

Understanding UAE Regulations on Vaping and Tobacco

Introduction

The UAE has implemented laws and regulations to control and regulate the consumption of tobacco and tobacco-related products, including vaping, which refers to the use of electronic nicotine products.

This article aims to provide an in-depth understanding of the rules and regulations regarding vaping in the UAE, as outlined in Federal Law No. 15/2009 on Tobacco Control, Cabinet Decision No. 24/2013, and Federal Law No. 3 of 2016 on Child Rights (Wadeema's Law).

Vaping is subject to regulations in the UAE aimed at safeguarding public health and protecting minors.

Federal Law No. 15/2009 on Tobacco Control:

Article 1:

The law defines "Tobacco Products" as anything made from tobacco leaves, whether it is the whole leaf, chopped pieces, or mixed with other substances.

This includes tobacco powder and any other mixture that includes tobacco. Additionally, the law describes "Tobacco Use" as engaging with tobacco in different ways, such as smoking, inhaling, chewing, sucking, or any other method people use for smoking or using tobacco.

Article 5: Prohibited Acts

- Sale or attempt to sell tobacco, including vaping products, to persons under 18.
- Smoking in private cars with a child under the age of 12 present.
- Smoking in houses of worship, educational institutions, and health and sports facilities.
- Sale of sweets resembling tobacco products.
- Prohibition of automatic vending equipment and devices for tobacco, including vaping, distribution within the country.
- Strict regulations on tobacco and vaping advertisements.
- Prohibition of smoking, including vaping, in closed public spaces.

Article 7: Smoking in Closed Public Places

- Strict prohibition of smoking, including vaping, in closed public places.
- The competent authority may designate specific smoking and vaping areas subject to conditions outlined in the Implementing Regulation.

Article 8: Smoking in Public Places

- Smoking, including vaping, is strictly prohibited in public places.
- Coordination with the competent authority is required to enforce these restrictions.

Article 11: Cafes and Tobacco Service

- Cafes serving tobacco, including vaping products, within or near residential buildings face specific restrictions.
- Implementing Regulation, in coordination with the competent authority, determines licensing conditions and locations for serving tobacco and vaping.

Articles 13 and 16: Penalties for Violations

- Individuals violating the rules specified in articles 5(1), 5(3), and 9 of this law may face legal consequences.
- Penalties include a minimum imprisonment term of one year and a fine ranging from AED 100,000 to AED 1,000,000, or either penalty.
- In cases of repeated offences, the minimum imprisonment term increases to 2 years, and the fine remains at a minimum of AED 1,000,000.
- For any violation, an immediate fine of AED 500 is imposed, intended for rectification.
- If rectification fails, the case may proceed to criminal prosecution.
- Criminal sanctions include a fine ranging from AED 3,000 to AED 10,000, with increasing penalties for repeated infringements.

Cabinet Decision No. 24/2013 Concerning Regulations of Federal Law No. 15/2009:

Article 11: Public Places Where Smoking is Banned

- Smoking, including vaping, is prohibited in various public places, including educational institutions, worship places, health facilities, and public transport.

Article 12: Norms for Places Specified for Smoking in Closed Public Places

- The competent authority may designate smoking and vaping areas in closed public places under specific conditions, emphasizing isolation, size, ventilation, and safety measures.

Article 13: Cafes Serving Tobacco Near Residential Areas

- Cafes serving tobacco, including vaping products, near residential areas must adhere to specific conditions, including a minimum distance requirement and regulated working hours.

Federal Law No. 3 of 2016 on Child's Right (Wadeema's Law)

Article 21: Prohibited Acts

- Sale or attempt to sell tobacco or tobacco products, including vaping, to children.
- Smoking, including vaping, in public and private transportation means and indoor places in the presence of a child.

- Sale or attempt to sell alcoholic beverages to children.
- Import or trade materials contrary to approved specifications for nutrition, food supplies, health, hormonal supplements, or children's toys.

Articles 62,63 and 64: Violations and Penalties

- Violating Article 21(2) refers to a fine of not less than AED 5,000.
- Violating Articles 21(1) and 21(3) results in imprisonment for a minimum of three months and/or a fine not less than AED 15,000.
- Violating Article 21(4) or Article 29 leads to imprisonment for a minimum of six months and/or a fine not less than AED 100,000, with a maximum of AED 1,000,000.

Conclusion

In conclusion, the UAE has established a robust legal framework governing vaping, ensuring public health and safeguarding children's rights. Following these rules and regulations is imperative for individuals involved in the use of vaping products within the country.