

Open Agenda

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Memorandum for Executive Council

SUBJECT

Control of Tobacco and Related Products Bill

Memorandum by the Chairman of the Public Health Committee

ADVICE SOUGHT

- 1) Executive Council is asked to consider and advise whether, following the completion of public consultation, the Control of Tobacco and Related Products Bill, 2020, should be printed, published and presented as Government Business at the next formal meeting of the Legislative Council. A copy of the Bill is at Annex A.

BACKGROUND & CONSIDERATIONS

- 2) The Draft Control of Tobacco and Related Products Bill 2019, together with the Policy, was approved by Executive Council on 10 December 2010 when Council agreed that the Public Health Committee should commence public consultation on the draft Bill. This Memo provides an update on the public consultation.

FINANCIAL IMPLICATIONS

- 3) N/A

ECONOMIC IMPLICATIONS

- 4) N/A

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

- 5) N/A

PUBLIC/SOCIAL IMPACT

- 6) The ultimate aim of the measures in the Bill is to reduce the harm caused by smoking to the community of St Helena. Currently the prevalence of tobacco use is high (considerably higher than, for example South Africa and the UK) with one third of men and women aged 20-65 years and half of young adults aged 20-29 smoking. Smoking is the leading risk factor for the main non-communicable diseases that are responsible for the majority of chronic illness, disability and early death in the St Helena community (cardiovascular disease, type two diabetes, cancer, and respiratory disease). Smoking is a highly preventable risk factor if the most effective measures to reduce consumption are used.
- 7) The Bill includes proven, evidence-based measures that will address the current gaps in tobacco control on St Helena. For the

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community the desired outcomes will be fewer young people starting smoking, increased quitting among adult established smokers, reduced exposure to second-hand smoke, and creating a community culture where smoking is no longer seen and accepted as a commonplace/non-harmful activity.

- 8) For smokers, the short-term impacts will be to adjust their usual routine by not smoking in a car with a minor present, and if they previously bought single stick cigarettes, instead purchase a pack when they receive their pay/pension and put these aside for the period they usually smoke them over (the amount spent will remain the same). Young people under 18 will be protected from second-hand smoke in vehicles, they will no longer be able to purchase cigarettes due to the ID requirement and adults will be unable to purchase for young people.
- 9) E-cigarette users will need to purchase these from registered sellers and flavoured liquids and high nicotine liquid will no longer be available. E-cigarette users will be encouraged to receive support from the Smoking Cessation Service and use Nicotine Replacement Therapy (NRT) to safely and sustainably quit nicotine entirely.

ENVIRONMENTAL IMPACT

- 10) No direct environmental impacts. Indirectly there should be positive environmental impacts if fewer people are smoking or smoking less, as this should result in a reduction in tobacco related waste (e.g. cigarette butts) which often causes a litter problem due to incorrect disposal. There should also be less air pollution from cigarette smoke particularly in enclosed spaces.

PREVIOUS CONSULTATION/ COMMITTEE INPUT

- 11) In February 2020, the Public Health Committee and Health Directorate facilitated a period of public consultation on the tobacco control legislation. This was delivered through seven public meetings at community centres across the Island, radio and press briefings and the publicity of the Health Promotion Lead's telephone number and e-mail address, for members of the public to submit any comments.
- 12) Through the public consultation, the main comments from the community about the proposed Tobacco Control legislation were:
 - a) There was generally strong support to implement the proposed tobacco legislation from a health perspective
 - b) There was both support and objections in stopping the sale of single stick cigarettes. Individuals who supported stopping the sale of single sticks, thought it would help prevent young people from starting smoking. Individuals who objected to

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stopping the sale of single stick cigarettes thought it would financially penalise individuals on a lower income, who could not afford to buy whole packets of cigarettes.

- c) Some ex-smokers vocalised that they were supportive of the legislation, stating it was the best thing they had done and it had helped them to save some money.
- d) Some merchants highlighted that it would be difficult for sale assistants to determine the age of customers, particularly younger adults without the implementation of an ID card system. In addition, they stressed the importance of creating a campaign to younger adults to make them aware that they will need identification if they want to purchase cigarettes.

PUBLIC REACTION

- 13) Based on views expressed during the consultation, mixed views are likely to prevail, with some people supporting the measures contained in the Bill and others opposing them.

PUBLICITY

- 14) ExCo's decision will be covered in the media briefing following the meeting. If agreed to be presented as Government business at the next formal meeting of the Legislative Council the Bill will be published via the normal process ahead of this Meeting.
- 15) Separate publicity should be considered if the legislation is passed at the formal meeting of LegCo.

SUPPORT TO STRATEGIC OBJECTIVES

- 16) This paper supports the 'Altogether Healthier' goal in the 10 Year Plan and Strategic Objective 5.1 Improve the health of the community.

LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS

- 17) N/A

OPEN/CLOSED AGENDA ITEM

- 18) Recommended for the Open Agenda.

DFT

Corporate Support
Corporate Services

26th May 2020

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