

UNDERAGE CIGARETTE SMOKING AND THE LAWS IN MALAYSIA

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**The Students/authors confirm that the work submitted is their own and
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ABSTRACT

Cigarette contains nicotine, a highly addictive chemical that is deriving from tobacco leaves. Once someone is hooked to the habit, it's difficult to stop. Majority of the smokers initiated smoking during their teens age. In fact, the age of people who started smoking is getting younger. This study examines the laws and regulations that tackle the issue of underage cigarette smoking and identify the relevant enforcement agencies and the effectiveness of their actions. The qualitative method of study is used for this research. The Control of Tobacco Product Regulation is the main statute that governs the issue of underage cigarette smoking issue. There are also some other laws that may have connection with the tobacco control, such as the Customs Act 1967 and the Excise Act 1976. These two Acts cover the taxation, production, manufacturing and distribution of the tobacco product which may indirectly impact the tobacco consumption by the underage. The Education Act 1996 and regulations play an important role in combating the tobacco epidemic among the school children. Nevertheless, the weak punishment and the lack of enforcement activities do not help to curb this problem. Furthermore, the commitment of the government in tackling the issue seems to be insufficient. More efforts are needed to educate the society and stricter policy should be applied to ensure the underage are fully protected from the dangers of cigarette smoking.

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CHAPTER 1

INTRODUCTION TO THE PROBLEM OF UNDERAGE CIGARETTE SMOKING

1.0 INTRODUCTION

Underage cigarette smoking has become one of the major problems that threaten our community. Besides its well known health effect where smoke from cigarette can cause heart disease, stroke, cancer and chronic obstructive lung disease,¹ cigarette smoking is also a starting point for the teenagers to commit bigger discipline problems and may lead to crime.²

1.1 BACKGROUND OF THE RESEARCH

1.1.1 The Problem of Underage Cigarette Smoking in Malaysia

The problem of underage cigarette smoking has been constantly reported in the mass media. For example in The Star newspaper dated 11th June 2010, Deputy Health Minister Datuk Rosnah Abdul Rashid Shirlin have said that the percentage of teenage girls who smoke is higher than of teenage boys and there are instances of girls starting to smoke at the age of 10.³ Meanwhile, in the New Straits Time dated 4th August 2011, it was reported that the number of underage cigarette smokers are still worrying where in 2007, 24.1 per cent of 3.1 million smokers in the country are below the age of 18, including primary schoolchildren.⁴

Some people blamed the authorities and the relevant law enforcement agency that have been given the responsibility to enforce the existing law but never did enough to tackle this

¹ "World Health Organization Smoking Statistics", http://www.wpro.who.int/media_centre/fact_sheets/fs_20020528.htm accessed on 2nd March 2011

² Siti Haliza Yuop, "Sentral:Kedai Mesra Rokok", *Berita Harian* 2 August 2010 in http://www.bharian.com.my/bharian/articles/Sentral_kedaimesrarokok/artikel/index_html accessed on 25 September 2010

³ "Smoking Among Teenage Girls is Rising", <http://thestar.com.my/news/story.asp?file=/2010/6/11/nation/20100611172252&sec=nation> accessed on 29th October 2011

⁴ "Stricter Measures Needed To Curb Smoking In School", *New Straits Times* 4 August 2010 at 2