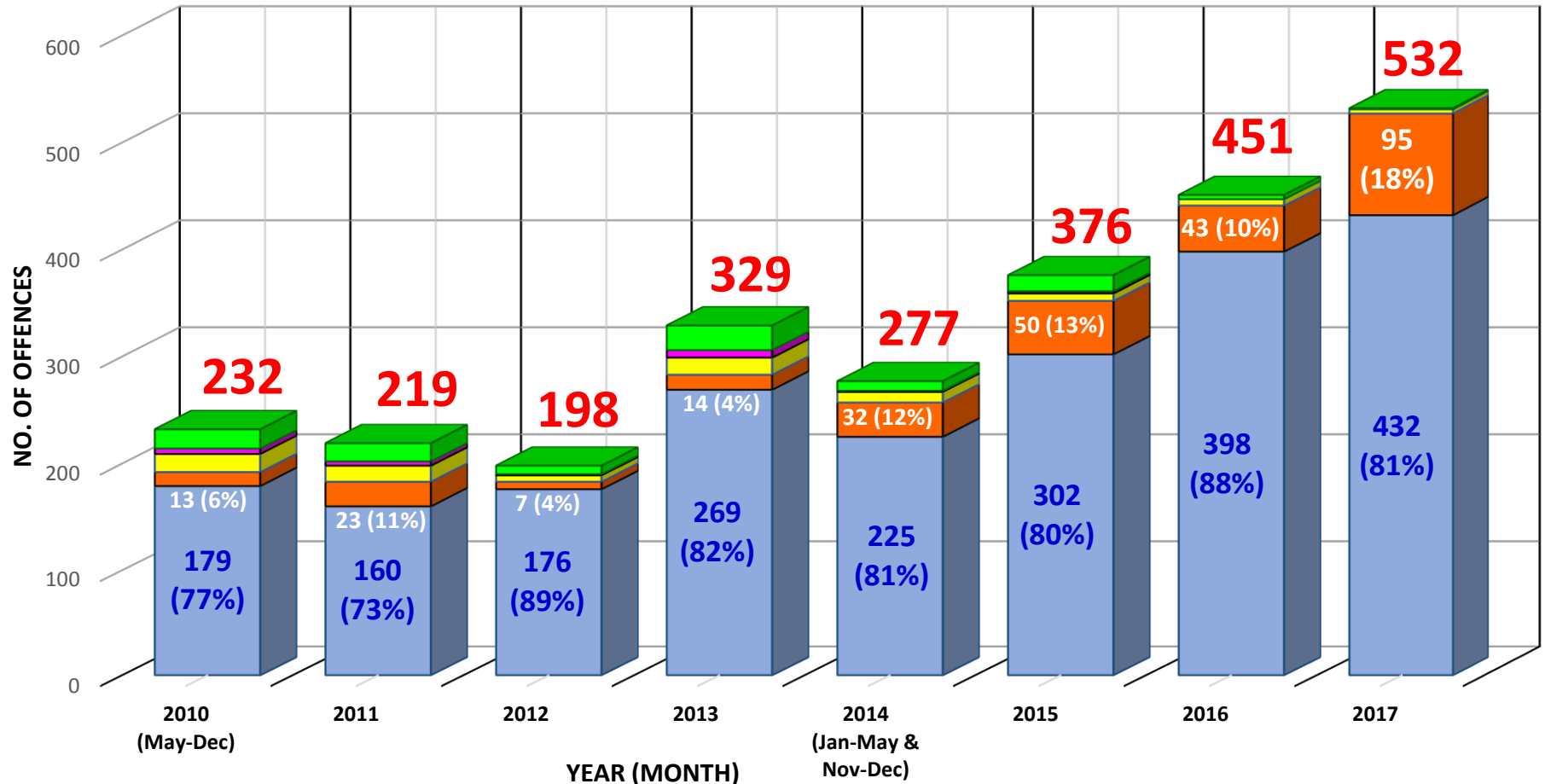
**STATISTICS FOR OFFENCES UNDER
TOBACCO ORDER 2005 AND ITS REGULATIONS
(MAY 2010 - DECEMBER 2017)
RECORDED BY
HEALTH ENFORCEMENT UNIT,
MINISTRY OF HEALTH**

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APPENDIX 1

TYPES OF OFFENCES PROVISIONS UNDER THE TOBACCO ORDER 2005 & DESCRIPTION OF OFFENCES		NO. OF OFFENCES RECORDED IN YEAR							
		2010 (MAY-DEC)	2011	2012	2013	2014 (JAN-MAY & NOV-DEC)	2015	2016	2017
SEC. 3(5)	Prohibition of importation/sale of tobacco products (apart from cigarettes).	0	0	0	2	0	1	2	0
SEC. 4(2)	Prohibition of sale of less than 20 sticks of cigarettes.	1	1	0	0	0	0	0	0
SEC. 6(2)	Prohibition of importation/sale of imitation tobacco products.	8	2	6	9	0	13	2	1
SEC. 10(1)	Prohibition of smoking, chewing, buying or in possession of tobacco products for those aged below 18 years old.	13	23	7	14	32	50	43	95
SEC. 11(3)	Requirement for licenced tobacco retailers to display notices that prohibit sale of tobacco products to those under 18 y.o.	3	1	0	0	0	0	0	0
SEC. 12(3)	Prohibition of importation, distribution and sale of tobacco products without licence.	4	9	2	2	9	1	0	0
SEC. 13(2)	Requirement for tobacco products to be labelled with pictorial health warnings set by the Ministry of Health.	0	1	0	2	0	0	0	0
SEC. 14(2)	Prohibition of smoking in certain places/vehicles for 18 years old and above.	179	160	176	269	225	302	398	432
SEC. 15(3)	Requirement for managers of certain buildings and operators of certain vehicles to display no-smoking notices/signages at their premises.	5	4	1	7	1	2	0	0
SEC. 16(4)	Requirement for managers of certain buildings/operators of certain vehicles to take necessary steps to stop any smoking activities at premises under their responsibility.	17	15	6	16	10	7	6	4
SEC. 17(1)	Prohibition on advertisements relating to smoking.	2	2	0	7	0	0	0	0
REG. 9(1)	Requirement for licenced tobacco importers and retailers to inform Director General of any changes in the particulars contained in the licence or licence application within 3 days.	0	0	0	1	0	0	0	0
REG. 14(1)	Requirement for licenced tobacco importers to give to the Director General results of laboratory tests or information about import, sale or supply of any tobacco product and any operations related to such activities.	0	1	0	0	0	0	0	0
TOTAL		232	219	198	329	277	376	451	532

**NUMBER AND PERCENTAGE OF THE TYPES OF OFFENCES UNDER THE TOBACCO ORDER 2005
RECORDED BY HEALTH ENFORCEMENT UNIT, MINISTRY OF HEALTH
BETWEEN MAY 2010 AND DECEMBER 2017**



Numbers in red = Total no. of offences recorded in that year
Numbers in blue = No. of offences under Section 14(2) recorded in that year
Numbers in white = No. of offences under Section 10(1) recorded in that year

- Remaining provisions of offences under Tobacco Order 2005.
- Section 15(3) - Requirement for managers of non-smoking places to display no-smoking notices/signages.
- Section 16(4) - Requirement for managers of non-smoking places to take necessary action to stop smoking activities at their premises.
- Section 10(1) - Prohibition of smoking, chewing, buying or in possession of tobacco products for those aged under 18 years old.
- Section 14(2) - Prohibition of smoking in non-smoking places for those aged 18 years and above.

SUMMARY OF APPENDIX 1

1. The year 2017 recorded the highest number of offences under the Tobacco Order 2005 (a total of 532 offences) ever since the compounding of offences under Tobacco Order 2005 was started in May 2010.
2. From the year 2012 onwards, there has been a gradual increase in the number of offences recorded except for a small dip in 2014.

(The slight dip in 2014 was due to a delay in the renewal of the gazettelement of Authorised Officers responsible for enforcing Tobacco Order 2005, consequently enabling them to conduct enforcement of the Order only for a total period of 7 months, that is, between January and May 2014, and between November and December 2014. Despite this, the average number of offences recorded per month is the highest in 2014.)

3. The most frequent offence committed was the offence under Section 14(2) of the Tobacco Order 2005, that is, smoking in certain places or vehicles that are gazetted as smoke-free areas as listed under the **Tobacco Order 2005 – Tobacco (Prohibition in Certain Places) (Amendment) Notification, 2012.**

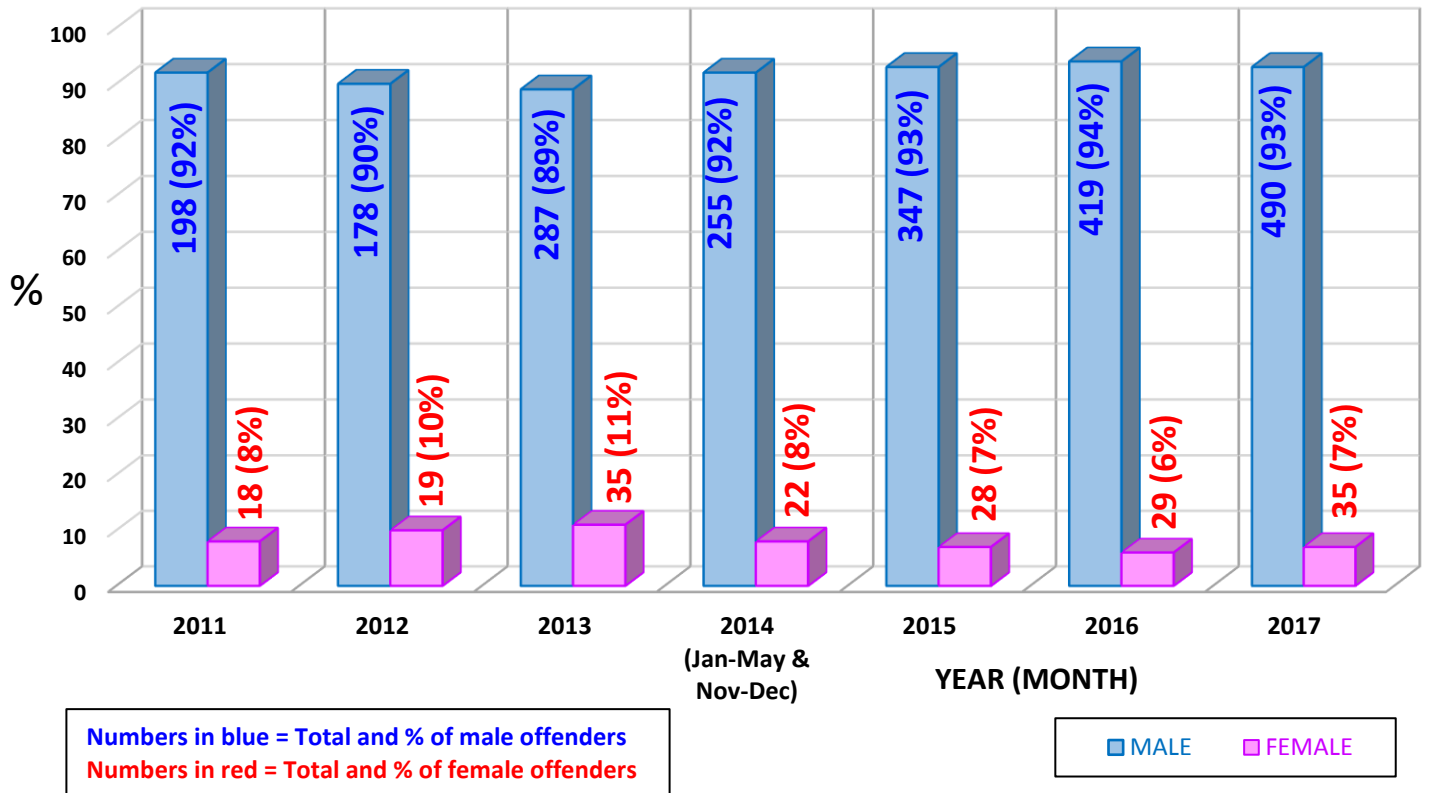
(Over the period between May 2010 and December 2017, offences under Section 14(2) Tobacco Order 2005 constitute between 73% - 89% of the total number of offences per year.)

4. The second most frequent offence committed was the offence under Section 10(1) of the Tobacco Order 2005, which is, smoking, chewing, buying or in possession of tobacco products by those aged below 18 years old.

(Over the period between May 2010 and December 2017, offences under Section 10(1) Tobacco Order 2005 constitute between 4% - 18% of the total number of offences per year with the year 2017 recording the highest percentage.)

APPENDIX 2

**NUMBER AND PERCENTAGE OF OFFENDERS OF THE TOBACCO ORDER 2005 (BY GENDER) RECORDED
BY HEALTH ENFORCEMENT UNIT, MINISTRY OF HEALTH
BETWEEN JANUARY 2011 AND DECEMBER 2017**

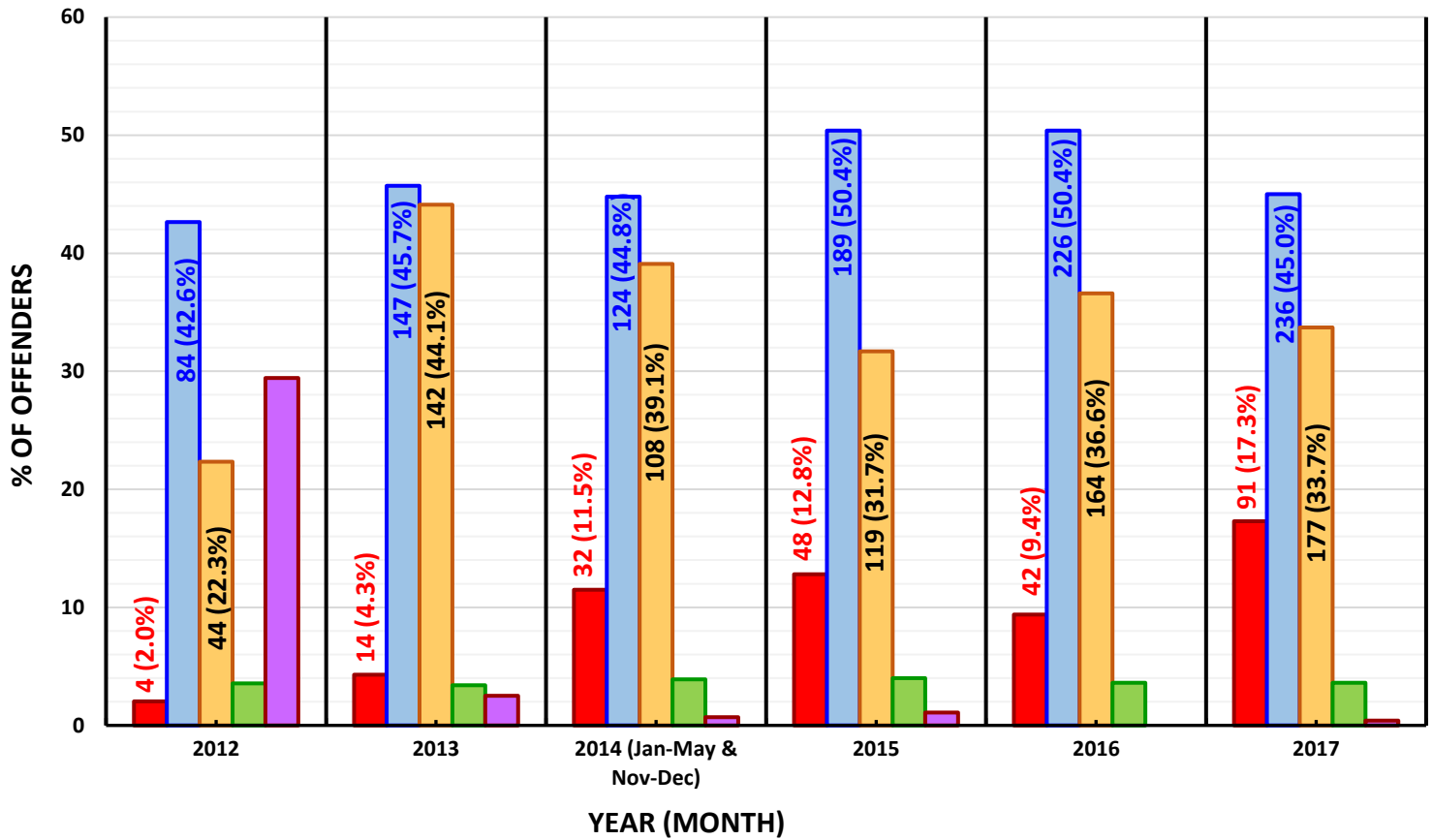


SUMMARY FOR APPENDIX 2

- Over the period of 7 years spanning between January 2011 and December 2017, male offenders constitute between 89% - 94% of the total number of offenders recorded per year.
- Female offenders constitute between 6% - 11% of the total number of offenders recorded per year over the same period of time.
- The chart also shows that these percentages remain consistent over that 7-years period.

APPENDIX 3

**NUMBER AND PERCENTAGE OF OFFENDERS OF THE TOBACCO ORDER 2005 (BY AGE GROUP)
RECORDED BY HEALTH ENFORCEMENT UNIT, MINISTRY OF HEALTH
BETWEEN JANUARY 2012 AND DECEMBER 2017**



- Under 18 y.o.
- Between 18 - 30 y.o.
- Between 31 - 55 y.o.
- Above 55 y.o.
- Undisclosed (but above 18 y.o.)

Numbers in blue = Total and % of offenders aged between 18 – 30 y.o.
 Numbers in black = Total and % of offenders aged between 31 -55 y.o.
 Numbers in red = Total and % of offenders aged below 18 y.o.

SUMMARY OF APPENDIX 3

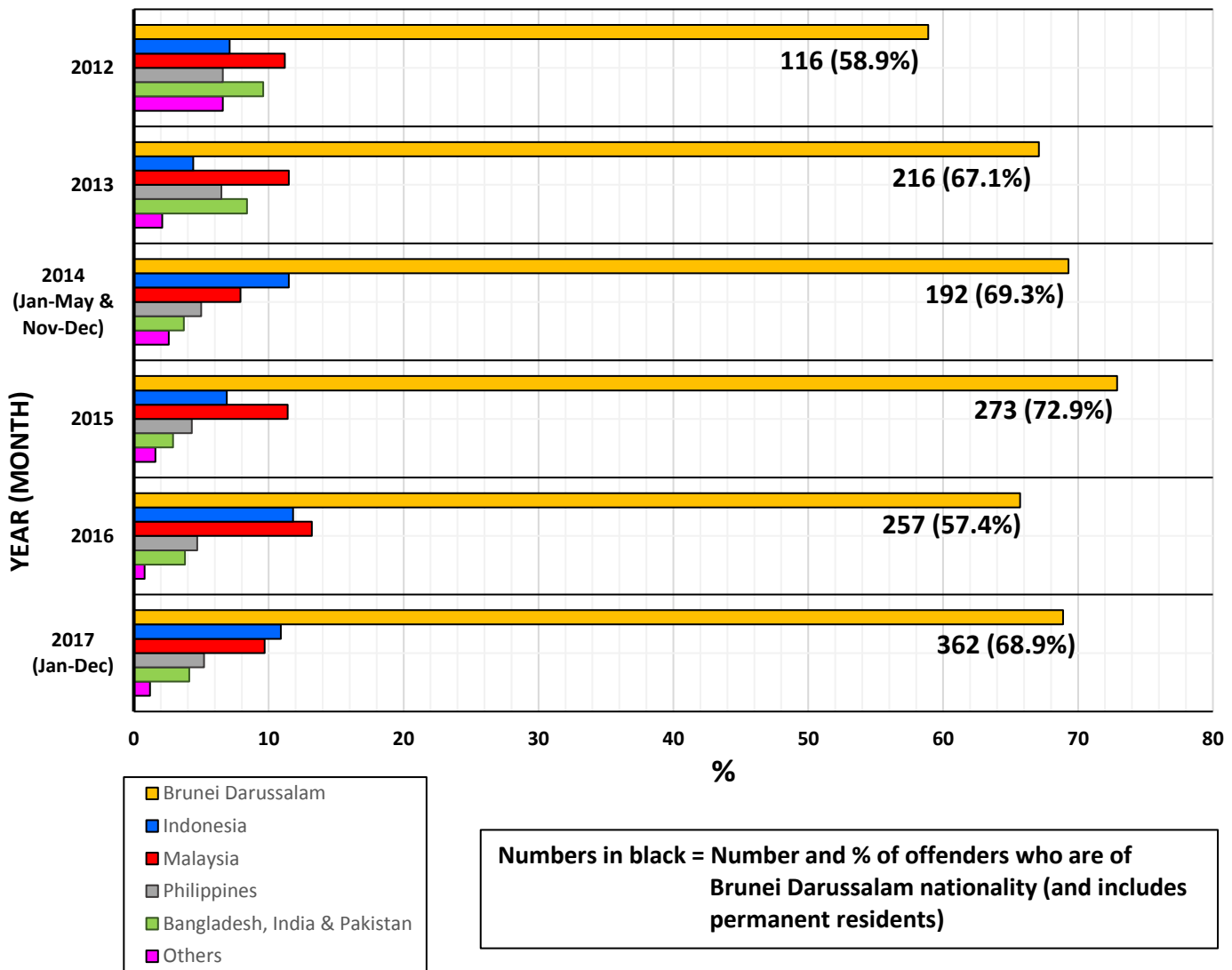
1. Over the period of 6 years spanning between January 2012 and December 2017, most offenders of the Tobacco Order 2005 are in the age group of between 18 – 30 years old and they constitute between 43% - 50% of the total number of offenders recorded each year over that period of time.
2. The second highest offenders of the Order are those in the age group of between 31 – 55 years old and they constitute between 22% - 44% of the total offenders recorded per year over the same period of time.
3. There is an observed increase in the number of offenders aged under 18 years old (as indicated by the red columns in the chart) over this 6-years period with the highest percentage recorded between January and December of 2017 (17.3%).

NOTE:

The reason for the high percentage of those with undisclosed age in 2012 (as indicated by the purple/pink column in the chart) was, that the old format of the compounding form does not require the data for the birthdate of offender to be entered. The format for the compounding form has been changed since 2013 to include more personal details of the offenders to be recorded in the form.

APPENDIX 4

**NUMBER AND PERCENTAGE OF OFFENDERS OF THE TOBACCO ORDER 2005 (BY NATIONALITY)
RECORDED BY HEALTH ENFORCEMENT UNIT, MINISTRY OF HEALTH
BETWEEN JANUARY 2012 AND DECEMBER 2017**

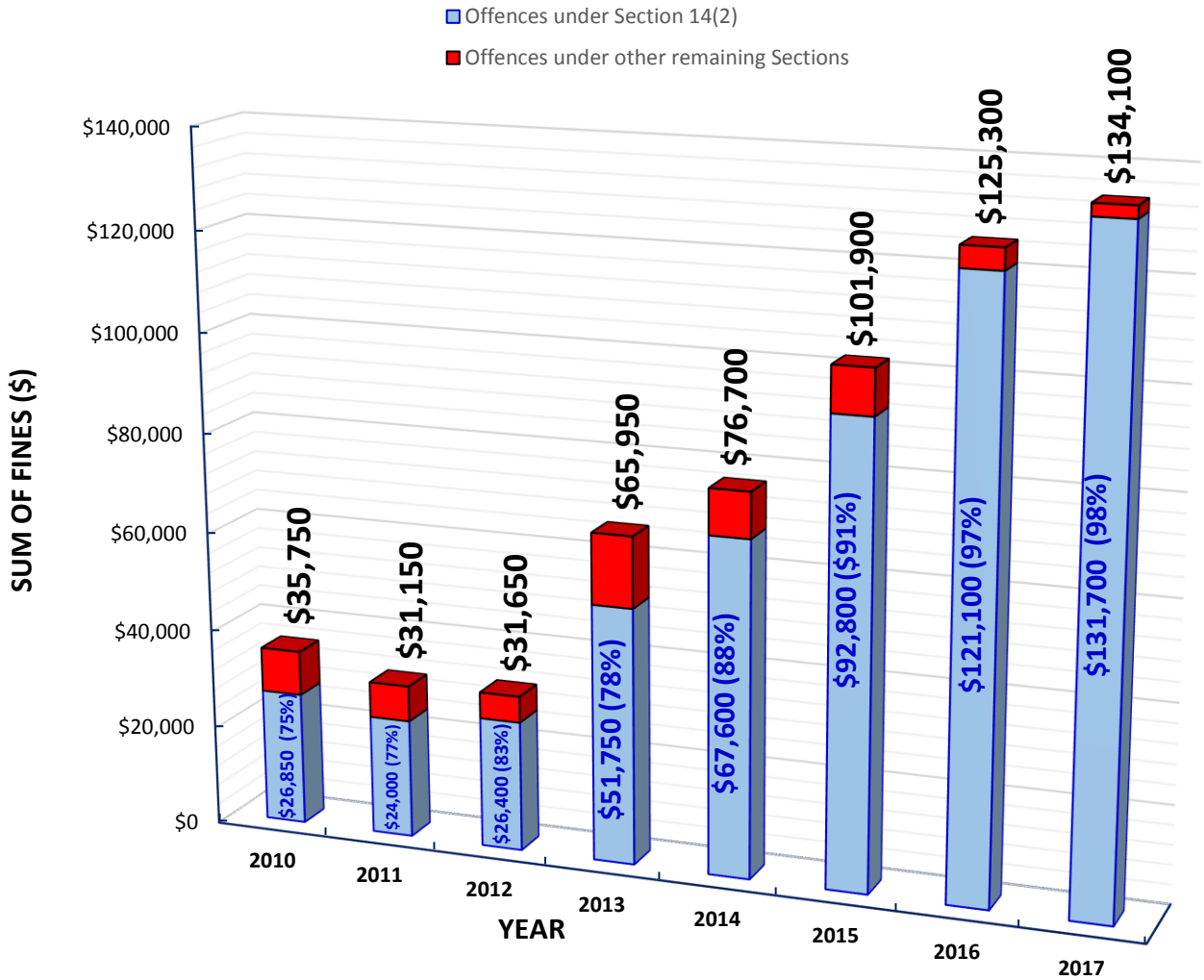


SUMMARY OF APPENDIX 4

1. Over the period of 6 years spanning between January 2012 and December 2017, most offenders of the Tobacco Order 2005 are of Brunei nationality which also includes permanent residents (as indicated by the yellow columns in the chart), and they constitute between 57% - 73% of the total offenders recorded per year.
2. Other nationalities include the following;
 - i. Indonesians (which constitute between 4%-12% of the total offenders per year);
 - ii. Malaysians (which constitute between 8%-11% of total offenders per year);
 - iii. Bangladeshis/Indians/Pakistanis (which constitute between 3%-10% of total offenders per year);
 - iv. Filipinos (which constitute between 4%-7% of total offenders per year);
 - v. Other nationalities (which constitute between 1%-7% of total offenders per year)

APPENDIX 5

**TOTAL SUM OF FINES ISSUED FOR OFFENCES UNDER THE TOBACCO ORDER 2005 AND ITS REGULATIONS
RECORDED BY HEALTH ENFORCEMENT UNIT, MINISTRY OF HEALTH
BETWEEN MAY 2010 AND DECEMBER 2017**



Numbers in black = Total sum of fines issued for all offences recorded.
Numbers in blue = Total sum of fines issued for offences under Section 14(2) only.

SUMMARY OF APPENDIX 5

1. Starting 1st October 2013, the amount of fine for an offence under the Section 14(2) was increased as follows;
 - From \$150 to \$300 – for first offence;
 - From \$300 to \$500 – for second and subsequent offences.

This is reflected in the [sum of fines issued being doubled in 2013 as compared to that in 2012.](#)

(The increase in compound fine was based on the decision made by the members of the National Committee on Tobacco Control during their meeting on the 30th September 2013 and formalised through a memorandum of reference (420) DGHS/4/2009/T Pt.6.)

2. Over the period between May 2010 and December 2017, [the total sum of fines issued for the offences under the Tobacco Order 2005 and its Regulations shows a gradual increasing trend](#), with the year 2017 recording the highest sum amounting \$134,100.
3. The chart also shows that the [total sum of fines issued for the offences under Section 14\(2\) per year](#) over the same period of time (as indicated by the blue column) is the highest every year compared to that for other offences and [constitutes between 75% - 98% of the total sum of fines](#) issued.

This shows that most of the revenue comes from fines for offences under Section 14(2).

4. Payment of fines by offenders are not handled by Health Enforcement Unit but by the [“Revenue Collection Unit” of the Department of Health Services, Ministry of Health.](#)

A receipt (Form No.3) will be issued by the Revenue Collection Unit upon payment of fines, a copy of which will be given to the Health Enforcement Unit as an evidence that payment has been made and his/her case will be stamped as “CLOSED” by the Health Enforcement Unit.