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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU
(PINDAAN) 2017

*CONTROL OF TOBACCO PRODUCT (AMENDMENT)
REGULATIONS 2017*



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AKTA MAKANAN 1983

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU (PINDAAN) 2017

PADA menjalankan kuasa yang diberikan oleh seksyen 36 Akta Makanan 1983 [*Akta 281*], Menteri membuat peraturan-peraturan yang berikut:

Nama

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Kawalan Hasil Tembakau (Pindaan) 2017**.

(2) Peraturan-Peraturan ini berkuat kuasa pada 1 Februari 2017.

Pindaan peraturan 2

2. Peraturan-Peraturan Kawalan Hasil Tembakau 2004 [*P.U. (A) 324/2004*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 2—

(a) dengan memasukkan selepas takrif “lapangan terbang” takrif yang berikut:

‘ “menara cerapan” ertinya suatu struktur termasuk bumbun yang dibina bagi tujuan memerhati flora dan fauna dalam suatu kawasan taman negara atau taman negeri;’;

(b) dengan memasukkan selepas takrif “rokok” takrif yang berikut:

‘ “taman awam” ertinya suatu kawasan lapang bagi tujuan beriadah dan berekreasi yang mengandungi landskap lembut atau kejur, atau kedua-duanya, seperti laluan pejalan kaki, padang permainan, gelanggang permainan dan taman permainan;

“taman negara” ertinya suatu kawasan yang telah diwartakan sebagai taman negara di bawah Akta Taman Negara 1980 [*Akta 226*], Enakmen Taman Negara (Kelantan) [*En. 14 Tahun 1938*], Enakmen Taman Negara (Pahang) 1939 [*En. 2 Tahun 1938*] atau Enakmen Taman Negara (Terengganu) [*En. 6 Tahun 1358*];

“taman negeri” ertinya suatu kawasan yang telah diwartakan sebagai taman negeri, tanah rizab atau hutan simpan kekal di bawah mana-mana undang-undang yang dinyatakan dalam Jadual Kesembilan Peraturan-Peraturan ini;

“tapak perkhemahan” ertinya suatu tapak khas yang digunakan bagi mendirikan khemah bagi aktiviti perkhemahan termasuk apa-apa bangunan dalam tapak berkenaan;’ dan

- (c) dengan memasukkan selepas takrif “tempat makan berhawa dingin” takrif yang berikut:

‘ “titian kanopi” ertinya suatu laluan pejalan kaki yang dibina dengan menghubungkan pokok termasuklah tempat rehat;’.

Pindaan peraturan 11

3. Subperaturan 11(1) Peraturan-Peraturan ibu dipinda—

- (a) dalam perenggan (u), dengan memotong perkataan “atau” di hujung perenggan itu;
- (b) dalam perenggan (v), dengan menggantikan noktah dengan perkataan “;” dan
- (c) dengan memasukkan selepas perenggan (v) perenggan yang berikut:

- “(w) dalam mana-mana kawasan taman awam kecuali tempat letak kereta awam terbuka; atau
- (x) dalam mana-mana menara cerapan, tapak perkhemahan, titian kanopi dan lima meter dari laluan masuk atau keluar titian kanopi dalam taman negara atau taman negeri.”

Pindaan peraturan 12

4. Subperaturan 12(1) Peraturan-Peraturan ibu dipinda dengan memasukkan selepas perkataan “tuan punya kenderaan” perkataan “atau tempat”.

Pemotongan peraturan 21

5. Peraturan-Peraturan ibu dipinda dengan memotong peraturan 21.

Jadual Kesembilan baharu

6. Peraturan-Peraturan ibu dipinda dengan memasukkan selepas Jadual Kelapan Jadual yang berikut:

“JADUAL KESEMBILAN

[Peraturan 2]

AKTA MAKANAN 1983

PERATURAN-PERATURAN KAWALAN HASIL TEMBAKAU 2004

SENARAI UNDANG-UNDANG

1. Enakmen Perhutanan Negara (Pemakaian) 1985 [*Enakmen No. 11 Tahun 1985*] (Kelantan)
2. Enakmen Perhutanan Negara (Pemakaian) 1987 [*Enakmen No. 1 Tahun 1988*] (Perlis)
3. Enakmen Perbadanan Taman Negeri Perak 2001 [*Enakmen No. 10 Tahun 2001*] (Perak)”.

Dibuat 16 Januari 2017
[KKM.PUU(R)(PU2)/TC/4; PN(PU2)418/XXIII]

DATUK SERI DR. S. SUBRAMANIAM
Menteri Kesihatan

FOOD ACT 1983

CONTROL OF TOBACCO PRODUCT (AMENDMENT) REGULATIONS 2017

IN exercise of the powers conferred by section 36 of the Food Act 1983 [*Act 281*], the Minister makes the following regulations:

Citation

1. (1) These regulations may be cited as the **Control of Tobacco Product (Amendment) Regulations 2017**.

(2) These Regulations come into operation on 1 February 2017.

Amendment of regulation 2

2. The Control of Tobacco Product Regulations 2004 [*P.U. (A) 324/2004*], which are referred to as the “principal Regulations” in these Regulations, are amended in regulation 2—

(a) by inserting after the definition of “airport” the following definition:

‘ “observation tower” means a structure including a hide that is built for the purpose of observing flora and fauna in a national park or state park area;’

(b) by inserting after the definition of “cigarette” the following definitions:

‘ “public park” means an open area for the purposes of leisure and recreational containing soft or hard landscapes, or both, such as pedestrian path, playing field, game court and playground;’

“national park” means an area which has been gazetted as a national park under the National Parks Act 1980 [*Act 226*], Taman Negara (Kelantan) Enactment [*En. 14 of 1938*], Taman Negara (Pahang)

Enactment 1939 [*En. 2 of 1938*] or Taman Negara (Terengganu) Enactment [*En. 6 of 1358*];

“state park” means an area which has been gazetted as a state park, reserved land or permanent reserved forest under any of the laws specified in the Ninth Schedule of these Regulations;

“camp site” means a designated site used for the purpose of setting up tents for camping activities including any building within the site;’ and

(c) by inserting after the definition of “air-conditioned eating place” the following definition:

‘ “canopy bridge” means a pedestrian path built connecting the trees including the resting place;’.

Amendment of regulation 11

3. Subregulation 11(1) of the principal Regulations are amended—

(a) in paragraph (u), by deleting the word “or” at the end of that paragraph;

(b) in paragraph (v), by substituting for the full stop the word “;” and

(c) by inserting after paragraph (v) the following paragraphs:

“(w) in any area of a public park except an open public car park; or

(x) in any observation tower, camp site, canopy bridge and five meters from the entrance or exit of the canopy bridge in the national park or state park.”.

Amendment of regulation 12

4. Subregulation 12(1) of the principal Regulations is amended by inserting after the words “proprietor of a vehicle” the words “or place”.

Deletion of regulation 21

5. The principal Regulations are amended by deleting regulation 21.

New Ninth Schedule

6. The principal Regulations are amended by inserting after the Eighth Schedule the following Schedule:

“NINTH SCHEDULE

[Regulation 2]

FOOD ACT 1983

CONTROL OF TOBACCO PRODUCT REGULATIONS 2004

LIST OF LAWS

1. National Forestry (Adoption) Enactment 1985 [*Enactment No. 11 of 1985*] (Kelantan)
2. National Forestry (Adoption) Enactment 1987 [*Enactment No. 1 of 1988*] (Perlis)
3. Perak State Parks Corporation Enactment 2001 [*Enactment No. 10 of 2001*] (Perak)”.

Made 16 January 2017
[KKM.PUU(R)(PU2)/TC/4; PN(PU2)418/XXIII]

DATUK SERI DR. S. SUBRAMANIAM
Minister of Health