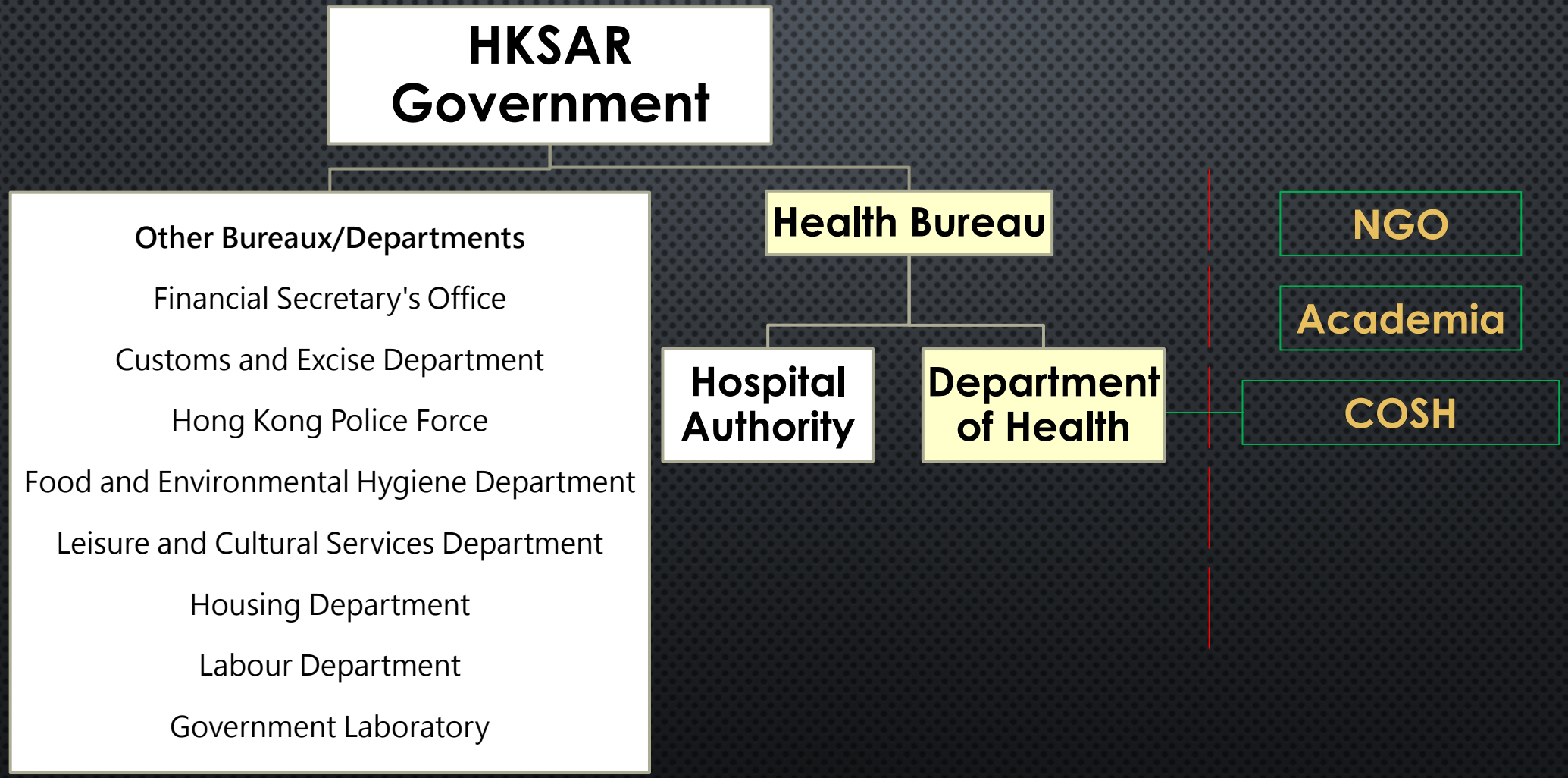
OVERVIEW OF TOBACCO CONTROL LEGISLATIONS IN HONG KONG

Tobacco and Alcohol Control Office
Department of Health
26 November 2026

Ms. Joanna TAM
Chief Tobacco and Alcohol Control Inspector



Key stakeholders of tobacco control in HK - How legislation, enforcement, taxation, cessation services, public education, and social advocacy work together synergistically

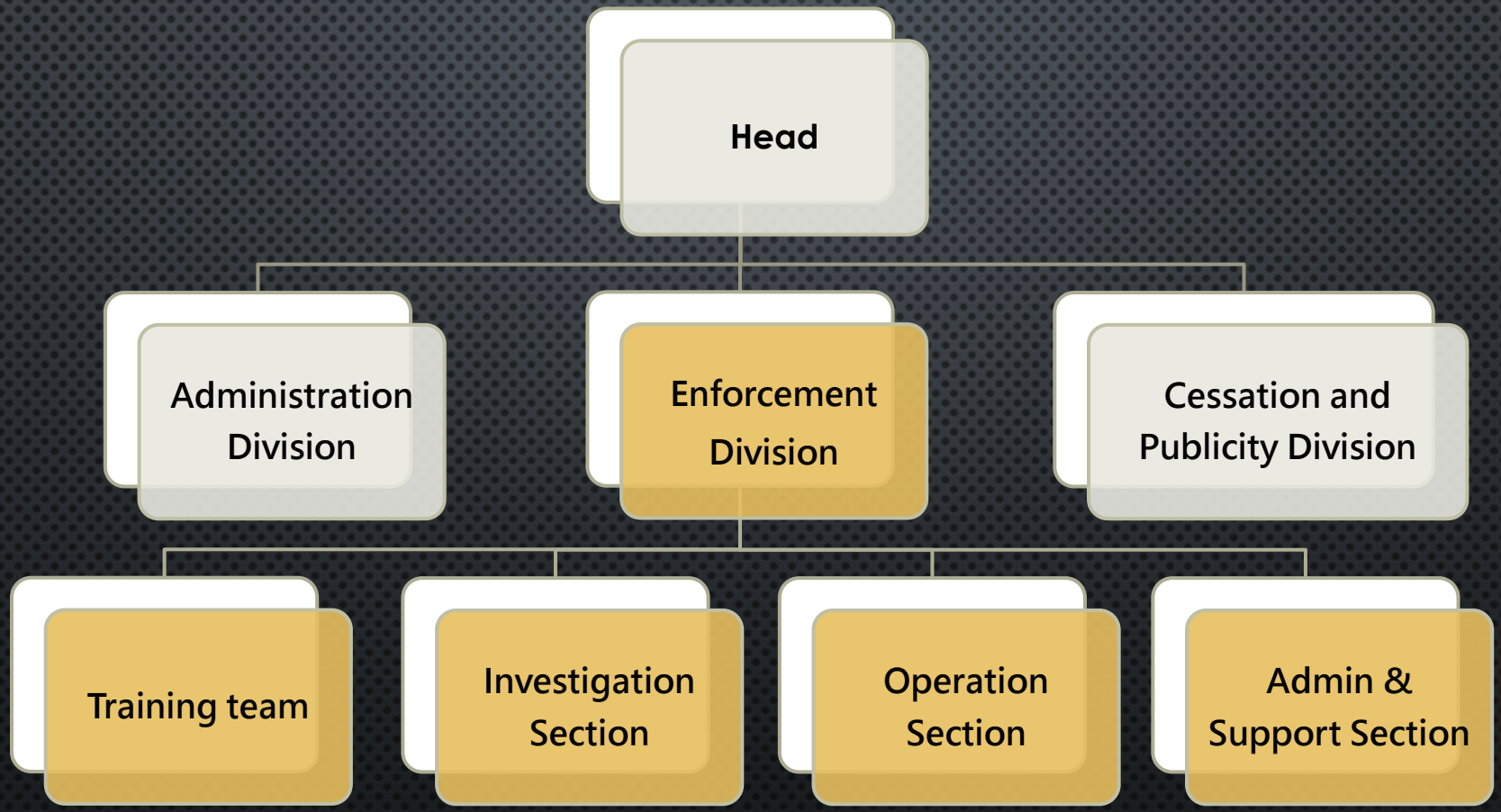


TOBACCO AND ALCOHOL CONTROL OFFICE

- THE TOBACCO AND ALCOHOL CONTROL OFFICE (TACO) WAS ESTABLISHED UNDER THE DEPARTMENT OF HEALTH IN 2001 TO PROMOTE A SMOKE-FREE CULTURE.
- MAJOR RESPONSIBILITIES:
  - LAW ENFORCEMENT
  - HEALTH EDUCATION AND PUBLICITY
  - PROMOTE AND COORDINATE SMOKING CESSATION SERVICES



TACO – STRUCTURE



TOBACCO AND ALCOHOL CONTROL LAWS

- ENFORCE SMOKING (PUBLIC HEALTH) ORDINANCE (CAP. 371)
- ENFORCE FIXED PENALTY (SMOKING OFFENCES) ORDINANCE (CAP. 600)
- ENFORCE THE IMPORT AND EXPORT ORDINANCE (CAP. 60), specific to the import of alternative smoking products (ASP)
- ENFORCE THE DUTIABLE COMMODITIES (LIQUOR) REGULATIONS (CAP. 109B) PART 5 - prohibit the sale or supply of intoxicating liquor to minors in the course of business



SMOKING (PUBLIC HEALTH) ORDINANCE (CAP. 371)

- First enacted in 1982
- Provide a legal framework for restricting the use, sale and promotion of tobacco products

FIXED PENALTY (SMOKING OFFENCES) ORDINANCE (CAP. 600)

- Enacted in 2008
- A fixed penalty system for smoking offences since 2009
- Fixed penalty: Increased from HK$1,500 to $3,000 (wef 1.1.2026)

LEGISLATIONS

SMOKING (PUBLIC HEALTH) ORDINANCE (CAP. 371)

- Control smoking acts and smoking product

Smoking act means smoking or carrying —

(a) a lighted cigarette, cigar or pipe; or

(b) an activated alternative smoking product.

SMOKING IS PROHIBITED

- in certain designated areas, e.g. no smoking area (NSA)
- in public transport carriers ;
- while queuing to board public transport carriers etc.;
- while queuing to enter or inside certain places.

LEGISLATIONS

SMOKING (PUBLIC HEALTH) ORDINANCE (CAP. 371)

Smoking product means —

(a) a conventional smoking product (CSP); or

(b) an alternative smoking product (ASP).

Restrictions / Control :

- The product itself (mainly CSP)
- Sale & supply
- Advertisement
- A sign warning no sale of CSP to underaged person

LEGISLATIONS

SMOKING (PUBLIC HEALTH) ORDINANCE (CAP. 371)

Alternative Smoking Products (ASP)-related offences:

- Manufacture
- Sale or offer to sale
- Give to persons under the age of 18 (regardless of purpose)
- Give anyone for promotion or advertisement; in exchange for a token; or as a prize;
- Possess for sale, manufacture, etc.;
- Possession of specified ASP in public places (wef 30 April 2026)









The Tobacco Control Legislation (Amendment) Ordinance 2025

Tobacco control measures	Effective date
Prohibit the provision of smoking products (including CSPs and ASPs) to persons aged below 18	**19 September 2025**
Increase penalties for duty-not-paid tobacco	
Require that cigarettes sold at a price lower than the tobacco duty be proved to be duty-paid	
Prohibit smoking while queuing	**1 January 2026**
Extend statutory no-smoking areas to within three metres of the entrances and exits of specified places	
Increase the fixed penalty for smoking offences from $1,500 to $3,000	
Ban the possession of specified ASP in public places	**30 April 2026**
Implement a duty stamp system for cigarettes	Target for full implementation in **December 2027**
Implement plain packaging requirement	Planned to take effect in tandem with the duty stamp system in **December 2027**
Ban flavoured conventional smoking products	After full implementation of the duty stamp system and plain packaging requirement (i.e. **December 2027**)



THE TOBACCO CONTROL LEGISLATION (AMENDMENT) ORDINANCE 2025

- Smoking while queuing to board public transport / to enter specified places (wef 1.1.2026)



- Possession of specified ASP in public places (wef 30.4.2026)



1 January 2026

Ban on smoking while queuing - public transport carrier

1) While staying in the delineated area for a designated boarding location



2) While queuing to board a public transport carrier at a designated boarding location



1 January 2026

Ban on smoking while queuing to enter a place described in Schedule 9 of Cap. 371, or while queuing within such a place

Examples :

- Cinema, theatre or concert hall
- Civic centre
- Community hall
- Hospital
- Museum
- Specified clinic or health centre
- Hong Kong Disneyland Park
- Ocean Park & Water World
- AsiaWorld-Expo, HKCEC
- Etc…



BAN ON ALTERNATIVE SMOKING PRODUCTS







- With effect from 30 April 2022, no person may:
  - Import;
  - Promote;
  - Manufacture;
  - Sell or offer for sale;
  - Possess for commercial purposes;
  - Smoke ASP in NSA…

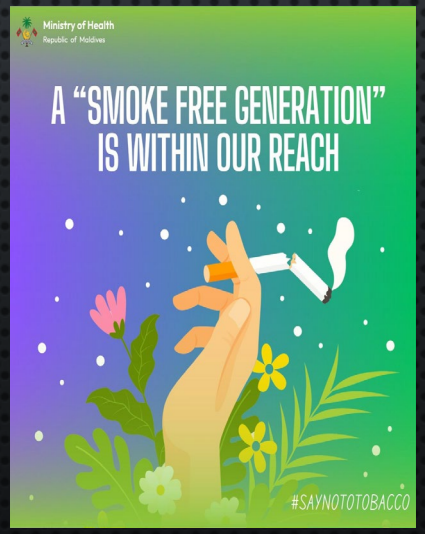
- With effect from 30 April 2026, no person may, in public places:
  - possess specified ASP (incl. e-liquid capsule, heatstick and herbal cigarette);
  - Fixed penalty $3,000

FUTURE CHALLENGES AND OPPORTUNITIES

- Plain packaging
- Ban flavoured conventional smoking products
- Taxation
- Further expansion of no smoking areas
- Tobacco-free generation









http://www.yourhealth.gov.au/internet/yourhealth/publishing.nsf/Content/plainpack-tobacco

Thank you

