

SENATE OF PAKISTAN
House of the Federation



**REPORT OF THE SENATE STANDING COMMITTEE ON
NATIONAL HEALTH SERVICES, REGULATIONS AND
COORDINATION**

ON

**THE ELECTRONIC NICOTINE DELIVERY SYSTEMS
(REGULATION) BILL, 2026, INTRODUCED BY SENATOR SARMAD
ALI IN THE SENATE SITTING HELD ON 1ST DECEMBER, 2025**

REPORT NO. 17

PRESENTED BY

Senator Amir Waliuddin Chishti
Chairman
**Senate Standing Committee on National Health Services,
Regulations and Coordination**

SENATE SECRETARIAT

Subject: REPORT OF THE SENATE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION ON THE ELECTRONIC NICOTINE DELIVERY SYSTEMS (REGULATION) BILL, 2026, INTRODUCED BY SENATOR SARMAH ALI IN THE SENATE SITTING HELD ON 1ST DECEMBER, 2025

1. Senator Amir Waliuddin Chishti, Chairman Standing Committee on National Health Services, Regulations and Coordination have the honor to present, on behalf of Committee, this report on a Private Member's Bill titled "The Electronic Nicotine Delivery Systems (Regulation) Bill, 2026" introduced by Senator Sarmad Ali in the Senate sitting held on 1st December, 2025 and refer to the Committee for consideration and report.

2. The composition of the Committee is as under:-

1.	Senator Amir Waliuddin Chishti	Chairman
2.	Senator Syed Masroor Ahsan	Member
3.	Senator Anusha Rahman Ahmad Khan	Member
4.	Senator Samina Mumtaz Zehri	Member
5.	Senator Rubina Khalid	Member
6.	Senator Mohammad Humayun Mohmand	Member
7.	Senator Fawzia Arshad	Member
8.	Senator Mohammad Azam Khan Swati	Member
9.	Senator Dilawar Khan	Member
10.	Senator Liaqat Khan Tarakai	Member
11.	Senator Nadeem Ahmed Bhutto	Member
12.	Senator Rahat Jamali	Member
13.	Senator Shahzaib Durrani	Member
14.	Senator Nasir Mehmood	Member
15.	Minister for National Health Services, Regulations and Coordination	Ex-officio Member

3. The Committee took up the matter in its meetings held on 5 January, 3 March, 7 May, 2 June, and 20 August 2026, which were attended by the following Members, along with the Member In-Charge:

i.	Senator Amir Waliuddin Chishti	Chairman
ii.	Senator Syed Masroor Ahsan	Member
iii.	Senator Anusha Rehman Ahmed Khan	Member
iv.	Senator Rahat Jamali	Member
v.	Senator Dilawar Khan	Member
vi.	Senator Nadeem Ahmed Bhutto	Member
vii.	Senator Rubina Khalid	Member
viii.	Senator Samina Mumtaz Zehri	Member
ix.	Senator Nasir Mehmood	Member
x.	Senator Shahzaib Durrani	Member
xi.	Senator Sarmad Ali	Member In-Charge
xii.	Minister for National Health Services, Regulations and Coordination	Ex-officio Member

4. The Secretary, Parliamentary Affairs, briefed the Committee that she had been called to provide a general clarification as to whether the consent of the Federal Cabinet is required in respect of a Private Member's Bill. She explained that Rule 28 of the Rules of Business, 1973 governs the matter and provides the guiding framework for examination of Private Member's Bills.

5. Senator Sarmad Ali, while explaining the background of the Bill, stated that the legislation had remained under consideration for a considerable period. He explained that he was initially asked to consult the Ministry of Health and reach a consensus on the matter. Accordingly, he met with the Director General Health and reached a consensus. However, during a subsequent meeting, he was informed that the matter had been referred to Parliamentary Affairs. He later learned that the Bill had also been circulated to the relevant stakeholders, from whom responses had been received. He further highlighted the increasing availability and use of electronic nicotine products, particularly among young people, and stated that the proposed legislation was intended to establish appropriate statutory controls over such products.

6. The Minister for NHR&C mentioned that the Ministry had no disagreement with the Member-in-Charge on the matter. He stated that a meeting had been held with the Member In-Charge, during which the Ministry had agreed with his views. However, with regard to the Private Member's Bill, the Ministry was required to follow the prescribed SOP. He explained that such legislation is required to undergo the prescribed governmental and legal processes, particularly where issues relating to financial implications, implementation mechanisms or administrative responsibilities are involved. The Additional Secretary, M/O NHR&C, briefed the Committee on the procedural aspects of the Bill. The Committee was informed that Private Members' Bills are examined by the relevant authorities with regard to their legal implications, compatibility with existing legislation, stakeholder consultation, administrative requirements and potential financial implications.

7. The Committee also examined the proposed regulatory framework for Electronic Nicotine Delivery Systems (ENDS), including product standards, nicotine content, testing, packaging, labelling, advertising, sale and access by minors. Members expressed concern over the increasing use of nicotine products, particularly among young people, and emphasized the need for an effective regulatory mechanism. The Committee was apprised that the Pakistan Standards and Quality Control Authority (PSQCA) has relevant laboratory capacity for testing nicotine levels. Members emphasized the importance of ensuring that the proposed regulatory framework is supported by adequate testing, monitoring and enforcement mechanisms to facilitate effective implementation of the legislation once enacted. The Committee also considered the financial implications and institutional capacity required for implementation. Members noted that relevant stakeholders had already been consulted and that existing public-sector laboratory facilities could support the proposed testing requirements.

8. The Bill (Annexure-B) was presented before the Committee after thorough discussion and clause by clause consideration of the Bill. The Committee adopted the amendments proposed by the M/O NHR&C after deliberation the Committee proposed the following amendments namely:-

(i) In clause 1, sub-clause (I) for the figures "2025" the figures "2026" shall be substituted.

(ii) In clause 2,
(I) for sub-clauses (a) and (B) the following shall be substituted namely:-

"(a) "advertisement" means the business of conceptualising, presenting, making available and communicating to the public, through any form of mass media, any fact, data or information about the attributes,

features, quality or availability of consumer products. For the purpose of this Act, advertising shall be Electronic Nicotine Delivery System products advertising and shall not include non-promotional communication intended for informational purposes only;

- (b) "authorised officer" means a person authorised under section 15;"
- (2) In sub-clause (m) at the end after the word "tobacco" the word "products" shall be inserted.
- (3) In sub-clause (n) for the words "under this Act" the word "by the Government under this Act" shall be substituted.
- (iii) In clause 4,
 - (a) In sub-clause (1), after the words "addictive" the words "and harmful to health" shall be inserted; and
 - (b) In sub-clause (3) for paragraph (b), the following shall be substituted namely:-

"(b) in a font size that measures that the text occupies the maximum practicable proportion of the surface area and that it must cover at least thirty percent of the surface of the unit packet with a defined border; and".
- (iv) For clause 5, the following shall be substituted namely:-

"5. Product Standard Requirements.- (1) A unit of Electronic Nicotine Delivery System product must not contain nicotine in excess of 20mg/ml.

(2) Further, all manufacturer, importers and distributors of Electronic Nicotine Delivery System products shall ensure that the components of Electronic Nicotine Delivery System and accessories including e-cigarettes, vapes, vape pens, cartridges, pods, refills and other device parts are as prescribed and laid down by the Pakistan Standards and Quality Control Authority."
- (v) In clause 7, after paragraph (b) the following new paragraph (c) shall be inserted namely and rest of the paragraph shall be renumbered accordingly.-

"(c) Aged gated social media which is accessible to minors aged 18 or bellow; and".
- (vi) clause 8, shall be omitted and rest of the clauses shall be renumbered accordingly.
- (vii) In clause 8, the existing provisions shall be numbered as sub-clause (1) and after that a new sub-clause (2) shall be inserted namely.-

"(2) The owner, manager, or person in charge of the affairs of every place of public work or use shall display and exhibit a board at each conspicuous place, both inside and outside the premises visited or used by the general public, prominently stating that the place is a 'No Electronic Nicotine Delivery System Smoking Zone' and that 'Electronic Nicotine Delivery System Smoking is an Offence'."
- (viii) For clause 11, the following shall be substituted namely.-

"11. Prohibition near Educational Institutions.- No person shall, either personally or through any other person on their behalf, store, sell or offer to sell Electronic Nicotine Delivery System products within two hundred (200) meters of any college, school, or other educational institution."
- (ix) After clause 11, the following new clause shall be inserted namely.-

"12. Responsibilities of distributors and retailers.- The distributors and retailers shall ensure that Electronic Nicotine Delivery System products including but not limited to Electronic Nicotine Delivery System devices, cartridges, pods, and refills, sold by them shall comply with all the requirements as to labelling and warning in terms of this Act and that no part of the warning is obscured."

(x) for clause 13, the following shall be substituted namely.-

"13. Penalties.- (1) Any person who contravenes the provisions of sections 3, 4, 5, 6 and 7 or any rules made thereunder shall be punishable with a fine of fifty thousand rupees, or with imprisonment for a term which may extend to two years, or both. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to one hundred thousand rupees, or with imprisonment which may extend to five years, or both; and

(2) Any person who contravenes the provisions of sections 8, 9, 10, 11 and 12 shall be punishable with a fine of one hundred thousand rupees, or with imprisonment for a term which may extend to five years, or both. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to five hundred thousand rupees, or with imprisonment for a term which may extend to seven year, or with both."

(xi) after clause 13, the following new clause shall be inserted namely and rest of the clauses shall be renumbered accordingly.-

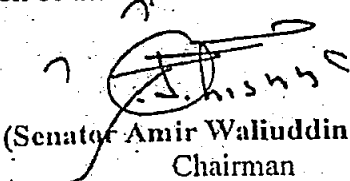
"14. Cognizance of offences.— Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898),

- (a) the offences under sections 8, 9, 10, 11 and 12 shall be cognizable and non-bailable;
- (b) no court inferior to that of a Magistrate of the First Class shall try any offence punishable under this Act;
- (c) a Magistrate trying an offence under this Act shall have the power to try such offence summarily in accordance with the procedure laid down for summary trial in the said code; and
- (d) no court shall take cognizance of an offence punishable under this Act except on a complaint made in writing by a police officer not below the rank of an Assistant Sub-Inspector/an Excise Officer not below the rank of a Sub-Inspector or any other officer authorised in this behalf by the Government."

9. After in-depth discussion, the Bill was unanimously passed by the Committee with the above amendments. The Committee recommended that "The Electronic Nicotine Delivery System (Regulation) Bill, 2026", as reported by the Committee, be passed by the Senate of Pakistan (Copy of the Bill as reported by the Committee is annexed as "A" and the Bill as introduced in the Senate is annexed as "B").

10. The Committee also gave approval for presentation of this report to the House.


(Naeem Akhtar Bhatti)
Secretary Committee


(Senator Amir Waliuddin Chishti)
Chairman

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to regulate the production, manufacturing, importation, exportation, packaging and labelling, advertisement, promotion and sponsorship, distribution, sale and use of Electronic Nicotine Delivery Systems (ENDS) and related products, and to protect public health

WHEREAS it is expedient to regulate Electronic Nicotine Delivery Systems (ENDS), including e-cigarettes, vapes, sheesha, and related substances, in order to safeguard the health of citizens and protect non-users;

It is hereby enacted as follows:

1. Short Title, Extent and Commencement.— (1) This Act shall be called the Electronic Nicotine Delivery Systems (Regulation) Act, 2025.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

- (a) **"advertisement"** means the business of conceptualising, presenting, making available and communicating to the public, through any form of mass media, any fact, data or information about the attributes, features, quality or availability of consumer products. For the purpose of this Act, advertising shall be Electronic Nicotine Delivery Systems products advertising and shall not include non-promotional communication intended for informational purposes only;
- (b) **"authorised officer"** means a person authorised under section 14;
- (c) **"child-resistant"** means the type of packaging designed to prevent children from opening it and potentially accessing its contents;
- (d) **"e-liquid"** means a liquid solution, with or without nicotine, and with or without flavourings, for use in a vapour product;
- (e) **"Electronic Nicotine Delivery System (ENDS)"** means any device or appliance, whether battery-operated or otherwise, that delivers nicotine, flavored vapor, aerosol, or similar substances for inhalation. This includes, but is not limited to, e-cigarettes, vapes, vape pens, e-shisha, sheesha devices, pods, cartridges, e-liquids, and their accessories;
- (f) **"Government"** means the Federal Government;
- (g) **"label"** means a written, marked, stamped, printed or graphic matter, affixed to, or appearing upon a package;
- (h) **"minor"** means a person who has not attained the age of majority under the Majority Act, 1875 (IX of 1875);
- (i) **"nicotine"** means nicotinic alkaloids, including any salt or complex of nicotine, whether derived from tobacco or synthetically produced;

- (j) **"package"** means a covering, wrapper, pack or other enclosure that contains Electronic Nicotine Delivery System products, with a label, sticker and other written or graphic information on it;
- (k) **"promotion"** an event or activity with the aim of promoting a brand of Electronic Nicotine Delivery Systems product;
- (l) **"Public place"** means any place to which the public has access, whether as of right or not, and includes auditoriums, hospitals, amusement centers, restaurants, public offices, court buildings, educational institutions, libraries, public conveyances, and the like;
- (m) **"reduced risk statement"** means an explicit communication to consumers on the Electronic Nicotine Delivery System product label, advertisement, promotional or marketing materials which states that the product is harmful to the health of the user but presents less risk of harm or is less harmful to the user's health than continued smoking of combustible tobacco;
- (n) **"rules"** means the rules made under this Act;
- (o) **"sponsorship"** means a form of contribution to an event, activity or individual with the aim, effect or likely effect of promoting the use of Electronic Nicotine Delivery Systems product either directly or indirectly;
- (p) **"tamper-resistant"** means the type of packages constructed such that it has one or more indicators or barriers to entry which, if breached or missing, can reasonably be expected to provide visible evidence that the product or its packaging has been opened, or otherwise it does not comply with the standards on tamper resistant packaging; and
- (q) **"vaping"** means the act of using an electronic cigarette or any substantially similar device designed to produce or create an inhalable aerosol.

3. Packaging and labelling. - (1) No person shall import, manufacture, store, sell or offer for sale any Electronic Nicotine Delivery System product unless it is in a tamper-resistant and child-resistant package which shall be protected against breakage and leakage.

(2) Each unit package of Electronic Nicotine Delivery System product must be labelled with the information which includes-

- (a) the name and contact details of the manufacturer or importer;
- (b) a list of all ingredients contained in the product set out in descending order by weight or volume;
- (c) a statement of any allergens contained in the product;
- (d) a statement of the nicotine content per consumable, expressed in mg/ml;
- (e) a reduced risk statement;
- (f) the date of manufacture;
- (g) the best before use date/expiry date;

- (h) any batch number assigned to the final product following manufacture;
- (i) a statement or symbol indicating clearly and categorically that the product is not intended for persons under 18 years of age;
- (j) a warning to keep the product out of reach of children; and
- (k) a declaration that the manufacturer or importer bears full responsibility for the quality and safety of the product.

(3) The packaging of an Electronic Nicotine Delivery System product must not include any element or feature that depicts real or fictitious characters or objects that are likely to appeal minors, including comic or cartoon characters, toys or confectionary.

4. Printing of warning.- (1) There shall be printed legibly, indelibly and prominently, both in English and Urdu, on every package of Electronic Nicotine Delivery Systems product the following health warning, namely:

"This product contains nicotine which is addictive."

(2) Nothing shall be printed or applied on a location where the warning is likely to be obscured or covered, in part or in whole.

(3) The information label may be affixed by means of stickers, provided that such stickers are irremovable, and must-

- (a) be printed in black bold type on a white background;
- (b) in a font size that ensures that the text occupies the greatest possible proportion of the surface reserved for it; and
- (c) be parallel to the main text on the surface.

5. Product standard requirements.- (1) No Electronic Nicotine Delivery System product shall be sold unless it complies with the standards prescribed by the Pakistan Standards and Quality Control Authority.

(2) A unit of Electronic Nicotine Delivery System product must not contain nicotine in excess of 40mg/ml as prescribed by the Pakistan Standards and Quality Control Authority.

6. Prohibition to sell.- No person shall-

- (a) import or manufacture package of any Electronic Nicotine Delivery System product; or
- (b) sell or offer for sale Electronic Nicotine Delivery System product from a package; or
- (c) possess or sell or offer for sale a package of Electronic Nicotine Delivery System product;

which is not compliant with the requirements of sections 3, 4 and 5 of this Act.

7. Regulation of advertisement, promotion and sponsorship.- (1) No Electronic Nicotine Delivery System product advertisement, promotion and sponsorship shall be allowed:

- (a) in print media, including newspaper, magazine, book, periodicals, or any printed publication;
- (b) on television or radio including cable television or closed-circuit television; and
- (c) bill boards.

8. Online trade.- The sale and distribution of Electronic Nicotine Delivery System products through internet websites, e-commerce or other similar media platforms may be allowed.

Provided, that the retailer or distributor shall adopt measures to ensure that person below eighteen years of age are denied access thereto.

9. Prohibition of use in public places.- No person shall use or operate Electronic Nicotine Delivery System in any place of public work or public use, except in designated open areas notified by the Federal Government where adequate arrangements are made to protect the health of non-users.

10. Prohibition of use in public service vehicles.- No person shall use Electronic Nicotine Delivery System products in any public service vehicle.

11. Prohibition on sale to minors.- (1) No person shall sell or offer for sale any Electronic Nicotine Delivery Systems products to any person who is below the age of eighteen years.

(2) A person who sells or offers for sale Electronic Nicotine Delivery System products to consumers, must display clearly at each point of sale a notice for the public that the sale of the product to people who are younger than 18 years is prohibited.

12. Prohibition near educational institutions.- No person shall, either personally or through any other person on their behalf, store, sell or offer to sell Electronic Nicotine Delivery System products within fifty (50) meters of any college, school, or other educational institution.

13. Penalties.- (1) Any person who contravenes the provisions of sections 3, 4, 5, 6 and 7 or any rules made thereunder shall be punishable with a fine of fifty thousand rupees. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to one hundred thousand rupees; and

(2) Any person who contravenes the provisions of sections 8, 9, 10, 11 and 12 shall be punishable with a fine of two hundred thousand rupees. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to five hundred thousand rupees.

14. Power to delegate.- The Government may, by notification in the official Gazette, direct that all or any of its powers under this Act or the rules shall, subject to such conditions, if any, as may be specified therein, be exercisable also by any officer or authority subordinate to the Government.

15. Power to make rules.- (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) The power to make rules conferred by this section shall be subject to the condition of previous publication.

STATEMENT OF OBJECTS AND REASONS

The primary objective of this Bill is to regulate Electronic Nicotine Delivery Systems (ENDS) and related products. This includes prohibiting their use in open public places and vehicles, restricting and regulating their sale to minors, banning advertisements inconsistent with prescribed guidelines, and prohibiting storage, sale, or distribution near educational institutions. The Bill also strengthens penalties for violations and empowers the Federal Government to prescribe standards related to the manufacture, packaging, sale, and promotion of Electronic Nicotine Delivery System.

SENATOR SARMAD ALI
MEMBER-IN-CHARGE

[AS REPORTED BY THE COMMITTEE]

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to regulate the production, manufacturing, importation, exportation, packaging and labelling, advertisement, promotion and sponsorship, distribution, sale and use of Electronic Nicotine Delivery Systems (ENDS) and related products, and to protect public health.

WHEREAS it is expedient to regulate Electronic Nicotine Delivery Systems (ENDS), including e-cigarettes, vapes, and related substances, in order to safeguard the health of citizens and protect non-users;

It is hereby enacted as follows:

1. Short Title, Extent, and Commencement.- (1) This Act shall be called the Electronic Nicotine Delivery Systems (Regulation) Act, 2026.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

(a) "advertisement" means the business of conceptualising, presenting, making available and communicating to the public, through any form of mass media, any fact, data or information about the attributes, features, quality or availability of consumer products. For the purpose of this Act, advertising shall be Electronic Nicotine Delivery Systems products advertising and shall not include non-promotional communication intended for informational purposes only;

(b) "authorised officer" means a person authorised under section 15;

(c) "child-resistant" means the type of packaging designed to prevent children from opening it and potentially accessing its contents;

(d) "e-liquid" means a liquid solution, with or without nicotine, and with or without flavourings, for use in a vapour product;

- (e) **"Electronic Nicotine Delivery System (ENDS)"** means any device or appliance, whether battery-operated or otherwise, that delivers nicotine, flavoured vapor, aerosol, or similar substances for inhalation. This includes, but is not limited to, e-cigarettes, vapes, vape pens, pods, cartridges, e-liquids, and their accessories.
- (f) **"Government"** means the Federal Government;
- (g) **"label"** means a written, marked, stamped, printed or graphic matter, affixed to, or appearing upon a package;
- (h) **"minor"** means a person who has not attained the age of majority under the Majority Act, 1875 (Act IX of 1875);
- (i) **"nicotine"** means nicotinic alkaloids, including any salt or complex of nicotine, whether derived from tobacco or synthetically produced;
- (j) **"package"** means a covering, wrapper, pack or other enclosure that contains Electronic Nicotine Delivery Systems products, with a label, sticker and other written or graphic information on or in it;
- (k) **"promotion"** an event or activity with the aim of promoting a brand of Electronic Nicotine Delivery Systems product;
- (l) **"Public place"** means any place to which the public has access, whether as of right or not, and includes auditoriums, hospitals, amusement centres, gymnasiums, sports clubs, sports complexes, parks, restaurants, public offices, court buildings, educational institutions, libraries, airports, railway stations, bus stops, public conveyances, and the like;
- (m) **"reduced risk statement"** means an explicit communication to consumers on the Electronic Nicotine Delivery Systems product label, advertisement, promotional or marketing materials which states that the product presents less risk of harm to the user's health or is less harmful to the user's health than smoking of combustible tobacco products;
- (n) **"rules"** means the rules made by the Government under this Act;
- (o) **"sponsorship"** means a form of contribution to an event, activity or individual with the aim, effect or likely effect of promoting the use of Electronic Nicotine Delivery Systems product either directly or indirectly;

(p) "tamper-resistant" means the type of packages constructed such that it has one or more indicators or barriers to entry which, if breached or missing, can reasonably be expected to provide visible evidence that the product or its packaging has been opened, or otherwise it does not comply with the standards on tamper resistant packaging; and

(q) "vaping" means the act of using an electronic cigarette or any substantially similar device designed to produce or create an inhalable aerosol.

3. Packaging and labelling.— (1) No person shall import, manufacture, store, sell or offer for sale any Electronic Nicotine Delivery Systems product unless it is in a tamper-resistant and child-resistant package which shall be protected against breakage and leakage.

(2) Each unit package of Electronic Nicotine Delivery Systems product must be labelled with the information which includes-

- (a) the name and contact details of the manufacturer or importer;
- (b) a list of all ingredients contained in the product set out in descending order by weight or volume;
- (c) a statement of any allergens contained in the product;
- (d) a statement of the nicotine content per consumable, expressed in mg/ml;
- (e) a reduced risk statement;
- (f) the date of manufacture;
- (g) the best before use date / expiry date;
- (h) the batch number assigned to the final product following manufacture;
- (i) a statement or symbol indicating clearly and categorically that the product is not intended for persons under 18-years of age;
- (j) a warning to keep the product out of reach of children; and
- (k) a declaration that the manufacturer or importer bears full responsibility for the quality and safety of the product.

(3) The packaging of a Electronic Nicotine Delivery Systems product must not include any element or feature that depicts real or fictitious characters or objects that are likely to appeal minors, including comic or cartoon characters, toys or confectionary.

4. Printing of warning.— (1) There shall be printed legibly, indelibly and prominently, both in English and Urdu, on every package of Electronic Nicotine Delivery Systems product the following health warning, namely:

“This product contains nicotine which is addictive and harmful to health.”

(2) Nothing shall be printed or applied on a location where the warning is likely to be obscured or covered, in part or in whole.

(3) The information label may be affixed by means of stickers, provided that such stickers are irremovable, and must-

(a) be printed in black bold type on a white background;

(b) in a font size that measures that the text occupies the maximum practicable proportion of the surface area and that it must cover at least thirty percent of the surface of the unit packet with a defined border; and

(c) be parallel to the main text on the surface.

5. Product Standard Requirements.— (1) A unit of Electronic Nicotine Delivery Systems product must not contain nicotine in excess of 20mg/ml.

(2) Further, all manufacturer, importers and distributors of Electronic Nicotine Delivery Systems products shall ensure that the components of Electronic Nicotine Delivery Systems and accessories including e-cigarettes, vapes, vape pens, cartridges, pods, refills and other device parts are as prescribed and laid down by the Pakistan Standards and Quality Control Authority.

6. Prohibition to sell.— No person shall-

(a) import or manufacture package of Electronic Nicotine Delivery Systems products; or

(b) sell or offer for sale Electronic Nicotine Delivery Systems product from a package; or

(c) possess or sell or offer for sale a package of Electronic Nicotine Delivery Systems product;

which is not compliant with the requirements of Sections 3, 4 and 5 of this Act.

7. Regulation of advertisement, promotion and sponsorship.— No Electronic Nicotine Delivery Systems product advertisement, promotion and sponsorship shall be allowed in the following media:

- (a) in print media, including newspaper, magazine, book, periodicals, or any printed publication;
- (b) on television or radio including cable television or closed-circuit television;
- (c) Aged gated social media which is accessible to minors aged 18 or bellow; and
- (d) billboards.

8. Prohibition of use in Public Places.- (1) No person shall use or operate Electronic Nicotine Delivery Systems in any place of public work or public use, except in designated open areas notified by the Government where adequate arrangements are made to protect the health of non-users.

- (2) The owner, manager, or person in charge of the affairs of every place of public work or use shall display and exhibit a board at each conspicuous place, both inside and outside the premises visited or used by the general public, prominently stating that the place is a 'No Electronic Nicotine Delivery Systems Smoking Zone' and that ' Electronic Nicotine Delivery Systems Smoking is an Offence'.

9. Prohibition of use in Public Service Vehicles.- No person shall use Electronic Nicotine Delivery Systems products in any public service vehicle.

10. Prohibition on Sale to Minors.- (1) No person shall sell or offer for sale any Electronic Nicotine Delivery Systems products to any person who is below the age of 18-years.

- (2) A person who sells or offers for sale Electronic Nicotine Delivery Systems products to consumers, must display clearly and prominently at each point of sale a notice measuring, not less than 15"x15" stating for the public that the sale of the product to persons who are younger than 18-years of age is prohibited.

11. Prohibition near Educational Institutions.- No person shall, either personally or through any other person on their behalf, store, sell or offer to sell Electronic Nicotine Delivery Systems products within two hundred (200) meters of any college, school, or other educational institution.

12. Responsibilities of distributors and retailers.- The distributors and retailers shall ensure that Electronic Nicotine Delivery Systems products including but not limited to Electronic Nicotine Delivery Systems devices, cartridges, pods, and refills, sold by them shall comply with all the requirements as to labelling and warning in terms of this Act and that no part of the warning is obscured.

13. Penalties.- (1) Any person who contravenes the provisions of sections 3, 4, 5, 6 and 7 or any rules made thereunder shall be punishable with a fine of fifty thousand rupees, or with imprisonment for a term which may extend to two years, or both. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to one hundred thousand rupees, or with imprisonment which may extend to five years, or both; and

(2) Any person who contravenes the provisions of sections 8, 9, 10, 11 and 12 shall be punishable with a fine of one hundred thousand rupees, or with imprisonment for a term which may extend to five years, or both. In case of a second or subsequent offence, the person shall be punishable with fine which may extend to five hundred thousand rupees, or with imprisonment for a term which may extend to seven year, or with both.

14. Cognizance of offences.— Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898),

- (a) the offences under sections 8, 9, 10, 11 and 12 shall be cognizable and non-bailable;
- (b) no court inferior to that of a Magistrate of the First Class shall try any offence punishable under this Act;
- (c) a Magistrate trying an offence under this Act shall have the power to try such offence summarily in accordance with the procedure laid down for summary trial in the said code; and
- (d) no court shall take cognizance of an offence punishable under this Act except on a complaint made in writing by a police officer not below the rank of an Assistant Sub-Inspector/an Excise Officer not below the rank of a Sub-Inspector or any other officer authorised in this behalf by the Government.

15. Power to delegate.- The Government may, by notification in the official Gazette, direct that all or any of its powers under this Act or the rules shall, subject to such conditions, if any, as may be specified therein, be exercisable also by any officer or authority subordinate to the Government.

16. Power to make rules.-

- (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

- (2) The power to make rules conferred by this section shall be subject to the condition of previous publication.

STATEMENT OF OBJECTS AND REASONS

The primary objective of this Bill is to regulate Electronic Nicotine Delivery Systems (ENDS) and related products. This includes prohibiting their use in open public places and vehicles, restricting, prohibiting their advertisements, and more importantly prohibiting and regulating their sale to minors and person below eighteen years of age, and prohibiting their storage, sale, or distribution near educational institutions. The Bill also strengthens penalties for violations and empowers the Government to prescribe standards and rules related to the manufacture, packaging, sale, and promotion of Electronic Nicotine Delivery Systems.

Senator SARMAD ALI
Member-in-Charge