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**Law No. (8) of 2009 regarding Combating Smoking and All Types of Tobacco**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain.

Having reviewed the Constitution,

Legislative Decree No. (14) of 1973 regarding the Regulation of Notification,

Law No. (3) of 1975 regarding Public Health, as amended,

Penal Code promulgated by Legislative Decree No. (15) of 1976, as amended,

Having reviewed Legislative Decree No. (16) of 1985 regarding Standards and Metrology, amended by Legislative Decree No. (13) of 1992,

Legislative Decree No. (10) of 1994 regarding Combating Smoking,

Legislative Decree No. (21) of 1996 regarding the Environment, amended by Legislative Decree No. (8) of 1997,

Criminal Procedures Law promulgated by Legislative Decree No. (46) of 2002 amended by Law No. (41) of 2005,

Law No. (33) of 2005 Approving the Statute of the GCC Standardisation Organisation,

And Law No. (26) of 2006 Approving the Accession to the World Health Organization Framework Convention on Tobacco Control,

The Shura Council and the Council of Representatives have approved the following Law, which we have ratified and enacted:

Article (1)

In applying the provisions of this Law, the following words and expressions shall have the meanings assigned against each unless the context otherwise requires:

The Ministry:

The Ministry of Health.

The Minister:

The Minister of Health.

Tobacco:

Tobacco plants of all types, species, and parts, including roots, stems, leaves, fruits, and both green and dried seeds.

Tobacco Products:

Products that consist wholly or partly of tobacco leaves as raw material, intended for use by smoking, sucking, chewing, or inhaling.

Smoking:

The ignition of tobacco or its derivatives with the intention of emitting smoke or inhaling that smoke in any form or by any means.

Advertising, Promotion, or Publicity:

The identification of tobacco plants and their various products using means, materials, and tools that encourage their use and trade, aiming to increase the number of users in its various forms, through visual, audio, and written media, directly or indirectly.

Public Transportation:

All means of transport prepared for the conveyance of the public, such as buses, taxis, aircraft, ships, boats designated for passenger transport, and others.

Article (2)

The cultivation, manufacture, and re-manufacture of tobacco in all its forms within the Kingdom shall be strictly prohibited.

Article (3)

The importation and introduction of automated tobacco vending machines into the Kingdom, as well as their utilisation therein, shall be prohibited. Furthermore, the importation of tobacco products intended for chewing, sucking, or any tobacco-containing substances not authorised by the competent Ministry is also prohibited.

Article (4)

a) Smoking is strictly prohibited in enclosed public places and establishments, specifically including, but not limited to:

1- Public transportation and vehicles.

2- Airports and land and seaports.

3- Ministries and all other governmental entities, including public agencies and institutions.

4- Health centres, hospitals, clinics, rehabilitation facilities, pharmacies, and other healthcare establishments.

5- Educational institutions, including schools, universities, training centres, institutes, and public libraries.

6- Places of worship and their associated premises.

7- Industrial facilities and vocational training centres.

8- Shopping malls, retail outlets, markets, and cooperative societies.

9- Cultural and sports clubs, stadiums, and sports halls.

10- Restaurants, hotels, cafes, and other establishments serving food or beverages to the public.

11- Recreational venues, amusement arcades, cinemas, and theatres.

12- Barbershops and beauty salons frequented by the public.

13- Elevators, ATM kiosks, public phone booths, and similar facilities.

14- Private establishments designated for public reception.

15- Banks and banking institutions.

16- Private vehicles when accompanied by minors.

17- Any other places the Minister determines should be added to the locations where smoking is prohibited if smoking in those places poses a threat to public health.

b) The individuals responsible for these establishments must display clear signage indicating the prohibition of smoking and take necessary measures to enforce this effectively.

c) Designated smoking areas may be established within these establishments, provided that they are adequately isolated from non-smoking areas, securely enclosed, and equipped with equipped with special exhaust fans.

d) Individuals responsible for the aforementioned establishments must comply with the health regulations issued by the Ministry.

Article (5)

The sale of tobacco, cigarettes, or any tobacco products, whether singular or otherwise, or the provision of such products free of charge, to individuals under the age of eighteen shall be prohibited. All vendors of these products shall prominently display a clear sign at the point of sale indicating the prohibition of selling tobacco to individuals under eighteen and shall request proof of age when in doubt. It is also prohibited for establishments licensed to sell tobacco products to employ individuals under eighteen in the sale of tobacco.

Article (6)

The advertisement of tobacco, cigarettes, or any other tobacco products intended to promote or encourage smoking shall be prohibited in all public places and through all forms of advertising, including newspapers, magazines, local websites, cinemas, and theatres.

Article (7)

Companies that produce, import, or distribute tobacco, cigarettes, or any other tobacco products are prohibited from sponsoring sporting events, competitions, or concerts, and from exploiting such events for the promotion or advertising of their products.

Article (8)

A) The establishment of cafes for smoking tobacco or its products shall be prohibited in all sports clubs, parks, and public gardens.

B) Individuals under the age of eighteen shall be prohibited from accessing designated smoking areas.

Article (9)

A customs duty shall be imposed on the importation of tobacco in all its forms at a rate not less than 100%, reflecting public interest, community health, and environmental considerations. This rate may increase based on assessments made by the competent authority, and no entity shall be exempt from this duty.

Article (10)

The importation, distribution, or sale of tobacco in all its forms within commercial establishments, as well as the provision of shisha services in public places, shall be prohibited unless a licence is obtained from the relevant authorities in accordance with the stipulated conditions, and after the payment of the prescribed fee for the issuance and renewal of the licence. The competent Minister shall issue a decision to determine the fee categories, subject to the approval of the Cabinet.

Article (11)

The importation, distribution, or sale of any herbal or non-herbal substances intended for use as an alternative to tobacco smoking, even if they do not contain nicotine, shall be prohibited. A decision shall be issued by the Minister to specify these substances.

Article (12)

The display of tobacco in all its forms and products in establishments or shops licensed to sell foodstuffs in a manner that allows direct access thereto shall be prohibited.

Article (13)

The sale of singular cigarettes or cigarettes in packages that do not conform to the approved standards shall be prohibited. Furthermore, establishments displaying cigarettes or tobacco in all its forms and products for sale shall not place promotional advertisements at the point of sale and must prominently display, in a legible manner, the warning statement designated by the committee referred to in Article (16) of this Law.

Article (14)

The entry and circulation of any shipment of tobacco or its products in all forms shall not be permitted except following inspection and verification of compliance with the approved standard specifications, and the issuance of an authorised permit from the Ministry.

Article (15)

Natural and legal persons engaged in the production, distribution, or importation of tobacco in all its forms shall be prohibited from:

1- Distributing tobacco and its products free of charge.

2- Providing gifts that bear advertisements for tobacco and its products, or those intended to promote or encourage the use or purchase of tobacco and its products.

3- Introducing products that incorporate advertisements or promotions for tobacco and its products, or manufacturing such products as confectionery or children's toys, whether for sale or display by any means.

Article (16)

A committee named the "National Committee to Combat Smoking and All Types and Products of Tobacco" shall be established, operating under the Ministry, chaired by the Minister, and comprising representatives from relevant ministries and entities, as designated by a decision from the Cabinet.

The committee shall establish internal regulations, issued by a ministerial decision, governing its operations, including meeting schedules, quorum requirements, decision-making processes, and voting procedures.

Article (17)

In addition to any other competencies assigned by the Minister, the committee referred to in Article (16) of this Law shall be responsible for:

1- Conducting studies and gathering statistics to illustrate the extent of tobacco use and its prevalence across different segments of society, the types and scope of diseases caused or linked to smoking, and making recommendations to reduce smoking and tobacco use in all forms.

2- Establishing rules to ensure the protection of food from contamination arising from substances produced by smoking and tobacco in all its forms during preparation, packaging, or serving.

3- Formulating a media policy to raise community awareness on the harms of smoking and all forms of tobacco, in coordination with the Ministry of Culture and Information and the Ministry of Education.

4 Reviewing biannual reports from the Ministry of Health and the Ministry of Industry and Trade on the number of licensed entities involved in importing, distributing, selling, and providing tobacco services, and approving suitable recommendations.

5- Proposing conditions for the approval of applications for licences to import, distribute, or sell tobacco in all forms or to provide shisha services.

6- Proposing the establishment of rehabilitation centres affiliated with the Ministry that assist individuals seeking to quit smoking habits and provide free therapeutic means for smoking cessation.

7- Periodically reviewing and proposing the maximum permissible levels of nicotine, tar, and other harmful substances in tobacco products, with recommendations submitted to the Ministry.

8- Reviewing and proposing mandatory warning statements on tobacco products, with recommendations sent to the Ministry.

9- Monitoring the implementation of tobacco control decisions and recommendations from the Ministry, the Gulf Cooperation Council Health Ministers, and the World Health Organization.

10- Establishing rules to ensure the protection of the public from pollution resulting from smoking and tobacco in all its forms.

11- Adhering to the guidelines set forth in the World Health Organisation Framework Convention on Tobacco Control.

12- Designing and implementing effective programmes in settings such as educational institutions, healthcare facilities, workplaces, and sports environments aimed at encouraging tobacco cessation.

13- Establishing the necessary health regulations to mitigate the risks associated with tobacco use.

Article (18)

In accordance with the approved standard specifications and the provisions of the Framework Convention on Tobacco Control, the following information must be clearly displayed on every package of tobacco products, including cigarettes, in both Arabic and English.

a. Health warnings and information on the label.

b. Relevant components and emissions of tobacco products.

Article (19)

Employees designated by a decision from the Minister of Justice and Islamic Affairs, in agreement with the Minister, shall possess the authority of judicial officers with respect to violations occurring within their jurisdiction that relate to their duties.

Article (20)

Without prejudice to any more severe penalties stipulated in the Penal Code or any other law, the following penalties shall apply:

1- A fine of not less than twenty dinars and not exceeding fifty dinars for any violation of the provisions of Article (4) of this Law.

2- A fine of not less than one hundred dinars for any violation of the provisions of Articles (5, 8, 13), and the court may order the closure of the establishment for a period not exceeding one month as an ancillary penalty in the event of a repeated offence.

3- A fine of not less than one thousand dinars and not exceeding three thousand dinars for any violation of the provisions of Articles (7, 11, 12) of this Law, and the court may order the closure of the establishment for a period not exceeding two months in the event of a repeated offence.

A fine of not less than two thousand dinars and not exceeding five thousand dinars for any violation of the provisions of Articles (2, 3) of this Law.

In the event of a conviction, the court may order the closure of the establishment for a period not exceeding three months or the confiscation of the materials used.

Article (21)

The Minister shall issue the necessary decisions to implement this Law within six months from the date of its entry into force.

Article (22)

Legislative Decree No. (10) of 1994 regarding Combating Smoking, as well as any text that conflicts with the provisions of this Law, shall be repealed.

Article (23)

The Prime Minister and the Ministers—each within their jurisdiction—shall implement the provisions of this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

King of the Kingdom of Bahrain

Hamad bin Isa Al Khalifa

Issued at Riffa Palace:

On:

17 Rabi' al-Akhir 1430 AH

Corresponding to:

13 April 2009