

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
TOBACCO PRODUCTS  
CONTROL AMENDMENT BILL**

[B 117F—98]

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*(As agreed to by the Portfolio Committee on Health (National Assembly))*

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[B 117G—98]

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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEKOMITEE-AMENDEMENTE  
OP  
WYSIGINGSWETSONTWERP  
OP DIE BEHEER VAN  
TABAKPRODUKTE**

[W 117F—98]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Gesondheid (Nasionale Vergadering))*

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[W 117G—98]

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**AMENDMENTS AGREED TO**  


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**TOBACCO PRODUCTS CONTROL AMENDMENT BILL**  
**[B117F-98]**

CLAUSE 1

1. On page 4, after line 37. to insert the following paragraphs:

(g) by the insertion after the definition of “officer” of the following definition:

“‘organised activity’—

(a) means any activity or event—

- (i) which the public attends or participates in;
- (ii) which is organised for the purposes of entertainment, sport or recreation or for educational or cultural purposes; and
- (iii) where a tobacco product, or brand name, trade mark, logo or company name in relation to a tobacco product, is used in the name of or portrayal of the activity or event: but

(b) excludes any private activity or event arranged by a manufacturer, importer, distributor or retailer of a tobacco product where only its shareholders or its employees or their spouses or partners attend;”;

(h) by the insertion after the definition of “prescribe” of the following definition:

“‘private dwelling, means any part of—

- (a) any room or apartment of a building or structure which is occupied as a residence; or
- (b) any building or structure or outdoor living area which is accessory to, and used wholly or principally, for residential purposes;”;

2. On page 6, from line 3, to omit the definition of “workplace” and to substitute:

“‘workplace’—

- (a) means any indoor or enclosed area in which employees perform the duties of their employment; and
- (b) includes any corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by such employees during the course of their employment: but
- (c) excludes any private dwelling, and any portion of an area mentioned in paragraph (a) specifically designated by the employer as a smoking area and which complies with the prescribed requirements.”.

## CLAUSE 3

1. On page 6, after line 17, to insert the following paragraph:

(c) Notwithstanding the fact that a private dwelling is excluded from the definition of “workplace”, if a private dwelling is used for commercial child care activities or for schooling the smoking of tobacco products in such dwelling or on the terrain of such dwelling is prohibited, except in an area of the private dwelling which is specifically designated by the employer, owner, tenant or possessor as a smoking area and which complies with the prescribed requirements.”;

## CLAUSE 4

1. On page 8. from line 3. to omit subsection (3).

## CLAUSE 11

1. On page 10, in line 25, to omit “1998” and to substitute “1999”