



本署檔號 Our Ref. (17) in HAD/LA/ELT/CR/600/3 Pt.7
來函檔號 Your Ref.
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To: Holders of Mahjong/Tin Kau Licence

Smoke-free Mahjong/Tin Kau Premises

The licensing authority recently noted from the Tobacco Control Office (TCO) under the Department of Health that smoking offenders were found in a number of mahjong/tin kau premises during tobacco control inspections.

I would like to remind you that pursuant to the Smoking (Public Health) Ordinance (Cap. 371), smoking is prohibited in indoor areas of mahjong/tin kau premises. According to Section 3(3) of the Ordinance (Annex A), the manager of a statutory no-smoking area who finds any person smoking inside the premises may require the person to extinguish the lighted cigarette, cigar or pipe. If the smoker refuses to cooperate, the manager may require the smoker to leave the no-smoking area or may call the police for assistance.

To achieve a smoke-free mahjong/tin kau premises, you are advised to -

- (1) display sufficient number of no-smoking signs and posters in prominent positions both inside and outside the premises to remind customers and employees that smoking is prohibited in mahjong/tin kau premises;
- (2) strengthen the training for employees to enable them to effectively discharge their duties of stopping customers from smoking;
- (3) if a customer requests for an ashtray or a lighter, decline politely and explain that smoking is prohibited in mahjong/tin kau premises under the law;
- (4) request the smoker to extinguish his/her cigarette, cigar or pipe immediately or to leave the premises; and
- (5) call the police for assistance if the smoker refuses to cooperate.

The procedures to handle smoking offences as suggested by TCO is at Annex B for your reference.

To safeguard employees and customers against the impact of secondhand smoke and allow for a clean and healthy environment, we request for your full co-operation on implementation of smoke-free measures. TCO produces no-smoking signs and gadgets for managers of no-smoking areas. You may download the application form at http://www.tco.gov.hk/english/downloads/downloads_nss.html.

Should you have any enquiries on the above, please contact our Licensing Officer at 2594 5815.

Yours faithfully,
(Vincent S L WAN)
for Chief Officer (Licensing Authority),
Office of the Licensing Authority,
Home Affairs Department

Encls.

c.c. Tobacco Control Office (Attn.: Chief Tobacco Control Inspector)
Hong Kong Police Force (Attn.: SP Licensing)

With Chinese translation

Sections 3(2) and 3(3) of the Smoking (Public Health) Ordinance (Cap. 371)

Prohibition on smoking in certain designated areas

- (2) No person shall smoke or carry a lighted cigarette, cigar or pipe in a no smoking area.
- (3) The manager of a no smoking area or any person authorized in that behalf by any such manager may, in respect of any person who appears to be contravening subsection (2)-
 - (a) after indicating that the person is smoking or carrying a lighted cigarette, cigar or pipe, as the case may be, in a no smoking area in contravention of subsection (2), require the person to extinguish the lighted cigarette, cigar or pipe;
 - (b) where the person fails to extinguish the lighted cigarette, cigar or pipe, require him-
 - (i) to give his name and address and to produce proof of identity; and
 - (ii) to leave the no smoking area;
 - (c) where the person fails, as required under paragraph (b)-
 - (i) to give his name and address and to produce proof of identity; or
 - (ii) to leave the no smoking area,remove him from the no smoking area by the use of reasonable force if necessary and detain him and call for the assistance of a police officer to assist in the enforcement of this section.

**Flowchart of How to Handle Smoking Offender
(Suggested by Tobacco Control Office, Department of Health)**

