# [CZ] Tobacco Advertising Ban

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Members of the Czech Parliament have tabled a Bill proposing a complete ban on tobacco advertising.

Preparations for the latest amendment to the Act on the Regulation of Advertising have already caused disputes with the tobacco industry lobby. According to EC Directive 98/43/EC of 6 July 1998 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products, tobacco advertising should have been banned completely back in 2000. However, in its ruling of 5 October 2000, the European Court of Justice (ECJ) declared that Directive 98/43/EC should be annulled. The main provisions of the tobacco advertising directive included the obligation for Member States to impose a general ban on tobacco advertising, sponsorship and free promotional distributions by July 2001. The ECJ's decision strengthened the tobacco lobby's position in the Czech Republic and the original Bill was therefore withdrawn and a new proposal put forward, allowing a limited amount of tobacco advertising. According to the revised Czech Act on the Regulation of Advertising (see IRIS 2002-4: 11), advertising for tobacco and other tobacco products is permitted under certain conditions. Tobacco advertising may not be aimed at or portray minors; only persons who are or who appear to be aged 25 or over may be depicted; tobacco advertisements may not appear in print media aimed at minors, nor on billboards measuring over 10 square metres located near (within 300 m of) schools or playgrounds. Advertising may not depict people smoking, nor people holding cigarettes or other tobacco products in their hands. Every tobacco advertisement must carry a health warning that covers 10% of the advertising area. Tobacco advertising is totally prohibited on radio and television.

According to the latest draft mentioned above, advertising aimed at tobacco traders and promotions for tobacco products at sales outlets are exempt from the ban on tobacco advertising. Non-tobacco products which, subject to a licence, for example, are sold bearing the trademark or name of a tobacco manufacturer, may be advertised. However, free promotional distributions of tobacco products are banned. These restricted forms of advertising are also subject to current legal provisions. In future, the health warning will have to cover 20% of the advertising area. The Czech Government approved this proposal on 5 August 2002 and it must now be adopted by Parliament. According to the Bill, the new Act will not enter into force until 1 July 2004.

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http://www.psp.cz/sqw/text/tiskt.sqw?O=4&CT=8&CT1=0

*Proposal for an amendment to the Act on the Regulation of Advertising*

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