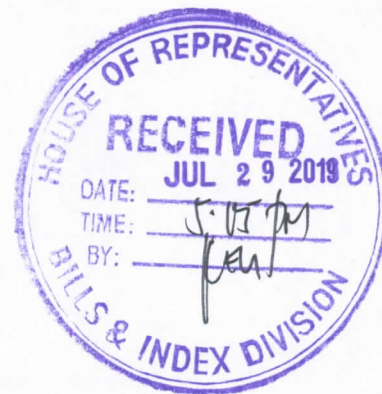


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3080



Introduced by: **REPRESENTATIVE IRENE GAY F. SAULOG**

EXPLANATORY NOTE

Smoking causes a myriad of diseases. It adversely affects nearly every organ of the human body. Developing the habit of smoking at a young age increases the risk of death from any of these diseases. On a larger scale, smoking imposes a huge strain in the public health system. The quality of the country's workforce also suffers if a large segment of the population smokes. Thus, it is both in the interest of the individual and the State to minimize, if not totally eradicate smoking.

A logical start to combat smoking is to begin with the youth. The goal should be to minimize the number of new smokers. No less than the Constitution describes the importance of the youth: The first part of Article II, Section 13 provides that:

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being.


The effort to curb smoking among the youth also forms part of the State policy regarding health in general, as stated in Article II, Section 15 of the Constitution:

Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

Despite the passage of the Tobacco Regulation Act of 2003, smoking among the youth remains a persistent problem. One of the studies that documented this is the Global Youth Tobacco Survey. The 2015 report found that 31.6% of the students aged 13-15 years old have tried smoking tobacco. 14.5% are described as current smokers or those who have smoked anytime within the past 30 days. It has to be emphasized that the study only captured a segment of the youth. Combining the figures with the smokers from the other youth age brackets would clearly yield a much higher number of youth smokers.

The said study also reported that 60.4% of the cigarette smokers obtained their cigarette from a store or shop.

This bill aims to address these disturbing findings by increasing the penalties for the sale of tobacco products to minors. It is hoped that doing so would contribute to minimizing, if not eliminating smoking among the youth. It is in our nation's best interest that we preserve the health of the Filipino youth.


IRENE GAY F. SAULOG
Kalinga Party-list

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House Bill No. 3080

Introduced by: **REPRESENTATIVE IRENE GAY F. SAULOG**

AN ACT
MODIFYING THE PENALTIES IN THE SALE OF TOBACCO PRODUCTS TO
MINORS, AMENDING FOR THE PURPOSE SECTION 32 (B) OF REPUBLIC ACT NO.
9211, OTHERWISE KNOWN AS THE "TOBACCO REGULATION ACT OF 2003"

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 32 (b) of Republic Act No. 9211 is hereby amended to read as follows:

b. Violation of Sections 7, 8, 9, 10, and 11.—On the first offense, any person or any business entity or establishment selling to, distributing or purchasing a cigarette or any other tobacco products for a minor shall be fined the amount of not less than [Five thousand pesos (Php5,000.00)] **TWENTY-FIVE THOUSAND PESOS (Php25,000.00)** or an imprisonment of not more than thirty (30) days, upon the discretion of the court. For succeeding offenses, both penalties shall apply in addition to the revocation of business licenses or permits in the case of a business entity or establishment.

If the violation is by an establishment of business entity, the owner, president, manager, or the most senior officers thereof shall be held liable for the offense.

If a minor is caught selling, buying or smoking cigarettes or any other tobacco products, the provisions of Article 189 of Presidential Decree No. 603 otherwise known as The Child and Youth Welfare Code, as amended, shall apply.

SEC. 2. *Effectivity.* – This Act shall take effect fifteen (15) days after the completion of its publication in at least two (2) newspapers of general circulation.

Approved,