



THE NATIONAL TOBACCO CONTROL ENFORCEMENT PLAN



TOBACCO CONTROL UNIT
FEDERAL MINISTRY OF HEALTH AND SOCIAL WELFARE



The National Tobacco Control Enforcement Plan

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Foreword

Tobacco use and exposure to secondhand tobacco smoke is a leading cause of preventable death globally, and according to the World Health Organisation, it results in the death of over 8 million people annually. Tobacco use is a public health menace as it is one of the major modifiable risk factors for non-communicable diseases such as cardiovascular diseases, cancers, diabetes, and chronic obstructive pulmonary disease. In Nigeria, available data show that 28,876 deaths related to tobacco smoking occur annually in the country.

In ensuring that the health and well-being of Nigerians are prioritized, and in keeping with Nigeria's obligation to the WHO Framework Convention on Tobacco Control, Nigeria passed the National Tobacco Control (NTC) Act in 2015, and subsequently, the National Tobacco Control Regulations in 2019. The key Objective of the NTC Act, 2015 is to “protect the present and future generations of Nigerians and residents in Nigeria from the devastating health, social, economic and environmental consequences of use of or exposure to tobacco or tobacco products”.

In achieving the objectives of the NTC Act, enforcement of its provisions is sacrosanct, therefore, I am delighted that the Federal Ministry of Health and Social Welfare in collaboration with key stakeholders have developed the maiden National Tobacco Control Enforcement Plan. This document would serve as a guide for enforcement agencies in the ensuring strict compliance with the provisions of the law. The government is committed to ensuring that this plan is widely disseminated to all the relevant agencies for enforcement. I therefore urge all the NTC Law Enforcement Agencies to join hands with the Federal Ministry of Health and Social Welfare to reduce the needless deaths resulting from tobacco use and exposure to tobacco smoke.

In conclusion, I would like to appreciate all the various organisations that collaborated with the Ministry to develop this Plan. It is my hope that in no distant time, Nigeria would be a global example of countries where tobacco control has been successfully implemented.



Professor Muhammad Ali Pate, CON.

Honourable Coordinating Minister,
Federal Ministry of Health and Social Welfare

Preface

This National Tobacco Control Enforcement Plan which is one of the foremost tobacco control enforcement plans in Africa seeks to coordinate tobacco control enforcement activities in Nigeria. The Plan would serve as a useful guide in implementing, enforcing, monitoring and evaluating the provisions of the National Tobacco Control (NTC) Act, 2015 and Regulations, 2019.

The Plan addresses the governance structure for effective enforcement of the provisions of the NTC Act and its Regulations, as well as clearly outlining the powers of the enforcement agencies.

The Plan contains seven key strategies, offences, penalties as well as appropriate enforcement agencies for the various provisions of the Act. The strategies are:

- i) **Strategy 1:** Prohibition of smoking in indoor and outdoor public places (NTC Act, 2015 Part IV)
- ii) **Strategy 2:** Prohibition of tobacco advertising, promotion & sponsorship (NTC Act, 2015 Part V)
- iii) **Strategy 3:** Tobacco Product Sales. (NTC Act, 2015 Part VI)
- iv) **Strategy 4:** Tobacco Product Content and Emission. (NTC Act, 2015 Part VII)
- v) **Strategy 5:** Tobacco Product Packaging and Labeling. (NTC Act, 2015 Part VIII)
- vi) **Strategy 6:** Tobacco Licensing. (NTC Act, 2015 Part VIII)
- vii) **Strategy 7:** Implementation of Miscellaneous Provisions. (NTC Act, 2015 Part XIII)

The Plan also includes a Monitoring and Evaluation Plan for all the strategies and reporting templates for tobacco business operational licence and tobacco product registration certification among others.

It is our sincere hope and belief that this Plan would prompt the National Tobacco Control Law Enforcement Agencies to effectively enforce the NTC Act, 2015 and Regulations, 2019.



Daju, Kachollom S. mni

Permanent Secretary ,
Federal Ministry of Health & Social Welfare

Acknowledgement

The Federal Ministry of Health and Social Welfare wishes to acknowledge the contributions of all the people and organizations that assisted during the development of this comprehensive National Tobacco Control Enforcement Plan for a tobacco-free Nigeria.

The Federal Government of Nigeria particularly appreciates the immense support of the following agencies/partners: The World Health Organization (WHO) Country Office, Campaign for Tobacco-Free Kids, Development Gateway, Nigeria Tobacco Control Alliance, Civil Society Legislative Advocacy Centre, Cedars Refuge Foundation, Development Initiative for Society Health; and other government agencies such as the Nigeria Police Force, Nigeria Security and Civil Defense Corps, Environmental Health Officers Registration Council of Nigeria, Nigeria Customs Service, Federal Competition and Consumer Protection Commission, Standards Organisation of Nigeria, National Agency for Food and Drug Administration and Control, and National Drug Law Enforcement Agency.

Our profound appreciation goes to the Management Sciences for Health, through the Tobacco Policy Fund for Africa (TOPAFA) project for supporting the development as well as the printing of this document.

Finally, I wish to commend and recognize the outstanding commitments, efforts and contributions of the National Coordinator Non-Communicable Diseases Control Division, Head Tobacco Control Unit and all the staff of the Unit.



Dr. Chukwuma Anyaike
Head/Director Public Health
Federal Ministry of Health & Social Welfare

Abbreviations and Acronyms

ARCON	Advertising Regulatory Council of Nigeria
APCON	Advertising Practitioners Council of Nigeria
CAPPA	Corporate Accountability Public Participation Africa
CISLAC	Civil Society Legislative Advocacy Centre
CRF	Cedars Refuge Foundation
CTFK	Campaign for Tobacco Free Kids
DG	Development Gateway
DISH	Development Initiative for Society Health
DPH	Department of Public Health
DSA	Designated Smoking Areas
EHCON	Environmental Health Council of Nigeria
FAAN	Federal Airport Authority of Nigeria
FCT	Federal Capital Territory
FCCPC	Federal Competition and Consumer Protection Commission
FCTC	Framework Convention on Tobacco Control
FGN	Federal Government of Nigeria
FMOE	Federal Ministry of Education
FMOH & SW	Federal Ministry of Health and Social Welfare
FRSC	Federal Road Safety Corp
GHW	Graphic Health Warning
GF	Gate Foundation
M&E	Monitoring & Evaluation
MDA	Ministry, Department, Agency
MSH	Management Sciences for Health
NAFDAC	National Agency for Food and Drug Administration and Control
NATOCC	National Tobacco Control Committee
NBC	National Broadcasting Commission
NCC	Nigeria Communications Commission
NCD	Non-Communicable Diseases
NCS	Nigeria Customs Service

NDLEA	National Drug Law Enforcement Agency
NESREA	National Environmental Standard and Regulation Enforcement Agency
NFVCB	National Film and Video Censors Board
NGE	Nigeria Guild of Editors
NGO	Non-Governmental Organization
NITDA	National Information Technology Development Agency
NOA	National Orientation Agency
NPF	Nigeria Police Force
NPS	National Park Service
NTCA	Nigeria Tobacco Control Alliance
NTCA	National Tobacco Control Act
NTCEP	National Tobacco control Enforcement Plan
NTCR	National Tobacco Control Regulations
NTDC	Nigerian Tourism Development Corporation
NSCDC	Nigeria Security and Civil Defense Corps
NURTW	National Union of Road Transport Workers
OHC	Occupational Health Officers
PHC	Public Health Officers
PTA	Parents Teachers Association
SON	Standards Organisation of Nigeria
SUBEC	State Universal Basic Education Commission
TAPS	Tobacco Advertising, Promotion & Sponsorship
TCE	Tobacco Control Enforcement
TCU	Tobacco Control Unit.
TC	Tobacco Control
TCETF	Tobacco Control Enforcement Task Force
UBEC	Universal Basic Education Commission
WHO	World Health Organization

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1.0. BACKGROUND

Tobacco use including exposure to secondhand smoke is one of the leading causes of death, diseases and impoverishment in the world. It is also the greatest risk factor for non-communicable diseases like heart diseases, hypertension, stroke, cancers, diabetes and chronic obstructive pulmonary diseases¹. There is no safe level of exposure to tobacco smoke as even a brief exposure can be harmful to one's health. Tobacco smoke contains over 7,000 chemicals, of which hundreds are toxic and about 70 are known to cause cancer^{2,3}

Concerned about the tobacco threat, the 56th World Health Assembly on 21st May 2003 endorsed the WHO Framework Convention on Tobacco Control (WHO FCTC), which is the first treaty negotiated under the auspices of the WHO to address tobacco globally. Joining the global movement, Nigeria signed and ratified the WHO FCTC treaty in 2004 and 2005 respectively. The 2012 Global Adult Tobacco Survey (GATS)⁴ show that over 20 billion sticks of cigarettes are consumed in Nigeria annually, and 5.6% of adults (4.5 million) currently use tobacco products. In addition, exposure to secondhand smoke during visit to various public places is high with 82% in bars/nightclubs; 36.3% in coffee shops; and 29.3% in restaurants.

In fulfilling Nigeria's obligation to the WHO FCTC, the Federal Ministry of Health in collaboration with other Ministries, Departments, Agencies and other stakeholders developed National Tobacco Control (NTC) Bill, which was signed into law in May, 2015. As stipulated in Section 5 of the NTC Act, the National Tobacco Control Committee (NATOC) developed the NTC Regulations, which was approved by the National Assembly in 2019.

The key Objective of the NTC Act, 2015 is to “protect the present and future generations of Nigerians and residents in Nigeria from the devastating health, social, economic and environmental consequences of use of or exposure to tobacco or tobacco products”.

¹ WHO. (2020). Tobacco fact sheet - Key Fact. p. 7. Retrieved July 18, 2022, from <https://www.who.int/docs/default-source/campaigns-and-initiatives/world-no-tobacco-day-2020/wntd-tobacco-fact-sheet.pdf>

² National Cancer Institute. (2019, February 21). Secondhand Tobacco Smoke (Environmental Tobacco Smoke). Retrieved July 18, 2022, from <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/secondhand-smoke>.

³ WHO. (2020). Tobacco fact sheet - Key Fact. p. 7. Retrieved July 18, 2022, from <https://www.who.int/docs/default-source/campaigns-and-initiatives/world-no-tobacco-day-2020/wntd-tobacco-fact-sheet.pdf>

⁴ Global Adult Tobacco Survey, Nigeria: Country Report 2012

The Honourable Minister of Health by virtue of Part XI of the NTC Act⁵ and its Regulation Number 20 of the NTC Regulations⁶, designated and authorised the following agencies and officers for the purpose of implementation and enforcement of the Act:

1. Nigeria Police Force (NPF)
2. Public Health Officers, e.g., Port Health Service Officers
3. Nigeria Security and Civil Defence Corps (NSCDC)
4. Environmental Health Officers Registration Council of Nigeria (EHCON)
5. Nigeria Customs Service (NCS)
6. Federal Competition and Consumer Protection Commission (FCCPC)
7. Standards Organisation of Nigeria (SON)
8. National Agency for Food and Drug Administration and Control (NAFDAC)
9. National Drug Law Enforcement Agency (NDLEA)

Other Agencies not listed in the NTC Act and its Regulations, but are relevant in its enforcement, based on their statutory laws include:

1. National Film and Video Censors Board (NFVCB)
2. Advertising Regulatory Council of Nigeria (ARCON), formerly called Advertising Practitioners Council of Nigeria
3. National Broadcasting Commission (NBC)
4. National Environmental Standard and Regulation Enforcement Agency (NESREA)
5. National Park Service
6. Nigerian Tourism Development Corporation (NTDC)
7. National Orientation Agency (NOA)
8. Nigeria Communications Commission (NCC)
9. National Information Technology Development Agency (NITDA)

⁵ Federal Republic of Nigeria Official Gazette, National Tobacco Control Act, 2015

⁶ Federal Republic of Nigeria Official Gazette, National Tobacco Control Regulations, 2019

2.0. GOVERNANCE STRUCTURE

2.1. Coordination of Tobacco Control Enforcement (TCE)

The Tobacco Control Unit (TCU) of the Federal Ministry of Health as mandated by Section 7(d) of the NTC Act, shall coordinate all enforcement activities by liaising with and leveraging on the laws of relevant agencies in the discharge of its statutory functions.

The agencies listed in this plan are to set-up a Tobacco Control Enforcement (TCE) Desks in their various offices at all levels. The desk officers shall be liaising with the TCU in the implementation of the enforcement of the Act. The TCU shall initiate, host and coordinate quarterly meetings of all enforcement agencies and also coordinate joint enforcement operations where necessary. The FMOH&SW through the TCU shall organize specialised training programme for officers of the various agencies involved in the TCE programme. The TCU shall prepare and disseminate a quarterly report containing all enforcement activities including convictions/fines to relevant MDAs.

The Federal Ministry of Health shall establish and coordinate a database linked to all relevant enforcement MDAs for effective monitoring and coordination of all TCE activities including the procurement and sharing of intelligence.

In line with Section 33 (2) of the NTC Act, heads of government institutions, bodies, or other organs shall adopt and periodically monitor and evaluate policies, procedures, codes of conduct, directive, guidelines and standards to ensure proper administration of the Act and its Regulations.

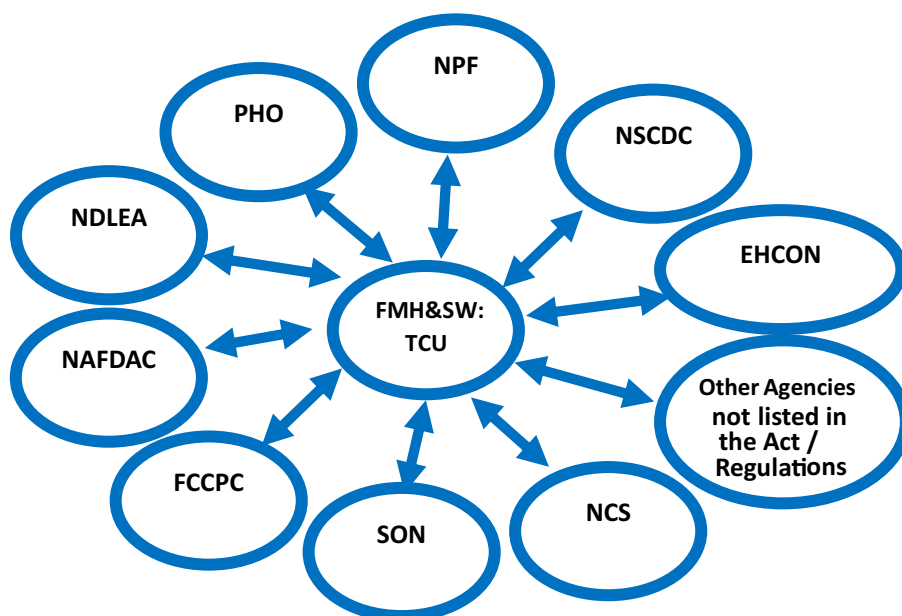


Figure 1: Coordination Structure of Tobacco Control Enforcement

2.2. Reporting Framework

All development resulting from the TCE activities shall be reported to the desk officers at the implementing agencies who shall in turn report same to the Tobacco Control Unit of the Federal Ministry of Health using the reporting template (**Annexe 1**).

2.3. National Tobacco Control Implementation Framework

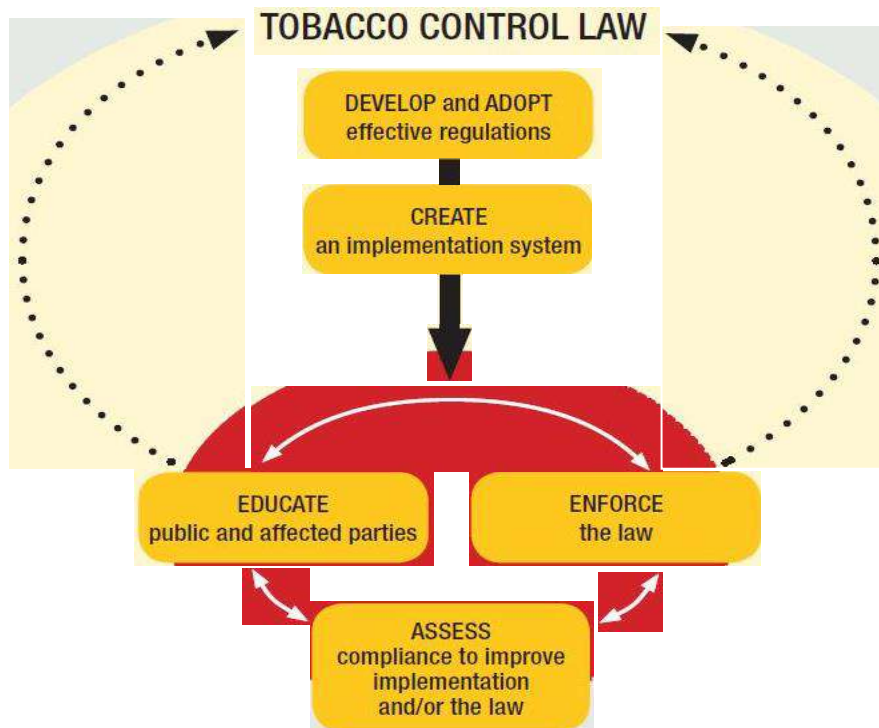


Figure 2: NTC Implementation Framework

Implementation: The process of putting into effect the provisions of a law.

Education: Methods to inform the public and affected parties about the provisions of a law to stimulate compliance.

Enforcement: Action taken by a designated authority to compel compliance with the law; specifically, conducting compliance inspections and imposing penalties on violators.

Compliance: Obedience to a law. This action results from efforts to foster conformity with the law, including enforcement and education.

Monitoring: Assessing compliance with the law.



3.0. POWERS OF THE ENFORCEMENT AGENCIES (NTC ACT, 2015 PART XI)

1. The Authorised enforcement Agencies shall have powers to:
 - (i) enter into the premises of any public place, workplace, means of public transportation and any business where tobacco and tobacco products are manufactured, tested, sold, transported, received, distributed, supplied or otherwise found or is likely to be found;
 - (ii) enter such premises as provided in paragraph (i) above to conduct inspections or investigations at any time during business or operating hours or at any other reasonable or necessary time;
 - (iii) examine, open and test any equipment, tool, material, package or anything the Authorised Agency reasonably believes is used or capable of being used for the manufacture, packaging and labelling, storage, distribution or advertising and promotion of tobacco products;
 - (iv) examine any manufacturing operation or process carried out on the premises;
 - (v) examine and make copies of, or from any book, document, note, file, including electronic files or other records the police or the authorised officer reasonably believes might contain information relevant to determining compliance with the provisions of the National Tobacco Control (NTC) Act or the NTC Regulations and any other applicable laws, including laws and regulations imposing duties or taxes;
 - (vi) interview any person believed to have information relevant to making a determination of compliance;
 - (vii) open and take samples of tobacco products or components of products, their packaging and labelling and have them tested;
 - (viii) stop, search and detain any aircraft, ship, vehicle or other means of transportation or storage in which the authorised Agency reasonably believes tobacco products are or were contained or conveyed;
 - (ix) search and detain, or order the storage without removal or alteration of any tobacco product or other things the authorised Agency reasonably believes does not comply with the provisions of the National Tobacco Control (NTC) Act or the NTC Regulations and any other applicable laws, including laws and regulations imposing duties or taxes; and
 - (x) carry out such other act necessary and expedient for the enforcement of the provisions of the National Tobacco Control (NTC) Act or the NTC Regulations.
2. A person shall not deny, obstruct access, hinder or knowingly make a false or misleading statement against an authorized Agency who is carrying out its duties under the National Tobacco Control (NTC) Act or the NTC Regulations

4.0. STRATEGY 1: PROHIBITION OF SMOKING IN INDOOR AND OUTDOOR PUBLIC PLACES (NTC ACT, 2015 PART IV)

4.1. Introduction

Tobacco product consumption causes severe damage to our health and there is no safe level of exposure to tobacco smoke. The law seeks to protect non-smokers, especially children and workers from the adverse effects of second-hand smoke. Hence, the need for prohibition of smoking in public places in order to engender a smoke-free environment for all. Ideally, environment should be 100% smoke-free but the Act makes provision for creation of designated smoking areas (DSA) by owners of public places and this makes enforcement of smoking especially in indoor public places a challenge. Notwithstanding, DSA, when provided, must fulfill all requirements outlined in the NTC Regulations Numbers 11 & 12.

4.2. Objective

To protect non-smokers especially children from exposure to tobacco smoke and to ensure that owners and managers of the public places implement smoke-free policies, regulations and laws in full compliance.

Table 1: Offences and penalties related to smoking in public places

S/N	OFFENCES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
1	Smoking in a private house or residential building co-occupied by a minor (person who is below 18 years of age) and non-smoker . NTC Act, Section 9(1)(a)	A fine of ₦50,000.00 or 6 months imprisonment	NPF, EHCON NSCDC, FMOH&SW
2	(i) Smoking in any public transport conveying passenger(s) – vehicle, train, tricycle, aircraft, sea vessel, lift, etc. NTC Act, Section 9(1)(b); NTC Regulations No. 8(b) (ii) Smoking in public transport terminal – bus stop, vehicle park, seaport, airport, rail station, except where DSA is provided. NTC Act, Section 9(1)(c)	A fine of ₦50,000.00 or 6 months imprisonment	NDLEA, NPF, NSCDC, FCCPC, FRSC, NURTW, FAAN, FMOH&SW
3	(i) Smoking in any educational facility –	A fine of ₦50,000.00	Min. of Edu, UBEC,

S/N	OFFENCES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
	crèche, primary school, secondary school, tertiary institution, training centre, except where DSA is provided. NTC Act, Sections 9(1)(c) (ii) Smoking anywhere within 10 metres of educational facility listed in 3(i) above. NTC Regulations, No. 8(d)(ii)	or 6 months imprisonment	SUBEC, School Management, PTA, FMOH&SW
4	Smoking anywhere within 10 metres of any health care facility . NTC Regulations, No. 8(d)(i)	A fine of N 50,000.00 or 6 months imprisonment	Min. of Edu, UBEC, SUBEC, School Management, PTA, FMOH&SW
5	(i) Smoking in any workplace, offices, workshop, and factory, except where DSA is provided. NTC Act, Sections 9(1)(c); NTC Regulations, No. 8(d)(ii) (ii) Smoking anywhere within 10 metres of the public places listed in 5(i) above. Regulations, No. 8(d)(ii)	A fine of N 50,000.00 or 6 months imprisonment	Occupational Health Officers, FMOH&SW, NPF, NSCDC, EHCON, NCS, SON
6	(i) Smoking in theatre, cinema, stadium, playground, amusement park and any other sporting, leisure or recreational facility, except where DSA is provided. NTC Act, Sections 9(1)(c) & 9(5)(h); NTC Regulations, No. 8(d)(ii) (ii) Smoking anywhere within 10 metres of the places listed in 6(i) above. Regulations, No. 8(d)(ii)	A fine of N 50,000.00 or 6 months imprisonment	FMOH&SW, FCCPC, NPF NSCDC, Private Cinema Owners Association of Nigeria, Min. of Sports, Min. of Culture & Tourism,
7	(i) Smoking in cafeteria, restaurants, hospitality, except where DSA is provided. NTC Act, Sections 9(5)(g) & 9(5)(h); NTC Regulations, No. 8(d)(ii) (ii) Smoking anywhere within 10 metres of the public places listed in 7(i) above. Regulations, No. 8(d)(ii)	A fine of N 50,000.00 or 6 months imprisonment	EHCON, Public Health Officers, FMOH&SW, NPF, NSCDC, NPS, NESREA, Association of owners of parks & event Organizers, DPR
8	Smoking in sales shop, shopping mall, market or any place where members of the public gather to trade in goods or services	A fine of N 50,000.00 or 6 months imprisonment	NPF, NSCDC, EHCON, FMOH&SW, Owner of facility,
9	Smoking in Police Station, NSCDC Office,	A fine of N 50,000.00	NPF, NSCDC,

S/N	OFFENCES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
	Correctional Service Office or where crime suspects are kept or held in custody. NTC Act, Section 9(1)(c)	or 6 months imprisonment	Correctional Service, NDLEA
10	Smoking in Petrol station, gas station or any other place where inflammable substances are kept. NTC Act, Section 9(1)(c)	A fine of N 50,000.00 or 6 months imprisonment	
11	Failure to provide and display warning signs, failure to implement smoke-free places and failure to create DSA where applicable. NTC Act, Section 9(2-4) and NTC Regulations No. 11 & 12.	A fine of N 50,000.00 or 6 months imprisonment	NPF, NSC DC, EHCON, FMOH&SW, FCCPC, all NTC Law enforcers



Federal Ministry of Health

The Honourable Minister of Health
Dr. Osagie E. Ehanire, MD, FWACS

WELCOME YOU TO IMH

**FINALIZATION & VALIDATION MEETING OF
THE NATIONAL TOBACCO CONTROL ENFORCEMENT PLAN.**

On Tuesday, Thursday 3rd November, 2022

Venue: Main Suites, 1st Floor, Abuja. Time: 9AM Prompt



5.0. STRATEGY 2: PROHIBITION OF TOBACCO ADVERTISING, PROMOTION & SPONSORSHIP (NTC ACT, 2015 PART V)

5.1. Introduction

Tobacco advertising, promotion and sponsorship (TAPS) glamorize and normalize tobacco use. It also makes tobacco companies socially acceptable. It is important to eliminate such glamorization, and ensure that people are not exposed to any form of tobacco marketing that may lead to initiation.

5.2. Objective

To eliminate tobacco advertising and promotion in all forms that may lead to young people and non-smoker's initiation.

Table 2: Offences and penalties related to tobacco advertising, promotion and sponsorship

S/N	OFFENCES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCY
1	TAPS on Radio, Television, Billboards and Newspapers. NTC Act, Section 12(1)	(i) Manufacturer, Distributor and Seller that initiates TAPS: ₦ 5,000,000.00- and 2-years imprisonment for the CEO (ii) Advertiser: ₦ 3,000,000.00- and 1-year imprisonment (iii) Publishing and dissemination of TAPS: ₦ 1,000,000.00- and 1-year imprisonment	ARCON, FMOH&SW, NBC
2	TAPS on social media and internet	Media, celebrity, organizer, participants: ₦ 3,000,000.00- and 1-year imprisonment	NCC, NITDA, FMOH&SW
3	Noncompliance with Price list		
4	Failure to give health warning when tobacco use is depicted in literature and creative material	(i) First time offender: Warning (ii) Suspension of license (iii) Individual: ₦ 500,000.00- or 10-years imprisonment	NFVCB, NBC (Nigeria Guild of Editors)
5	Failure to make disclosure and reporting	(iv) Corporate: ₦ 5,000,000.00	NPF, FMOH&SW

6.0. STRATEGY 3: TOBACCO PRODUCT SALES (NTC ACT, 2015 PART VI)

6.1. Introduction

Strategy 3 specifies the manner in which the sale of tobacco and tobacco products should be carried out. This section of the strategy covers offenses such as Sale to minors, Single stick sales, selling in schools and signage. This Strategy ensures that law enforcement agencies comprehend imbedded offences and penalties associated with tobacco product sales.

6.2. Objective

To ensure that enforcement of the sale of tobacco and tobacco products conforms to the provisions of the NTC Act 2015 Part VI and the NTC Regulations 2019.

Table 3: Offences and penalties related to tobacco product sales

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
1	Sale of tobacco or tobacco products to and or by person(s) below 18 years of age	(i) Individual: A fine less than ₦200,000.00 or a term of imprisonment of not less than 1 year or both (ii) Corporate: A fine of not less than ₦400,000.00	NPF, FCCPC, NSCDC, EHCON, NDLEA and other law enforcement agencies
2	Procurement of the services of persons below the age of 18 years for sale, trade, use, storage, handling or movement of tobacco or tobacco products	(i) Individual: A fine of less than ₦200,000.00 or a term of imprisonment of not less than 1 year or both (ii) Corporate: A fine of not less than ₦400,000.00	
3	Failure to display signage prohibiting the sale of tobacco product to persons below 18 years.	(i) Individual: A fine less than ₦200,000.00 or a term of imprisonment of not less than 1 year or both (ii) Corporate: A fine of not less than ₦400,000.00	
4	Sales, distribution of tobacco and tobacco products through mail,	(i) Warning for first time offenders (ii) Suspension of license of operation for a specific period of time	

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
	internet and other online device	(iii) Individual: A maximum fine of ₦500,000.00 or a maximum imprisonment of 10-years (iv) Corporate entity a maximum fine of ₦5,000,000.00 and 10-years imprisonment on conviction applicable to Managers, Directors, etc.	
5	Sales of unsealed smoked tobacco product containing less than 20 sticks	(i) Individual: A fine less than ₦200,000.00 or a term of imprisonment of not less than 1-year or both (ii) Corporate: A fine of not less than ₦400,000.00 (iii) Warning for first time offenders (iv) Suspension of license of operation for a specific period of time (v) In case of: <ul style="list-style-type: none"> • Individual: A maximum fine of ₦500,000.00 or a maximum imprisonment of 10-years • Corporate entity a maximum fine of ₦5,000,000.00 and 10-years imprisonment on conviction applicable to managers, directors, etc. 	
6	Sales of smokeless tobacco product unit package containing less than 30 grams	(i) Confiscation and forfeiture (ii) Individual: A fine less than ₦200,000.00 or a term of imprisonment of not less than 1-year or both (iii) Corporate: A fine of not less than ₦400,000.00	

7.0. STRATEGY 4: TOBACCO PRODUCT CONTENT AND EMISSION (NTC ACT, 2015 PART VII)

7.1. Introduction

This section focuses on the enforcement of tobacco product contents and emission disclosure in line with prescribed standard for tobacco and tobacco products.

This Strategy ensures that law enforcement agencies comprehend imbedded offences and penalties associated with tobacco product content and emission.

7.2. Objective

To ensure that the manufacture, distribution and sell of tobacco and tobacco products conforms to the approved standards and quantity prescribed in the NTC Act 2015 and other relevant extant, rules, regulations and guidelines.

Table 4: Offences and penalties related to tobacco product content and emission

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCY
1	Manufacturing, distribution or sell of tobacco and tobacco products not in conformity to the approved standard or quantity prescribed	(i) Confiscation and destruction of the tobacco or tobacco product (ii) Manufacturer/Importer: <ul style="list-style-type: none">• Individual: A fine of not less than ₦200,000.00 or a term of imprisonment of not more than 1-year or both• Corporate: A fine of not less than ₦400,000.00 (iii) Others sellers: A fine of not less than ₦200,000 or a term of imprisonment of not more than 1 year or both	SON, NCS, FCCPC, NPF, NSCDC, FMOH&SW, other law enforcement agencies

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
2	Non-submission of report on tobacco or tobacco product content and emission by manufacturers and importers as prescribed in Nigeria Industrial Standards Standard Organisation of Nigeria (SON)	(i) Manufacturer/Importer: <ul style="list-style-type: none"> • Individual: A fine of not less than ₦200,000.00 or a term of imprisonment of not more than 1-year or both • Corporate: A fine of not less than ₦400,000.00 (ii) Others sellers: A fine of not less than ₦200,000 or a term of imprisonment of not more than 1-year or both	SON, NCS, FCCPC, NPF and other law enforcement agencies



Dr. Oluwaleke O. Oluwalanle, PhD, FWACS
Member of the National Tobacco Control Commission
**FINALIZATION & VALIDATION MEETING OF
THE NATIONAL TOBACCO CONTROL ENFORCEMENT PLAN.**
Date: **Thursday 1st, Thursday 3rd November, 2022**
Venue: **Alhambra Hotel, 1, Law Street, Area 11, Abuja** **K&M Group**


8.0. STRATEGY 5: TOBACCO PRODUCT PACKAGING AND LABELLING (NTC ACT, 2015 PART VIII)

8.1. Introduction

Strategy 5 covers provisions of the law and regulation which specify the manner in which the tobacco products should be packaged and labelled. This strategy ensures that law enforcement agencies comprehend the embedded offences and penalties related to tobacco products and labelling.

8.2. Objective

To ensure that every tobacco product conforms to health warnings and other information required on tobacco product packaging and labelling

Table 5: Offences and penalties related to tobacco product packaging and labelling

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCY
1	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages without the combination of text and graphics health warnings (GHW) as prescribed by the NTC Act and Regulations, and any other laws	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years (ii) For Retailer, a fine of not less than ₦200,000.00 and a term of imprisonment of not more than 1-year	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulation 2019
2	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages with text and graphic health warning covering less than 50% of the total surface of the package.	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years (ii) For Retailer, a fine of not less than ₦200,000.00 and a term of imprisonment of not more than 1-year	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
3	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages whose text of the health warnings and messages are in foreign languages other than English Language.	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years (ii) For Retailer, a fine of not less than ₦200,000.00 and a term of imprisonment of not more than 1-year	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019
4	Non-compliance of the packaging and labelling providing the descriptive information on constituents and emissions as prescribed in the NTC Regulations 2019	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years (ii) For Retailer, a fine of not less than ₦200,000.00 and a term of imprisonment of not more than 1-year	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019
5	Manufacturing, importation, distribution and sale of tobacco and tobacco products that promote the products by means of false and misleading packaging and labelling which include prohibited terms such as low tar, light, ultra-light or mild, extra, ultra and any other language that is likely to create the false impression that a particular tobacco product is less harmful than others.	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years (ii) For Retailer, a fine of not less than ₦200,000.00 and a term of imprisonment of not more than 1-year	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019
6	Use of promotional items and features as part of the tobacco and tobacco products labelling and packaging other than the brand name, and products	(i) For tobacco Manufacturer, Importer or wholesale distributor, a fine of not less than ₦5,000,000.00 and a term of imprisonment of not more than 2-years	NCS, FCCPC, SON, NAFDAC, NPF, NSCDC, FMOH&SW, and other relevant enforcement Agencies listed in the NTC Act 2015 and

S/N	OFFENSES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCIES
	name displayed in a standard color and font, as prescribed in the regulations.	(ii) For Retailer, a fine of not less than N 200,000.00 and a term of imprisonment of not more than 1-year	Regulations 2019

9.0. STRATEGY 6: TOBACCO LICENSING (NTC ACT, 2015 PART VIII)

9.1. Introduction

This section deals with the requirements and issuance of licensing for importation, manufacturing and distribution of all tobacco products in Nigeria.

9.2. Objective

To ensure that only licensed tobacco products manufacturers, importers and distributors operate in Nigeria and their tobacco products standardized, registered and certified in-country.

Table 6: Offences and penalties related to tobacco licensing

S/N	OFFENCES	PENALTY	APPROPRIATE AGENCIES
1	Manufacturing, importation and distribution of all tobacco products in Nigeria without a valid Licence issued by the Honourable Minister of Health under the NTC Act and its Regulations.	(i) Tobacco manufacturer or importer, upon conviction, a fine of not less than ₦10,000,000.00 and a term of imprisonment of not more than 10-years or both; and (ii) Any other person, upon conviction a fine of not less than ₦5,000,000 or a term of imprisonment of not more than 5-years or both	FMOH&SW, NPF, NCS, FCCPC, SON, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019
2	Licensee that violates an extant law governing the industry or corporate practice in Nigeria.		
3	Licensee that fails to submit annual report		
4	Licensee that provides false information in its report. Licensee that violates the terms of the license.		
5	Tobacco products manufactured, distributed or imported that are not registered and Certified by the Standards Organization of Nigeria (SON) or other government agencies		

10.0. STRATEGY 7: IMPLEMENTATION OF MISCELLANEOUS PROVISIONS (NTC ACT, 2015 PART XIII)

10.1. Introduction

This section deals with other aspects of the law that were not captured in the main body of the law and also explain relevant terms in the Act.

10.2. Objective

To capture other relevant aspects of tobacco control in Nigeria not incorporated in the preceding sections of the Act.

Table 7: Offences and penalties related to miscellaneous provisions

S/N	OFFENCES	PENALTIES	APPROPRIATE ENFORCEMENT AGENCY
1	Any person, business or entity that engage in any retaliatory action or discriminate against any informant or complainant on practices against any provision of this Act, relevant laws, policies and regulations shall herein be construed to have obstructed the Act and its regulations.	(i) A warning, where the person is a first-time offender and the violation is deemed to be unintentional; (ii) Suspension of licence or operations for a specified period of time: and (iii) In case of: <ul style="list-style-type: none">• Individual: a maximum fine of ₦500,000 or a maximum imprisonment of 10-years, and• Corporate entity: a maximum fine of ₦5,000,000.00. (iv) In the case of a violation by a corporation, partnership firm or other entity, the managers, directors, officers, and their legal representatives as appropriate, shall bear responsibility for any penalty imposed for any cost, associated with any enforcement or corrective action, and or any term of imprisonment ordered unless otherwise specified.	FMOH&SW, NPF, NCS, FCCPC, SON, and other relevant enforcement Agencies listed in the NTC Act 2015 and Regulations 2019

11.0. CONCLUSION

The National Tobacco Control Act and its Regulations are a domestication of the WHO Framework Convention on Tobacco Control for which Nigeria is a party. Its enforcement is important in protecting Nigerians from the devastating health, social, economic, and environmental consequences of use and exposure to tobacco or tobacco products.

The seven strategies in this plan cover the various provisions of the NTC Act and its regulations and are essential guide for effective Tobacco Control Enforcement (TCE) in Nigeria.

A Monitoring and Evaluation framework (Annexe 1) as well as a reporting template for all the enforcement MDAs have been developed as major tools for tracking and evaluating the enforcement of the NTC Act and Regulations.



12.0. MONITORING AND EVALUATION PLAN

Strategy 1: Prohibition of smoking in indoor and outdoor public places (NTC Act, 2015 Part IV)

Objective: To protect non-smokers especially children from exposure to tobacco smoke and to ensure that owners and managers of the public places implement smoke-free policies, regulations and laws in full compliance.

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violators	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr 5
1	Smoking in private houses or residential buildings with minors and non-smokers (Sec 9, 1a)	Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia .		Physical inspection report					
2	Smoking in vehicles, Trains, Tricycles, Aircrafts, etc. conveying passenger(s). (Sec 9, 1b)	Display of no-smoking signage at strategic locations Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia in vehicles conveying passengers Increase in the number of public carriers where smoking is not allowed		Physical inspection report					

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violators	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
3	Smoking in-door or enclosed public places e.g., clinics, medical facilities, schools etc. (sec 9, 1c and 9, 5d)	Display of no-smoking signage at strategic locations Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia Increase in the number of public Places where smoking is not allowed		Informant report and Physical inspection report					
4	Smoking in Workshop, Offices, Companies (sec 9, 1c)	Availability of no-smoking signage at strategic locations Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia Increase in the number of public offices where smoking is not allowed		Informant report and Physical inspection report					
5	Smoking in theaters and cinemas (sec 9, 1c and 9, 5h)	Display of no-smoking signage at strategic locations Absence of ashtrays, ash		Informant report, pictures and Physical inspection report					

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violators	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr 5
		bins, cigarette butts, shisha and other tobacco use paraphernalia Increase in the number of public Places where smoking is not allowed							
6	Smoking in Cafeteria, Restaurants (sec 9, 5g)	Increase in the number of public Places where smoking is not allowed. Display of non-smoking signage at strategic locations Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia		Informant report, physical inspection, Security video recording					
7	Smoking in Playground, Amusement parks (sec 9, 1c and 9, 5f)	Number of public Places where smoking is not carried out. Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia		Informant report and physical inspection					

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violators	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr 5
		Availability of no-smoking signage at strategic location							
8	Smoking in Police station, NSCDC offices and Correctional service office (sec 9, 1c)	<p>Increase in the number of public Places where smoking is not allowed.</p> <p>Availability of no-smoking signage at strategic locations</p> <p>Absence of ashtrays, ash bins, cigarette butts, shisha and other tobacco use paraphernalia</p>		Informant report and physical inspection					
9	Smoking in Petrol stations (sec 9, 1c)	<p>Increase in the number of public Places where smoking is not allowed</p> <p>Availability of no-smoking signage at eye-catching areas</p>		Informant report and physical inspection					
10	Failure to provide and display warning signs and failure to implement smoke-free places and	<p>Availability of no-smoking signage at eye-catching areas</p> <p>Provision of</p>		Physical inspection and certificate of compliance to DSA					

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violators	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr 5
	DSA where applicable. (S 9, 2-4 & Reg. 11)	Reg. compliant DSA		requirements					

Strategy 2: Prohibition of tobacco advertising, promotion & sponsorship (NTC Act, 2015 Part V)

Objective: To eliminate tobacco advertising and promotion in all forms that may lead to young people and non-smoker's initiation.

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	No of violators	Means Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
1	TAPS on Radio, Television, Billboards and Newspapers	Absence of tobacco adverts on billboards, newspapers, TV, radio Significant reduction of tobacco depiction and use in movies, music and literary works		Informant and surveillance report					
2	TAPS on social media and Internet	Absence of tobacco adverts, promotion and sponsorship on social media and digital contents.		Links and screen capture Informant and surveillance report					
3	Noncompliance with Price list 12,4a & (Reg.16)	Price list displayed as specified		Price list image Informant and surveillance report					
4	Failure to give Health warning messages in literature and creative work which depicts the use of tobacco (graphic and video) material (Reg. 15c)	Health warnings in movies, music and entertainment/literary works where tobacco depiction is necessary or unavoidable		Recording					

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	No of violators	Means Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
5	Failure of tobacco industry to submit annual report to FMOH&SW (Section 13)	Evidence of mandatory report submitted to FMOH&SW by TI (sec 12)		FMOH&SW report					
6	Tobacco depiction and glamourization on social media by celebrities and influencers	Absence of tobacco depiction and glamorization on social media by celebrities and influencers.		Screen shots, links and recordings.					

Strategy 3: Tobacco Product Sales (NTC Act, 2015 Part VI)

Objective: To ensure that enforcement of the sale of tobacco and tobacco products conforms to the provisions of the NTC Act 2015 Part VI and the NTC Regulations 2019.

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr2	Yr3	Yr4	Yr5
1	Sale of tobacco or tobacco products to or by person(s) below 18 years of age	Increased number of sales outlets that require means of age verification before selling tobacco products		<ul style="list-style-type: none"> - Enforcement Report - Surveillance report - Random raids/Sting operations - Research, Studies and Reports. - Informants 					
		Increased number of sales outlets where the sales person uses reasonable discretion to confirm the age of buyers when means of age verification is not available							
		Increased number of points of sale where minors don't sell tobacco products							
		Increased number of sales outlets that display the signage "Not for Sale to persons below 18 years"							

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
2	Procurement of the services of persons below the age of 18 years for sale, trade, use, storage, handling or movement of tobacco or tobacco products	Increased number of sales outlet/warehouse/transport/farm owners, etc. that verify age before engagement of workers		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
3.	Failure to display signage prohibiting the sale of tobacco product to persons below 18 years.	Increased number of sales outlets that display the signage "Not for Sale to persons below 18 years"		<ul style="list-style-type: none"> - Enforcement report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
4.	Sales, distribution of tobacco and tobacco products through mail, internet and other online channels	Increased number of online marketing platforms that do not allow tobacco and tobacco products listed for sale		<ul style="list-style-type: none"> - Surveillance of online platforms - Research, Studies and Reports. 					
5	Sales of unsealed smoked tobacco product containing less than 20 sticks	Increased number of sales outlets that do not sell products in single sticks		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
		Increased number of sales							

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
		outlets that display the signage "No Sale of Single Sticks"							
6	Sale of smokeless tobacco product unit package containing less than 30 grams	Increased number of tobacco manufacturers that produce smokeless products in unit packs not less than 30 grams		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
		Increased numbers of sales outlets that do not sell smokeless products in unit packs less than 30 grams							

Strategy 4: Tobacco Product Content and Emission (NTC Act, 2015 Part VII)

Objective: To ensure that the manufacture, distribution and sell of tobacco and tobacco products conforms to the approved standards and quantity prescribed in the NTC Act 2015 and other relevant extant, rules, regulations and guidelines.

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
1	Manufacturing, distribution or sale of tobacco and tobacco products not in conformity to the approved standard or quantity	Increased number of tobacco manufacturers/distributors/retailers that manufactures, distributes, and sells tobacco products in		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					

S/N	Offence/ Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr1	Yr2	Yr3	Yr4	Yr5
	prescribed	compliance with prescribed standards							
2	Non-submission of report on tobacco or tobacco product contents and emissions by manufacturers and importers as prescribed by the Standards Organisation of Nigeria	Increased number of tobacco manufacturers and importers who submit report of product contents and emissions as part of their annual reports to the Honourable Minister of Health		- Verification of reports to the Honourable Minster of Health					

Strategy 5: Tobacco Product Packaging and Labelling (NTC Act, 2015 Part VIII)

Objective: To ensure that every tobacco product conforms to health warnings and other information required on tobacco product packaging and labelling

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
1	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages not depicting text and graphics health warnings as prescribed by the National Tobacco Control Act or any other laws	Increased number of tobacco manufacturers and importers who submit their GHWs sample design to FMOH&SW		<ul style="list-style-type: none"> - Enforcement Report (Customs, Port Authority) - Surveillance - Random raids/Sting operations - Research, Studies and Reports. - Informants 					
		Increased number of tobacco manufacturers							

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
		and importers whose GHWs sample design are approved by FMOH&SW							
		Increased sales outlets that sell products with prescribed GHWs							
		Reduction in smuggled tobacco products that are non-compliant to the prescribed GHWs provision							
2	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages with text and graphic health warnings covering less than 50% of the total surface of the package	Increased number of tobacco manufacturers and importers who submit their text and GHWs sample design to FMOH&SW		<ul style="list-style-type: none"> - Enforcement Report (Customs, Port Authority, SON, NAFDAC) - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
		Increased number of tobacco manufacturers and importers whose text & GHWs sample design are approved by FMOH&SW							
		Increased number of sales outlets							

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
		that sell products with prescribed text & GHWs							
		Reduction in smuggled tobacco products that are non-compliant to the prescribed text & GHW provision							
3	Manufacturing, importation, distribution and sale of tobacco and tobacco products in packages whose text of the health warnings and messages are in foreign languages other than English Language	Increased number of tobacco manufacturers and importers whose submitted text of the health warning sample design to FMOH&SW is in English Language		<ul style="list-style-type: none"> - Enforcement Report (Customs, Port Authority, SON, NAFDAC) - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
		Increased number of tobacco manufacturers and importers whose text health warning sample design are approved by FMOH&SW							
		Increased number of sales outlets that sell products with							

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
		prescribed text health warning							
		Reduction in smuggled tobacco products that are non-compliant to the prescribed text health warning							
4	Non-compliance of the packaging and labelling providing the descriptive information on constituents and emissions as prescribed in the National Tobacco Control Regulation 2019	Increased number of products that conform to the prescribed labelling provision of the NTC Act, NTC Regulations, and other relevant Laws and Regulations		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					
5	Manufacturing, importation, distribution and Sale of Tobacco or Tobacco products that promote the products by means of false and misleading packaging and labelling which include prohibited terms such as low tar, light, ultra-light or mild, extra, ultra and any other language that is likely to create the	Increased number of products that conform to the prescribed labelling provision of the NTC Act, NTC Regulations, and other relevant laws and regulations		<ul style="list-style-type: none"> - Enforcement Report (Customs, Port Authority, SON, NAFDAC) - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	Number of Violations	Means of Verification	Targets				
					Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
	false impression that a particular tobacco product is less harmful than others.								
6	Use of promotional items and features as part of the tobacco and tobacco products labelling and packaging other than the brand name, and products name displayed in a standard colour and font, as prescribed in the regulations.	Increased number of products that conform to the prescribed labelling provision of the NTC Act, NTC Regulations, and other relevant laws and regulations		<ul style="list-style-type: none"> - Enforcement Report - Surveillance - Random raids/Sting operations - Research, Studies and Reports. 					

Strategy 6: Tobacco Licensing (NTC Act, 2015 Part VIII)

Objective: To ensure that only licensed tobacco products manufacturers, importers and distributors operate in Nigeria and their tobacco products standardized, registered and certified in-country.

S/N	Offence/ Provisions of the NTC Act	Number of Tobacco Companies (Manufacturers, Importers, Distributors)	Compliance Indicator	No of violations	Means of Verification	Targets				
						Yr 1	Yr2	Yr3	Yr4	Yr5
1	Failure to obtain license for importation, manufacturing and distribution of all tobacco products in Nigeria is an offence punishable under the NTC Act and its Regulations. Part X. 29 (1)		Number of Businesses licensed		Form V					
2	Licensee that violates an extant law governing the industry or corporate practice in Nigeria.		Number of conforming companies		Report from MDAs responsible for enforcement as prescribes by the Act.					
3	Licensee that fails to submit annual report		Number of conforming /non-conforming		Report from MDAs responsible for					

S/N	Offence/ Provisions of the NTC Act	Number of Tobacco Companies (Manufacturers, Importers, Distributors)	Compliance Indicator	No of violations	Means of Verification	Targets				
						Yr 1	Yr2	Yr3	Yr4	Yr5
			companies		enforcement as prescribes by the Act.					
4	Licensee that provides false information in its report.		Number of conforming companies		Report from MDAs responsible for enforcement as prescribes by the Act.					
5	Licensee that violates the terms of the license.		Number of conforming companies							
6	Tobacco products manufactured, distributed or imported that are not registered and Certified by the Standards Organization of Nigeria (SON) or other government agencies		Number of Registered and Certified Tobacco Companies		Form V					

Strategy 7: Implementation of Miscellaneous Provisions (NTC Act, 2015 Part XIII)

Objective: To capture other relevant aspects of tobacco control in Nigeria not incorporated in the preceding sections of the Act

S/N	Offence/Provisions of the NTC Act	Compliance Indicator	No of violations	Means Verification	Targets				
					Yr1	Yr2	Yr 3	Yr4	Yr5
1	Any person, business or entity that engage in any retaliatory action or discriminate against any informant or complainant on practices against any provision of this Act, relevant laws, policies and regulations shall herein be construed to have obstructed the Act and its regulations.	Numbers of Informants and whistleblowers coming forward with relevant information		Report from MDAs responsible for enforcement as prescribed by the Act.					

Annexe 1: Reporting Template for National Tobacco Control Act Compliance (Form I)

- Name of Enforcement**

MDA.....

- Contact of Tobacco Control Enforcement Desk Officer:**

(a) Name.....

.....

(b) Designation/Rank.....

.....

(c) Tel.

No.....

.....

(d) Email

address.....

.....

- Reporting Period (quarterly)**

.....

Brief description violation

S/N	What (specific offence)	Evidence of violation	Where (Place)	When (Date & time)	Who (name of individual or corporate entity)	Status of investigation (completed ongoing)	Penalty / sanction (specify)	Other remarks
1								

2								
3								
4								
5								

**Annexe 2: Annual Reporting Template for Tobacco Business Operational Licence
to be Filled by FMOH & SW (Form II)**

YEAR:.....

S/N	NAME OF COMPANY	ADDRESS	EMAIL/ PHONE NUMBER	TYPE OF APPLICATION	TYPE OF TOBACCO PRODUCT	APPLICATION STATUS		REASONS FOR REJECTION	REQUIRED FOLLOW-UP ACTION	REMARKS
						APPROVED	REJECTED			

Annexe 3: Annual Reporting Template for Tobacco Product Registration Certification to be Filled by the SON (Form III)

YEAR:.....

S/N	NAME OF COMPANY	ADDRESS	EMAIL/ PHONE NUMBER	SOURCE OF PRODUCT		TYPE OF TOBACCO PRODCT	STATUS OF REGISTRATION		REASONS FOR REJECTION	REQUIRED FOLLOW-UP ACTION	REMARKS
				IMPORTED	DOMESTIC		APPROVED	REJECTED			

Annexe 4: Annual Reporting Template for Application for Approval to Use Designated Smoking Area/Room to be Filled by FMOH & SW (Form IV)

YEAR:.....

S/N	NAME OF COMPANY	ADDRESS	EMAIL/ PHONE NUMBER	STATUS OF APPLICATION		REASONS FOR REJECTION	REQUIRED FOLLOW-UP ACTION	REMARKS
				APPROVED	REJECTED			

Annexe 5: Core Team

Name	Designation	Organisation
Dr Bridget Okeoguale	Chairperson,	Union of National African Paediatric Societies and Associations (UNAPSA)
Prof. Christy O. Ukoli	Former Chairperson, NATOCC	Jos University Teaching Hospital
Dr. Malau M. Toma	Head, Tobacco Control Unit	Federal Ministry of Health and Social Welfare (FMOH & SW)
Abraham Emmanuel A.	Principal Scientific Officer	FMOH & SW
Akinkoye Kehinde O.	Principal Scientific Officer	FMOH & SW
Dr Sunday Eze	Medical Officer I	FMOH & SW
Michael Adegbe	Fund Manager/Project Lead	TOPAFA/Management Sciences for Health
Peter Unekwu-Ojo Friday	Project Specialist	TOPAFA/Management Sciences for Health

Annexe 6: List of Contributors

NAME	DESIGNATION	ORGANIZATION
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