

**GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 28 YEAR 2024
CONCERNING
IMPLEMENTING REGULATION OF LAW NUMBER 17 YEAR 2023 CONCERNING
HEALTH**

Part Twenty-One: Safeguarding Addictive Substances

Article 429

- (1) The production, distribution, and use of addictive substances must be regulated to prevent disruption or endangerment to the health of individuals, families, communities, and the environment.
- (2) Addictive substances, as referred to in paragraph (1), include products containing tobacco or non-tobacco substances that are addictive in nature. These may be in the form of cigarettes or other formats, and can exist in solid, liquid, or gaseous states. The use of these substances can cause harm to individuals and/or society.

Elucidation: What is meant by "other formats that are addictive" includes electronic cigarettes and/or nicotine in various forms and packaging, including nicotine candies and nicotine pouches.

- (3) Tobacco products are defined as any products made wholly or partly from tobacco leaves as the raw material. These products are processed for use through various methods of consumption, including but not limited to burning, heating, vaporizing, smoking, inhaling, or chewing.
- (4) Tobacco products, as referred to in paragraph (3), include:
 - a. Cigarettes
 - b. Cigars
 - c. Leaf cigarettes
 - d. Sliced tobacco
 - e. Solid and liquid tobacco
 - f. Other processed tobacco products
- (5) Electronic cigarettes are tobacco products that exist in liquid, solid, or other forms which is originated from processed tobacco leaves which are made by extraction or other methods in accordance with technological developments and consumer preferences without taking into account substitute materials or auxiliary materials in their manufacture which are provided to end consumers in retail sales packaging

which are consumed by being heated using an electronic heating device and then smoked.

- (6) In addition to the electronic cigarettes described in paragraph (5), electronic cigarettes containing nicotine and/or other materials in liquid, solid, or other forms; processed products, including synthetic products of the same or similar type and nature; products that are consumed by heating using an electronic heating device and then inhaled are subjected to this Government Regulation

Article 430

The implementation of safeguards for addictive substances, specifically tobacco products and electronic cigarettes, aims to:

- a. Reduce the prevalence of smoking and prevent new smokers;
- b. Decrease the incidence of illnesses and deaths related to smoking;
- c. Enhance public awareness and vigilance regarding the dangers of smoking and the benefits of a smoke-free lifestyle;
- d. Protect the health of individuals, families, communities, and the environment from the hazards associated with consuming and/or exposure to addictive substances in the form of tobacco products and electronic cigarettes, which can cause adverse health, economic, and environmental impacts;
- e. Encourage and mobilize community involvement in efforts to control tobacco products and electronic cigarettes.

Article 431

- (1) Every person who produces, imports, and/or distributes tobacco products must:
 - a. have a business license in accordance with the provisions of laws and regulations;
 - b. comply with the maximum limits for nicotine and tar content;
 - c. conduct nicotine and tar content testing for each variant produced and/or imported; and
 - d. report the results of nicotine and tar content testing as referred to in letter c to the non-ministerial government agency that organizes government affairs in the field of drug and food supervision.
- (2) Testing of nicotine and tar content for each variant produced and/or imported as referred to in paragraph (1) letter c is carried out in an accredited laboratory in accordance with the provisions of laws and regulations.

- (3) Testing of tobacco products as referred to in paragraph (1) letter c does not apply to tobacco products that do not yet have testing technology.
- (4) Tobacco products that do not yet have testing technology as referred to in paragraph (3) are determined by the Minister.
- (5) Every person who produces, imports, and/or distributes electronic cigarettes must:
 - a. Possess a business license in accordance with applicable laws and regulations;
 - b. Comply with the maximum nicotine content limit;
 - c. Conduct nicotine content testing for each variant produced and/or imported; and
 - d. Report the results of nicotine content testing as referred to in point c, along with the list of contents and additional materials, to the non-ministerial government agency responsible for drug and food supervision.
- (6) The determination of maximum limits for nicotine and tar levels, as referred to in paragraph (1) point b, and the maximum limits for nicotine levels, as referred to in paragraph (5) point b, shall be coordinated by the minister responsible for coordinating, synchronizing, and controlling ministerial affairs in human development and culture, in collaboration with relevant ministries and institutions.
- (7) Nicotine content testing for each variant produced and/or imported, as referred to in paragraph (5) point c, shall be carried out in an accredited laboratory in accordance with the provisions of applicable laws and regulations.
- (8) Reports submitted to the non-ministerial government agency responsible for drug and food supervision, as referred to in paragraph (1) point d and paragraph (5) point d, shall be used for supervisory purposes.
- (9) Provisions regarding the coordination of determining maximum limits for nicotine and tar levels, as referred to in paragraph (6), shall be regulated by ministerial regulations governing the coordination, synchronization, and control of ministerial affairs in human development and culture.

Article 432

- (1) Every person who produces tobacco products and electronic cigarettes is prohibited from using additional materials unless they have been scientifically proven to be harmless to health.

Elucidation: Additional ingredients include flavoring (flavor), aroma, and coloring. Kretek (Cloves), Kelembak (sweetflag), or kemenyan are not considered additional ingredients, but rather as raw materials.

- (2) The prohibited additional materials as referred to in paragraph (1) are determined by the Minister.
- (3) To supervise the use of prohibited additional materials as referred to in paragraph (1), the following shall be carried out:
 - a. Testing before circulation; and
 - b. Verification during circulation.
- (4) Testing and verification as referred to in paragraph (3) must be conducted in separate accredited laboratories.
- (5) The results of testing and verification as referred to in paragraph (3) shall be reported to the non-ministerial government agency responsible for drug and food supervision.
- (6) Any person who produces tobacco products and electronic cigarettes that use additional materials as referred to in paragraph (1) shall be subject to administrative sanctions by the minister who organizes government affairs in the field of trade in the form of product withdrawal at the expense of the producer.

Article 433

- (1) Manufacturers and importers of machine-made white cigarettes are prohibited from packaging these products in quantities less than 20 cigarettes per pack.

Elucidation: In this provision, the prohibition on making cigarette packages with less than 20 (twenty) sticks aims to ensure that cigarette prices are not easily affordable for consumers.

- (2) The provisions in paragraph (1) do not apply to tobacco products other than machine-made white cigarettes.

Elucidation: What is meant by "tobacco products other than white machine-made cigarettes" includes hand-rolled clove cigarettes, machine-made clove cigarettes, klobot cigarettes (cigarettes wrapped in corn husk), kelembak menyan cigarettes (cigarettes mixed with benzoin), cigars, and sliced tobacco packaged in accordance with the provisions of the legislations

- (3) Any person who produces and/or imports sliced tobacco is prohibited from packaging them in quantities exceeding 50 (fifty) grams per package.

- (4) Any person who produces and/or imports electronic cigarettes with a closed system or disposable cartridges is prohibited from packing nicotine liquid in cartridges exceeding 2 (two) millilitres each and exceeding 2 (two) cartridges per package.
- (5) Any person who produces and/or imports electronic cigarettes with an open or refillable system is prohibited from packing nicotine liquid other than in packaging of 10 (ten) and 20 (twenty) milliliters per package.
- (6) Every person who produces and/or imports solid electronic cigarettes must package or import them in quantities of 20 sticks per package.
- (7) Any person violating the provisions in paragraph (1) and paragraphs (3) through (6) shall be subject to administrative sanctions including:
 - a. Written warning
 - b. Product withdrawal

Article 434

- (1) Every person is prohibited from selling tobacco products and electronic cigarettes:
 - a. using self-service machines;
 - b. to anyone under the age of 21 (twenty one) years and pregnant women;
 - c. In individual stick, except for cigars and electronic cigarettes;
 - d. by placing tobacco products and electronic cigarettes in areas around entrances and exits or in places that are frequently passed;

What is meant by "places that are frequently passed through" are areas where people often pass by, including payment areas, children's food and beverage sales areas, and children's toy sales areas.

- e. within a radius of 200 (two hundred) meters from educational units and children playground; and
 - f. using website or e-commerce platform, and social media.
- (2) The prohibition as referred to in paragraph (1) letter f for website or e-commerce platform are exempted if there is age verification.

Article 435

Any person who produces and/or imports tobacco products and electronic cigarettes must comply with packaging standards that include both design and written elements.

Article 436

Health Warnings are defined as text and images on packaging that provide information and education about the dangers of smoking.

Article 437

- (1) Every person who produces, imports into the territory of the Republic of Indonesia, and/or distributes addictive substances in the form of tobacco products and/or electronic cigarettes as referred to in Article 429 must include a Health Warning.
- (2) The inclusion of the Health Warning as referred to in paragraph (1) must comply with the following provisions:
 - a. It must be in the form of text accompanied by images on the surface of the packaging;
 - b. It must be printed as an integral part of the packaging of tobacco products, electronic cigarette packaging, and nicotine liquid refill packaging for electronic cigarettes;
 - c. It must be included on the top of the packaging on both the front and back wide sides.
- (3) Each variant of tobacco and electronic cigarette products must include images and text of Health Warnings consisting of 5 (five) different types, with each type covering 20% (twenty percent) of the total number of each variant of tobacco and electronic cigarette products.
- (4) The provisions referred to in paragraph (3) do not apply to tobacco product industries classified as non-taxable entrepreneurs whose total production volume does not exceed 24,000,000 (twenty-four million) cigarettes per year.
- (5) The tobacco product industries referred to in paragraph (4) must include at least 2 (two) types of images and text of Health Warnings as stipulated in the Ministerial Regulation.
- (6) Further provisions regarding images and text of Health Warnings as referred to in paragraphs (2) to (5) are regulated by Ministerial Regulation after coordination with the minister responsible for government affairs in the field of state finance.

Article 438

- (1) Health Warning images and text as referred to in Article 437 must be included on each smallest package and larger package of tobacco products and/or electronic cigarettes.

- (2) Each package as referred to in paragraph (1) must include 1 (one) type of Health Warning image and text.
- (3) The provisions referred to in paragraph (1) do not apply to klobot cigarettes, kelembak menyan cigarettes, and cigars in individual stick packaging.
- (4) The inclusion of images and text as referred to in paragraph (1) must meet the following requirements:
 - a. Printed on the top of the packaging, covering 50% (fifty percent) of both the front and back sides, starting with the word "Warning" in yellow letters on a black background; must be printed clearly and prominently, either in part or in whole;
 - b. The image referred to in letter a must be printed in color; and
 - c. The text must use Arial Bold font, be proportional to the packaging size, and be printed in yellow on a black background.
- (5) The Health Warning images and text as referred to in paragraph (4) must not be covered by anything, in accordance with the provisions of laws and regulations.

Article 439

- (1) The head of the non-ministerial government agency responsible for drug and food supervision shall oversee the inclusion of Health Warnings on tobacco products and electronic cigarettes.
- (2) Supervision as referred to in paragraph (1) shall be conducted in coordination with relevant agencies.

Article 440

Any person who produces, imports into the territory of the Republic of Indonesia, and/or distributes addictive substances in the form of tobacco products or electronic cigarettes without Health Warnings as referred to in Article 437 shall be subject to administrative sanctions in the form of:

- a. Withdrawal of the tobacco products and electronic cigarettes; and/or
- b. Administrative fines

Article 441

- (1) Every person who produces and/or imports tobacco products must include information on the label of each package in a clear and easily readable position with the following information:

- a. the statement "contains nicotine and tar";
 - b. the statement "It is forbidden to sell or give to people under 21 years of age and pregnant women";
 - c. production code, date, month, and year of production, and the name and address of the manufacturer; and
 - d. the statements "There is no safe limit" and "Contains more than 7,000 chemical substances and more than 83 cancer-causing substances" for tobacco products.
- (2) Every person who produces and/or imports tobacco products is prohibited from including:
- a. any misleading information or signs or promotional words; and
 - b. the words "light", "ultra light", "mild", "extra mild", "low tar", "slim", "special", "full flavour", "premium", or other words that indicate quality, superiority, safety, image, personality, or words with the same meaning.
- (3) Every person who produces and/or imports electronic cigarettes is required to include information on the label of each package in a clear and easily readable position with the following information:
- a. the statement "Contains nicotine";
 - b. the statement "Prohibited from selling or giving to people under 21 years of age and pregnant women";
 - c. production code, date, month, and year of production, and the name and address of the manufacturer; and
 - d. prohibited from including any misleading information or signs or promotional words.
- (4) The provisions as referred to in paragraph (2) letter b and paragraph (3) do not apply to:
- a. tobacco products that have obtained a brand certificate (intellectual property right) in accordance with the provisions of laws and regulations; and/or
 - b. tobacco products carried by passengers, crew of means of transport, border crossers, shipments in specified quantities, or for the purposes of foreign representatives and their officials assigned to Indonesia based on the principle of reciprocity.
- (5) Any person who produces and/or imports tobacco products and electronic cigarettes who does not fulfill their obligations or violates the provisions as referred to in paragraphs (1) to (3) shall be subject to administrative sanctions in accordance with the provisions of laws and regulations.

Article 442

- (1) A smoke-free area is a room or area that is declared prohibited for smoking activities or activities such as selling, producing, advertising indoors or outdoors, and promoting tobacco products and electronic cigarettes.
- (2) The prohibition on selling tobacco products and electronic cigarettes does not apply to premises used for sales activities.
- (3) The prohibition on producing tobacco products and electronic cigarettes does not apply to premises used for production activities.

Article 443

- (1) Local Governments are required to establish and implement smoke-free areas in their areas through Local Regulations.
- (2) Smoke-free areas as referred to in paragraph (1) consist of:
 - a. Health Service Facilities;
 - b. schools;
 - c. play ground;
 - d. worship place;
 - e. public transportation;
 - f. workplaces; and
 - g. public places and other designated places.
- (3) Managers, organizers or persons responsible for workplaces, public places and other places designated as referred to in paragraph (2) letters f and g are required to provide designated smoking area.

Elucidation: Workplaces in this provision include any enclosed or open room or field, mobile or stationary, where workers work or which workers frequently enter for business purposes and where there are sources of danger, such as factories, offices, meeting rooms, and conference or seminar rooms.

Public places include all enclosed spaces that can be accessed by the general public and/or places that can be used jointly for community activities managed by the Central Government or Regional Government, private sector, and the community, such as hotels, restaurants, cinemas, airports, stations, shopping centers, and supermarkets.

Other places include certain open spaces that are used jointly for community activities.

- (4) The obligation to provide a designated smoking area in the workplace, public places, and other places as referred to in paragraph (3) is excluded in places that have the

potential to cause health and work safety hazards in accordance with the provisions of laws and regulations.

- (5) Designated smoking areas as referred to in paragraph (3) is an open space, separate from the main building, far from the flow of people, and far from the entrance and exit.

Article 444

To enhance local governments' compliance in implementing smoke-free areas, the Central Government shall conduct monitoring using a Health Information System integrated with the National Health Information System.

Article 445

- (1) The Minister may grant awards to Local Governments that successfully implement smoke-free areas.
- (2) In granting awards as referred to in paragraph (1), the Minister shall coordinate with the minister responsible for domestic government affairs.

Article 446

- (1) Any person who produces, imports, and/or distributes tobacco products and electronic cigarettes is prohibited from advertising on digital-based social media.
- (2) The Minister responsible for government affairs in communication and informatics shall terminate access to electronic information and/or electronic documents for the sale of tobacco products and electronic cigarettes on digital-based social media, based on the recommendation of the ministry responsible for government affairs in health.

Article 447

- (1) Control of tobacco and electronic cigarette product advertisements on website and e commerce platform shall be carried out as follows:
 - a. Include health warnings;
 - b. Include the text "It is forbidden to sell or give to people under the age of 21 and pregnant women";

- c. Not describe or suggest that consuming tobacco and electronic cigarette products provides health benefits;
 - d. Not use misleading words or sentences and/or invitations to consume tobacco and electronic cigarette products;
 - e. Not demonstrate, use, or display the form or shape of tobacco and electronic cigarette products, or other terms that can be associated with tobacco and electronic cigarette product brands;
 - f. Not be directed at children, teenagers, and/or pregnant women;
 - g. Not use cartoons or animations as forms of advertising characters;
 - h. Not contradict prevailing societal norms;
 - i. Implement age verification to limit access only to people aged 21 (twenty-one) years and over;
 - j. Not display children, teenagers, and/or pregnant women in the form of images and/or writing.
- (2) The Minister responsible for government affairs in communications and informatics shall terminate access to electronic information and/or electronic documents for the sale of tobacco products and electronic cigarettes on websites or e-commerce platform that do not comply with the provisions referred to in paragraph (1), based on the recommendations of the ministry responsible for government affairs in health.

Article 448

- (1) Control of tobacco and electronic cigarette product advertisements at sales locations shall be carried out as follows:
- a. Not placed at the door or entrance and exit areas, or in places easily visible to children;
 - b. Include health warnings;
 - c. Include the text "It is forbidden to sell or give to people under the age of 21 and pregnant women";
 - d. Not describe or suggest that consuming tobacco and electronic cigarette products provides health benefits;
 - e. Not use misleading words or sentences and/or invitations to consume tobacco and electronic cigarette products;
 - f. Not demonstrate, use, or display the form or shape of tobacco and electronic cigarette products, or other terms that can be associated with tobacco and electronic cigarette product brands;
 - g. Not display children, teenagers, and/or pregnant women in the form of images and/or writing;
 - h. Not be directed at children, teenagers, and/or pregnant women;
 - i. Not use cartoons or animations as forms of advertising characters;
 - j. Not contradict prevailing societal norms.

- (2) The provision referred to in paragraph (1) letter a applies only to modern supermarkets.

Article 449

- (1) Control of tobacco and electronic cigarette product advertisements on outdoor media is carried out as follows:
- a. include a Health warning of at least 15% (fifteen percent) of the total area of the advertisement;
 - b. not placed in smoke-free areas including Health Service Facilities, school, children's play grounds, places of worship, and public transportation;
 - c. not placed on main roads and protocol roads;
 - d. not placed within a radius of 500 (five hundred) meters outside schools and children play ground;
 - e. must be placed parallel to the road shoulder and must not cut across or cross the road;
 - f. include the words "Prohibited from selling and giving to people under 21 years of age and pregnant women";
 - g. not display, use, and/or display the form or shape of tobacco and electronic cigarette products, or other terms that can be associated with tobacco and electronic cigarette product brands;
 - h. not depict or suggest that consuming tobacco and electronic cigarette products provides health benefits;
 - i. not use misleading words or sentences and/or are an invitation to consume tobacco and electronic cigarette products;
 - j. does not display children, teenagers, and/or pregnant women in the form of images and/or writing;
 - k. is not directed at children, teenagers, and/or pregnant women;
 - l. not use cartoons or animations as forms of advertising characters; and/or
 - m. not conflict with prevailing norms in society.
- (2) Outdoor advertising media in the form of video screens (Videotrons) may only broadcast advertisements for tobacco products and electronic cigarettes from 22:00 to 05:00 local time.
- (3) Further regulations concerning the advertising of tobacco products and electronic cigarettes on outdoor media shall be established by the Local Government.

Article 450

- (1) The Central Government shall monitor advertisements for tobacco products and electronic cigarettes on digital-based social media, website, and/or e-commercial platform, to ensure compliance with the provisions set forth in Articles 446 and 447.
- (2) The Regional Government shall monitor and take measures to reduce advertisements for tobacco products and electronic cigarettes on outdoor media and at points of sale that do not comply with the provisions set forth in Articles 448 and 449.

Article 451

- (1) Control of advertisements for tobacco products and electronic cigarettes in print media and broadcast media in the form of television shall be carried out as follows:
 - a. include a Health warning for moving advertisements on broadcast media such as television must be full screen for at least 10% (ten percent) of the total duration of the advertisement and not less than 2 (two) seconds or for non-moving advertisements on broadcast media such as television or print media must be at least 15% (fifteen percent) of the total area of the advertisement;
 - b. include the words "It is forbidden to sell and give to people under 21 years old and pregnant women";
 - c. not demonstrate, use, and/or display the form or shape of tobacco products and electronic cigarettes, or other terms that can be associated with the brand of tobacco products and electronic cigarettes;
 - d. not include the name of the product as a tobacco product or electronic cigarette;
 - e. not describe or suggest that consuming tobacco products and electronic cigarettes provides health benefits;
 - f. not use misleading words or sentences and/or invitations to consume tobacco products and electronic cigarettes;
 - g. not display children, teenagers, and/or pregnant women in the form of images and/or writing;
 - h. not directed at children, teenagers, and/or pregnant women;
 - i. not use cartoons or animations as forms of advertising characters; and
 - j. not conflict with prevailing norms in society
- (2) Control of tobacco and electronic cigarette product advertisements on broadcast media such as radio is carried out as follows:
 - a. conveying health warnings in a clear voice;
 - b. not mentioning misleading words or sentences and/or inviting people to consume tobacco and electronic cigarette products; and
 - c. the duration of the advertisement is a maximum of 1 (one) minute.
- (3) The form of the Health warning as referred to in paragraph (1) letter a is determined by the Minister.

- (4) In addition to fulfilling the provisions as referred to in paragraph (1), advertisements for tobacco products and electronic cigarettes in print media must fulfill the following provisions:
 - a. not placed on the cover or front and back pages of print media;
 - b. not placed on the same page as advertisements for food and beverages;
 - c. Not have an advertisement column width that fills the entire page; and
 - d. Not be published in print media intended for children, teenagers, and women.
- (5) In addition to fulfilling the provisions as referred to in paragraph (1), advertisements in broadcast media such as television and radio may only be aired or broadcast after 22.00 until 05.00 local time.
- (6) The head of the institution responsible for broadcasting matters shall monitor and take action against violations of the provisions on controlling advertising of tobacco products and electronic cigarettes on broadcast media such as television and radio, as referred to in paragraphs (1), (2), and (5).
- (7) The head of the institution responsible for print media matters shall monitor and take action against violations of the provisions on controlling advertising of tobacco products and electronic cigarettes in print media, as referred to in paragraphs (1) and (4).
- (8) The actions referred to in paragraphs (6) and (7) shall be carried out by imposing administrative sanctions in the form of:
 - a. Withdrawal and/or correction of the advertisement;
 - b. Written warning; and/or
 - c. Temporary prohibition on advertising the tobacco products and electronic cigarettes concerned in cases of repeated or serious violations.

Article 452

To ensure access to public health information and education, the Central and Local Governments shall organize public service advertisements regarding the dangers of using tobacco products and electronic cigarettes.

Article 453

- (1) The Central Government and Local Governments shall control the promotion of tobacco products and electronic cigarettes.

- (2) Provisions for controlling the promotion of tobacco products and electronic cigarettes as referred to in paragraph (1) shall be implemented as follows:
- a. not providing tobacco and electronic cigarette products, or other products associated with tobacco and electronic cigarette products, free of charge, at discounted prices, or as gifts;
 - b. not using the logo and/or brand of tobacco and electronic cigarette products on products or goods that are not tobacco and electronic cigarette products; and
 - c. not using the logo and/or brand of tobacco and electronic cigarette products in any activities of institutions and/or individuals.

Article 454

- (1) Any person who produces and/or imports tobacco and electronic cigarette products may sponsor an activity of an institution and/or individual only under the following conditions:

- a. The trademark name and logo of tobacco and electronic cigarette products, including their brand image, shall not be used;

Elucidation: Brand image includes slogans used by tobacco products and electronic cigarettes, as well as colors that can be associated as characteristic features of the respective tobacco products and electronic cigarettes.

- b. The sponsorship shall not aim to promote tobacco and electronic cigarette products.

- (2) Sponsorship as referred to in paragraph (1) is prohibited for activities of institutions and/or individuals covered by the media.

Elucidation: What is meant by "activities of institutions and/or individuals" includes social activities, education, sports, music, youth activities, and cultural events.

Article 455

Any person who produces and/or imports tobacco and electronic cigarette products may provide assistance in the form of corporate social responsibility, subject to the following conditions:

- a. the trademark name and logo of tobacco and electronic cigarette products shall not be used;
- b. the assistance shall not aim to promote tobacco and electronic cigarette products;

- c. free, discounted, or prize tobacco and electronic cigarette products, or other related products, shall not be provided;
- d. the assistance shall not be covered and published by the media; and
- e. the assistance shall not involve anyone under the age of 21 (twenty-one) years.

Article 456

Every person is prohibited from broadcasting and depicting in the form of pictures or photos, displaying, showing or revealing people smoking, exhibiting cigarettes, cigarette smoke, cigarette packs or anything related to tobacco products and electronic cigarettes, as well as any form of information about tobacco products and electronic cigarettes in print media, broadcast media, and information technology media that is associated with commercial activities, advertising, or encouraging people to smoke.

Elucidation: Information technology media includes all online media that use internet facilities.

Article 457

Any person who produces and/or imports tobacco products and electronic cigarettes is prohibited from providing tobacco products, electronic cigarettes, and/or goods that resemble tobacco products and electronic cigarettes free of charge to children, adolescents, and pregnant women.

Article 458

Any person is prohibited from ordering or commanding the sale, purchase, or consumption of tobacco products and electronic cigarettes to any person under the age of 21 (twenty-one) years.

Article 459

Any person who violates the provisions referred to in Articles 454 to 458 shall be subject to administrative sanctions imposed by the Minister, ministers/heads of related institutions, and the Local Government in accordance with their authority, in the form of:

- a. verbal warning;
- b. written warning;
- c. temporary suspension of activities; and/or
- d. termination of access to electronic information and/or electronic documents.

Article 460

- (1) The Central and Local Governments are responsible for providing counseling services and pharmacological interventions for smoking cessation in Health Service Facilities.
- (2) Counseling services and pharmacological interventions for smoking cessation as referred to in paragraph (1) shall be conducted by qualified Medical Personnel or Health Personnel.
- (3) Counseling services and pharmacological interventions for smoking cessation as referred to in paragraph (1) may utilize Telehealth and Telemedicine services.

Article 461

- (1) The Central Government is responsible for:
 - a. Regulating and organizing the safety of tobacco products and electronic cigarettes, including setting standards for electronic cigarette devices;
 - b. Providing access to information and education regarding the safety of tobacco products and electronic cigarettes;
 - c. Providing counselling services and pharmacological interventions for smoking cessation;
 - d. Conducting research and development activities, including annual periodic smoking behaviour surveys;
 - e. Undertaking development efforts to diversify tobacco products for health benefits and protect the sustainability of tobacco plants; and

Elucidation: Diversification is intended to ensure that the use of tobacco products does not endanger health. Diversification of tobacco products can be done, among other ways, by processing tobacco leaves to obtain basic chemicals that can be used as pesticides, anesthetics, cosmetic products (skin tighteners), pharmaceutical industry products, and others. Thus, tobacco leaves are not only utilized as raw materials for making cigarettes but can also be used as raw materials for various diversified products.

- f. Conducting advocacy and cooperation across programs/sectors, communities, and internationally.
- (2) The Local Government is responsible for:
 - a. Regulating and organizing the safety of tobacco products and electronic cigarettes at the local level, in accordance with Central Government policies as well as the local conditions and needs;

Elucidation: What is meant by "local conditions and needs " is the strengthening of safeguards to control the health impacts of tobacco product and electronic cigarette consumption.

- b. Providing access to information and education regarding the safety of tobacco products and electronic cigarettes in provincial and district/city areas;
- c. Providing counseling services and pharmacological interventions for smoking cessation in provincial and district/city areas;
- d. Conducting research and development activities;
- e. Undertaking development efforts to diversify tobacco products for health benefits and protect the sustainability of tobacco plants;

Elucidation: See the elucidation of paragraph (1) point e.

- f. Conducting advocacy and cooperation across programs/sectors and communities in provincial and district/city areas;
- g. Encouraging participation and community-based Health Efforts to control the consumption of tobacco products and electronic cigarettes in provincial and district/city areas.
- h. Monitoring the implementation of Smoke Free Areas and the prohibition of advertisement, promotion, and sponsorship of tobacco product and electronic cigarette

Article 462

- (1) In the implementation of safety measures for tobacco products and electronic cigarettes, the community can play a role by:
 - a. Providing education on the health dangers of consuming tobacco products and electronic cigarettes;
 - b. Providing counseling services for smoking cessation;
 - c. Carrying out a movement to promote smoke-free homes;
 - d. Not selling tobacco products as individual cigarettes;
 - e. Not selling to anyone under the age of 21 (twenty-one) years and pregnant women;
 - f. Reporting violations of smoke-free areas to authorized local government officials;
 - g. Not providing tobacco products and electronic cigarettes at social, educational, sports, music, youth, and cultural activities involving the general public.
- (2) The community roles referred to in paragraph (1) can be carried out by individuals, groups, legal entities, business entities, and organizational institutions.

Article 463

Recording and reporting on efforts to ensure the safety of tobacco products and electronic cigarettes, including counseling services and pharmacological interventions for smoking cessation, shall be carried out by the Central Government, Local Governments, Health Service Facilities, and the community using a Health Information System integrated with the National Health Information System.

Article 1157

- (1) Every person who produces, imports, and/or distributes tobacco products and electronic cigarettes must comply with the provisions of Article 431, Article 432, Article 433, Article 437, Article 438, and Article 441 after 2 (two) years from the enactment of this Government Regulation.
- (2) Every person who produces, imports, and/or distributes tobacco products and electronic cigarettes must comply with the provisions of Article 446 para (1) and Article 448 after 2 years from the enactment of this Government Regulation.

Article 1169

When this Government Regulation comes into effect, all laws and regulations that are implementing regulations of: [...]

- m. Government Regulation Number 109 of 2012 concerning the Safety of Materials Containing Addictive Substances in the Form of Tobacco Products for Health (State Gazette of the Republic of Indonesia of 2012 Number 278, Supplement to the State Gazette of the Republic of Indonesia Number 5380)

.....are declared to remain in effect as long as they do not conflict with the provisions in this Government Regulation.

Article 1170

When this Government Regulation comes into effect ...

- m. Government Regulation Number 109 of 2012 concerning the Safety of Materials Containing Addictive Substances in the Form of Tobacco Products for Health (State Gazette of the Republic of Indonesia of 2012 Number 278, Supplement to the State Gazette of the Republic of Indonesia Number 5380); ...
is revoked and declared invalid.

Article 1172

This Government Regulation comes into effect on the date of its enactment. In order for every person to be informed, it is ordered that this Government Regulation be enacted by placing it in the State Gazette of the Republic of Indonesia.