

WNTD 2026 WEBINAR

Tobacco control and regulation; the roles and responsibilities of relevant government departments; partnerships and available resources.

The National Department of Health

2026 May 28



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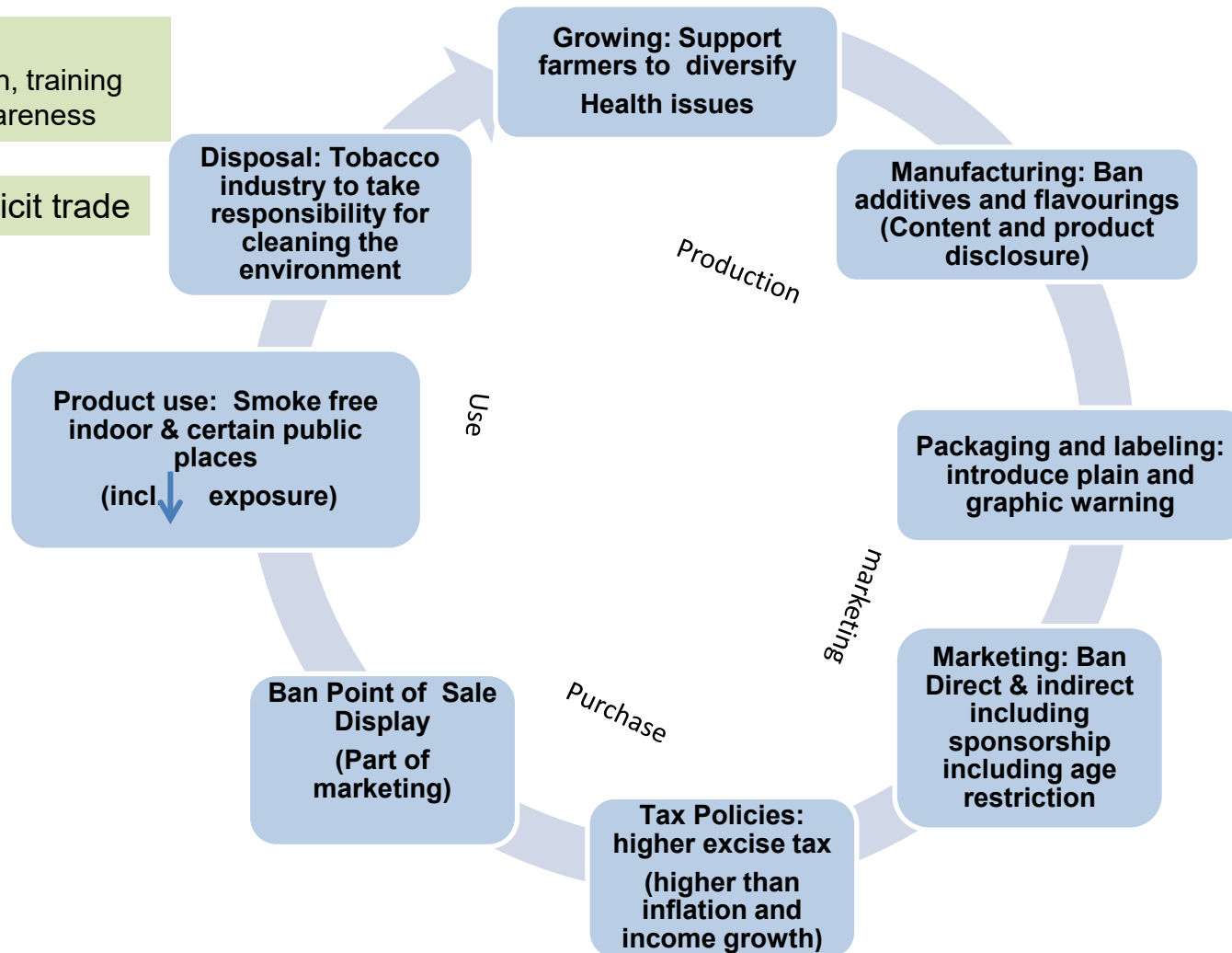


Wheel of Tobacco Regulation: Which Areas Require Regulation?



Education,
communication, training
and public awareness

Control of illicit trade



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(Adapted from the tobacco Atlas 6th ed)

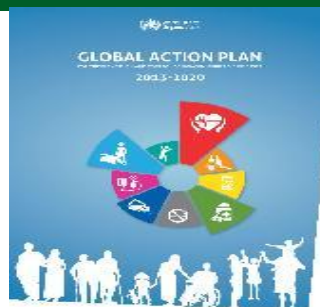


Tobacco Control and the Related Policies



- Monitor tobacco use & prevention policies
- Protect people from tobacco smoke
- Offer help to quit tobacco use
- Warn about the dangers of tobacco
- Enforce bans on tobacco advertising, promotion, & sponsorship
- Raise taxes on tobacco

WHO Package: Demand reduction measures



The WHO Global NCD Action Plan 2013-2020

(4) Accelerate implementation of WHO FCTC



FCTC

WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL



The 2030 Agenda and the Sustainable Development Goals
An opportunity for Latin America and the Caribbean

SDG3a: Strengthening the implementation of the WHO FCTC

GLOBAL STRATEGY TO ACCELERATE TOBACCO CONTROL 2019–2025

Advancing sustainable development through WHO FCTC implementation
Adopted in 2018 (COP 08)

Delivering on the WHO FCTC Principles – **extended to 2030**



The NDP 2030:– Addressing NCDs, Improving TB Cure & Increasing life expectancy fits with WHO FCTC implementation.



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Targets and Global Indicators

POLICIES GUIDING THE IMPLEMENTATION OF TOBACCO CONTROL MEASURES 2/2



THE WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

- The **WHO FCTC** is the first treaty negotiated under the auspices of the WHO
- An evidence-based treaty that reaffirms the right of all people to the highest standard of health and introduced a regulatory strategy to address addictive substances
- There are currently **183** Parties to the convention covering more than 90% of the world population. It was adopted by the World Health Assembly on 21 May 2003 and entered into force on 27 February 2005
- South Africa became a signatory on 16 June 2003, and ratified this international treaty on 19 April 2005, hence an obligation to align this Bill to this treaty



https://www.who.int/fctc/text_download/en/



Core Provisions of the WHO FCTC



- The core **demand reduction** provisions in the WHO FCTC are contained in articles 6-14:
- Price and tax measures to reduce the demand for tobacco (Art 6), and
- Non-price measures to reduce the demand for tobacco (Art 7), namely:
 - Protection from exposure to tobacco smoke (Art 8);
 - Regulation of the contents of tobacco products (Art 9);
 - Regulation of tobacco product disclosures (Art 10);
 - Packaging and labeling of tobacco products (Art 11);
 - Education, communication, training and public awareness (Art 12);
 - Tobacco advertising, promotion and sponsorship (Art 13); and
 - Demand reduction measures concerning tobacco dependence and cessation (Art 14).



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Core Provisions of the WHO FCTC

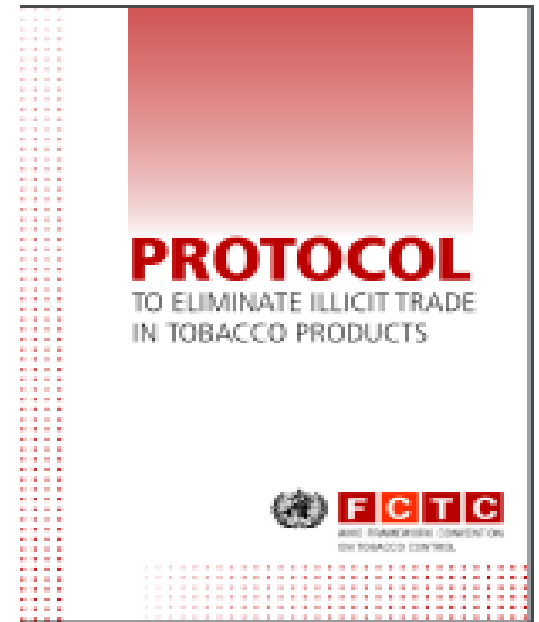


- The core **supply** reduction provisions in the WHO FCTC are contained in articles 15 - 17:
 - Illicit trade in tobacco products (Art 15); - Later became a treaty, “the Protocol to Eliminate Illicit Trade in Tobacco Products”
 - Sales to and by minors (Art 16); and
 - Provision of support for economically viable alternative activities (Art 17).
- Another novel feature of the Convention is the inclusion of a provision that addresses liability.
- Mechanisms for scientific and technical cooperation and exchange of information are set out in Articles 20-22.

The Protocol to Eliminate Illicit Trade in Tobacco Products



- This is an international treaty aimed at eliminating all forms of illicit trade in tobacco products
- This is the first protocol developed under the WHO FCTC
- It was adopted by consensus on 12 November 2012 at the fifth session of the Conference of the Parties (COP 05), of the WHO FCTC
- South Africa became the first country to sign this treaty on 10 January 2013 in Geneva
- The Protocol supports the implementation of track-and-trace systems, with no interference by the tobacco industry and its associates



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<https://fctc.who.int/protocol/overview>

<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg>



Tobacco Control Legislation in South Africa



- Tobacco Products Control Act (TPCA), **No 83 of 1993** , which remains the main legislation governing tobacco control efforts in the country.
- It was amended three times over fifteen years by way of :
 - Act No. 12 of **1999**,
 - Act No. 23 of **2007**, and
 - Act No. 63 of **2008**.
- The TPCA has six regulations.
- The draft Tobacco Products and Electronic Delivery Systems Control Bill, 2022 - If promulgated into an Act, it will repeal or phase out existing tobacco control laws.



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WHO FCTC: Article 5.3



FCTC Article	Adoption Date	Description of FCTC article and key provisions of existing guidelines
<p>Article 5.3 - Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry</p>	<p>Art – 2003 (in SA)</p> <p>Guidelines – 2008</p>	<p>Principle 1: There is a fundamental and irreconcilable conflict between the tobacco industry’s interests and public health policy interests.</p> <p>Principle 2: Parties, when dealing with the tobacco industry or those working to further its interests, should be accountable and transparent.</p> <p>Principle 3: Parties should require the tobacco industry and those working to further its interests to operate and act in a manner that is accountable and transparent.</p> <p>Principle 4: Because their products are lethal, the tobacco industry should not be granted incentives to establish or run their businesses.</p> <p>https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3</p>



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Art 5.3 Recommendations on Partnerships with the Industry



Art 5.3 (3)

Reject partnerships and non-binding or non-enforceable agreements with the tobacco industry.

The tobacco industry should not be a partner in any initiative linked to setting or implementing public health policies, given that its interests are in direct conflict with the goals of public health.

Recommendations

- 3.1 Parties should not accept, support or endorse partnerships and non-binding or non-enforceable agreements as well as any voluntary arrangement with the tobacco industry or any entity or person working to further its interests.
- 3.2 Parties should not accept, support or endorse the tobacco industry organizing, promoting, participating in, or performing, youth, public education or any initiatives that are directly or indirectly related to tobacco control.
- 3.3 Parties should not accept, support or endorse any voluntary code of conduct or instrument drafted by the tobacco industry that is offered as a substitute for legally enforceable tobacco control measures.
- 3.4 Parties should not accept, support or endorse any offer for assistance or proposed tobacco control legislation or policy drafted by or in collaboration with the tobacco industry.

Roles of Key Departments in Tobacco Control



Department	Role in Tobacco Control
Health	Leads the implementation of the WHO FCTC and Tobacco Control programme in the country. Facilitates coordination. Policy development. Advocacy and health awareness. Monitoring (e.g prevalence, use, cessation or support, distribution etc). Enforcement (port and environmental health, adherence to the law in general).
Department of Trade, Industry and Competition	Monitor policy alignment with World Trade Organization (WTO) principles. Regulate manufacturing, marketing, distribution, and sale of tobacco products, ensure compliance with tobacco control legislation, support consumer protection measures, and monitor industry practices to reduce the harmful impact of tobacco products on public health.



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Roles of Key Departments in Tobacco Control



Department	Role in Tobacco Control
Department of Finance: South African Revenue Service	Regulate and monitor the taxation, importation, exportation, and trade of tobacco products. SARS is responsible for collecting excise taxes on tobacco products, combating illicit trade.
National Treasury	Develop and implement fiscal policies that support public health objectives, particularly through taxation of tobacco products.
Department of International Relations and Cooperation (DIRCO)	Supports participation in international tobacco control initiatives and agreements or treaty. Monitor treaty implementation



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Roles of Key Departments in Tobacco Control



Department	Role in Tobacco Control
Department of Transport	Regulate smoking across public transport systems to protect citizens and employees from second-hand smoke. Proposed laws covers protection of children and other vulnerable groups.
Department of Social Development. Department of Basic Education Department of Higher Education and Training	Mitigate the harm caused by tobacco use through education and awareness programmes, the implementation of policies, and the monitoring of trends in tobacco use.
The Department of Agriculture, Land Reform and Rural Development	Support phasing out tobacco by transitioning growers toward sustainable, economically viable food alternatives.

Roles of Key Departments in Tobacco Control....list not conclusive



Department	Role in Tobacco Control
Statistics South Africa (Stats SA)	Research: Track smoking prevalence, monitor associated health risks, and evaluate the socioeconomic impact of use.
Department of Employment and Labour	Ensuring workplace health and safety., e.g smoking policies.
Department of Police (South African Police Services)	Enforcement: enforcing public health regulations and combating organized criminal syndicates in the supply chain.
Department of Tourism	Enforces policies relating to their sectors.
Department of Forestry, Fisheries and the Environment	Tourism: smoking restrictions in hospitality areas. DFFE: Environment protection, and toxic waste matters.
Department of Small Business Development	A bridge between economic interests and public health policies.

Available Resources



- The Department of Health leads programme implementation, has technical (Management, technical officers, clinicians) and operational (Health Promotion, Community Health Care Workers, and Communications) teams to undertake the following responsibilities as summarised under the roles of the department.
- In collaboration with partners, resources are pooled to achieve specific goals in a variety of projects.
- The SA Tobacco Control Advocacy Alliance members under the National Council Against Smoking (NCAS). The alliance works with the academia, research institutions, NGOs; communications companies, youth organisations, councils, international stakeholders, etc
- Today, on this webinar, some of the key stakeholders in tobacco control are participants.
- The partners offer a variety of services in tobacco control, such as:
 - Education, awareness and advocacy
 - Technical support (Mainly scientific and capacity building)
 - Quit or cessation support (Awareness, counselling, ongoing support)



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END
Thank you!



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