

Public Opinion Poll and Compliance Survey on Tobacco Control Legislation in Nepal



**Government of Nepal
Ministry of Health and Population
National Health Education Information Communication Centre
Teku, Kathmandu
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This report presents findings from a Public Opinion Poll and Compliance Survey on Tobacco Control Legislation undertaken as a part of the follow up to 2010 Public Opinion Poll Survey on Tobacco Consumption and Tobacco Control Legislation in Nepal.

This report has been prepared with the technical assistance from Internal Union Against Tuberculosis and Lung Disease (The Union) in the leadership of National Health Education, Information and Communication Centre (NHEICC), Teku, Kathmandu. The opinions expressed herein are those of the authors and do not necessarily reflect the views of any other agencies.

This report is a part of the National Health Education, Information and Communication Center (NHEICC)/MoHP program, which is designed to collect, analyze and disseminate data on opinion of public and their Compliance on Tobacco Control Legislation.

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.....
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Executive Summary

Nepal passed a comprehensive tobacco control law in April 2011 that includes smoke free public places, workplaces and public transportation. The new law also includes provisions for the 75% graphic health warnings on tobacco packets. Along with that, advertisement bans, ban on selling and purchase publicly have also been introduced. NHEICC, being a focal point for tobacco control, is conducting various programs for the effective implementation of the enforced law. In this regard, this survey has been conducted to assess people's knowledge and attitude about the tobacco smoking and second hand smoking, explores opinions of general public (both managers and visitors) about the recently enforced tobacco control legislation and also assesses tobacco consumption practice. For this, descriptive study design and purposive non probability sampling methods have been used. The data has been collected by using Public Opinion Survey method from different public places of 3 districts namely Kathmandu, Lalitpur and Bhaktapur with the managers of the public places and visitors of those places.

The result shows that the majority of respondents (managers and visitors) are aware of the harmful effects of tobacco use and they are also aware of the Tobacco Control Law. But, the result revealed major gaps when it comes to effective implementation. Managers/owners of the public places are meant to or say are required to enforce this law at their respective public places; many are found concerned and feel that it is their responsibility but due to many reasons they are not being able to implement. Fear of loss in business is found as the commonest reason for their passiveness towards law implementation. Very few also sense that they are not responsible person. As per the law, a manager may designate any specific place as necessary in prison, airport or tourist level hotels for smoking or consumption of tobacco in a way that may not affect other persons. But, it is found that the other places also have such areas for the purpose of tobacco use which is completely against the law.

Managers/owners of the public places were surveyed in relation to the visitors/clients compliance with the law. Majority of them strongly support the Tobacco Control Law and highly agreed in making all public places in the country smoke free. Majority of the respondents (87 percent) have strong opinion regarding complete ban on tobacco products advertisement and nearly 90 percent believed that 75% pictorial health warning should be printed in tobacco products packages to encourage people to quit smoking and discourage others from starting.

While observing the indoor and outdoor premises of the public places, it is found that very few public places possess No smoking signage with a message "smoking is strictly prohibited". Likewise, some people were found using tobacco products inside and within the premises as well. Therefore, the overall physical set up of the many public places does not meet the criteria as defined by the law.

While measuring the overall compliance of the law, it was found that only 3.5 percent public places comply the law. Institution wise compliance inspection showed that the health institution and government offices and bank comply the law more in comparison with other institutions. Difficulty in applying smoking restrictions by the managers, lack of enough awareness campaigns, strict rules and proper monitoring systems were the reason behind it. Therefore, proper monitoring mechanism should be developed to measure various conditions of the law and to find out the progress and recent status of the enforced law.

Chapter 1: Introduction

1.1 Background

Globally, the proportion of deaths attributable to tobacco was almost 15% for men and 2% for women (WHO estimates). Nepal Demographic & Health Survey, 2011 shows 52% men and 13.3% of women smoke or use tobacco products in Nepal. Hence, smoking and tobacco use is no doubt one of the worse threats for human health in our country and the globe which has adverse social, economical and environmental consequences in the society. Exposure to tobacco smoke has been a cause for a wide variety of cancers, infections, cardiovascular and respiratory diseases. The health consequences of tobacco use put a huge burden on countries, health services and communities. Tobacco control is crucial to reduce the incidence and consequences of all of these diseases. Several anti tobacco activities are being conducted to curb tobacco consumption. It is important to create and maintain healthy and prosperous society by controlling and regulating manufacturing, sale and distribution of various forms of tobacco products. As a prior initiation on Tobacco control, Government of Nepal signed WHO FCTC in 3 Dec 2003 and was ratified on 7 Nov 2006 from the House of Representatives. After a long wait and huge efforts the Government of Nepal ultimately endorsed Tobacco Products (control & regulatory) Act, 2011 from the legislative parliament of Nepal which is the landmark to reduce the tobacco epidemic in the country. The very act was effective since 7 August 2011.

Before passing the Tobacco Control bill from the parliament, the Pre-public Opinion Poll was conducted to assess people's opinion on smoke free policies. Now, after the launch and the implementation of Tobacco Control Act in the country, NHEICC, being a Government national focal point for tobacco control, conducted Public Opinion Poll (post) under the approved sub activity no 3.7.1 of Monitoring of Tobacco control policies and prevention program of The Union's NCE program. This public opinion poll (post) primarily determine the people's opinion on the progress, challenges and weakness on the tobacco control issues in line with the National Tobacco Law in the country soon after enforcement. It will also measure the awareness and acceptance among general people of the Tobacco Control Legislation. This survey result will offer baseline data to assess how well such laws are complied with and enforced and that can help in evaluating current work and opportunities.

This survey has intended to provide the evidence on the effectiveness of the implementation of the Tobacco Control law indicating the culture of increase/decrease smoking in the public places, extent of incorporating FCTC & MPOWER in the law. It also showed the increase/decrease in bans on tobacco advertising, promotion and sponsorship and the bans on tobacco sales to minors (below 18 years & pregnant women). The poll has provided the

evidence from the people on the important features of 75% of pictorial health warning which is stayed order at Supreme Court. Briefly, the public opinion poll (post) provided the evidence based scenario of the country particularly in tobacco control after the launch and the implementation of the Tobacco Control Act, 2011.

The scientific and research communities have reported that exposure of non smokers to tobacco smoke causes serious harm and even could cause the deaths from a variety of diseases. Public places are the places where both the smokers and non smokers are involuntarily exposed to second hand smoke and risk of adverse health effects. Therefore, certain public places has been defined by Tobacco Product (control and regulatory) Act, 2011 as those place where smoking and use of other tobacco products is prohibited and it is called smoke free policies. Places captured by this definition include the bodies, institutions and offices of the state and of the government, educational institutions, libraries, training and health related institutions, airport, airlines and public transportations, child welfare homes, child care centres, hermitage for old (Bridasaram), orphanage, children park and club, public toilets, work place of industries and factories, cinema hall, cultural centres and theatres, hotel, motel, resort, restaurant, bar, dining hall, canteen, lodge, hostel and guest houses, stadium, covered halls, gymnasium, swimming pool houses, departmental store and mini market, pilgrimage and religious places, public bus stand and ticketing centre. Such policies are essential because there is no safe level of exposure to second hand tobacco smoke. That is why, its effective implementation and monitoring of those law is a must in a developing country like Nepal, where deaths due to tobacco use is relatively high. This study is being conducted to know present status of the law after its enforcement and will assess the degrees to which many, if not all, provisions of the smoke free law are implemented.

1.2 Objective of the study

The overall objective of the study was to assess public opinion towards Tobacco Products (Control and Regulatory) Act, 2011 and to monitor the compliance of the law.

1.3 Specific Objectives

- To assess peoples' knowledge and attitude towards the Tobacco Control Legislation.
- To assess people's opinion towards enforced law at public places.
- To monitor the effectiveness of the implementation of the Tobacco Control Legislation.
- To measure the compliance of the Tobacco Control Legislation at public places.

Chapter2: Methodology

The survey has collected both managerial level and public level information towards the Tobacco Product (Control and Regulatory) Act, 2011. Following the introduction of Tobacco Control Law in Nepal, this study has revealed the present status and progress of the smoke free laws by undertaking managers/owners of the public places and their clients/visitors.

2.1 Study area

Survey was conducted in selected public places of three selected districts namely Kathmandu, Lalitpur and Bhaktapur.

Table 1: List of districts

SN	Name of districts	Number of Institutions
1.	Kathmandu	500
2.	Lalitpur	300
3.	Bhaktapur	200
Total		1000

2.2 Sample design and sampling procedure:

Cross Sectional Descriptive research design was used in this study. The purposive sampling was done for the selection of sampling unit. The study population was managers or owners of the public places and their clients or visitors. This assignment intended to take 1,000 public places and 1 or 2 clients/visitors from each public places.

2.3 Data collection technique:

Interviews: Interviews were done using the structured questionnaire with the managers or owners of the public places so as to collect information about the present status of the tobacco control law implementation at their respective public places and their knowledge about the recent law and roles in its effective implementation. Altogether, 1000 managers were interviewed.

Likewise, interviews were done with the visitors of the public places. Altogether, 1527 visitors were interviewed. The main objective of this interview was to know the level of awareness among public regarding the tobacco control law and their practice of using tobacco products.

Observation: The public places were observed to collect information about the physical environment and settings based on the indicators as defined by law and to inspect the compliance of the law. The observation checklist was used for this purpose.

2.5 Tools development and its finalization:

All the tools were developed by NHEICC in coordination with the technical support of The-Union. It was then be pre tested and finalized.

2.6 Study Duration:

The study was conducted in the period between2012

2.7 Data collection process

i) Central level activities

▪ Recruitment and training of field supervisor and interviewers

Field supervisors/ enumerators were selected by NHEICC. The criteria for selection of the team members was their past experience, academic qualification and ability to conduct Interview and profound observation. The social inclusion and gender balance was maintained while recruiting the field staffs. A day intensive orientation was organized for all the field researchers. It focused on the administration of the questionnaire including characteristics of the target groups, methods of approaching them, and rapport building techniques.

ii) Field level activities

▪ Data collection

The interviewers identified the sampled sites, contacted the in-charges/managers of the identified study sites and conducted interviews, observation etc.

2.8 Data Analysis

Quality of data was cross-checked at various stages of the survey. All the completed questionnaires were thoroughly checked by the field supervisors on the same day of data collection in the field. The questionnaires were brought to NHEICC for further checking, coding, processing, data entry and analysis. For data analysis, SPSS software was used. Prior to the data entry, data were cleaned in a meeting with the tobacco control chief and a cleaned data were entered into SPSS 14.

2.9 Ethical Consideration

▪ Confidentiality

Confidentiality of all information collected in this evaluation was maintained in several ways. No personal identifiers were included on data collection forms or study records. In addition, results on findings are reported in the aggregate and not by specific respondents.

- **Informed consent for interview**

When participants were introduced to the study, they were told that their participation was voluntary and that they were free to not answer any or all questions, without concern of repercussion.

Chapter 3: Findings

A. Findings from Interview with managers/owners

A total number of 1000 managers/owners of public places (1 from each public places) were interviewed regarding the different aspects of Tobacco Control Act and Regulation and along with that those 1000 public were observed to find out whether the different criteria set by the law have properly implemented or not in those public places.

3.1 Type of institution

To control the consumption of tobacco products and effects of second hand smoking, Government of Nepal has banned smoking and the tobacco use in different public places. Those places were observed and the managers or owners of those places were interviewed to know the effectiveness of the enforced law. In this regard, the total 1000 public places were observed and same numbers of managers or owners were interviewed. The following table shows the type and the number of institutions undertaken for this study.

Table 2: Type of institution

Type of institution	Frequency	Percent
Education	127	12.7
Care Centres	20	2.0
Hotels	167	16.7
Health Institutions	87	8.7
Restaurant and bars	340	34.0
Sport Centres	17	1.7
Religious places	27	2.7
Departmental Store and mini market	26	2.6
Government offices and other offices	133	13.3
Industry-factory	34	3.4
Other Venues	22	2.2
Total	1000	100

Here, other venues include public toilet, museum, cinema hall, bus stand and ticket counter.

3.2 Use of Tobacco

Allowance to use tobacco:

Table 3: Allow tobacco use inside the building

Allow tobacco use	Frequency	Percent
Yes	291	29.1
No	709	70.9
Total	1000	100
Reasons for allowance		
I am reluctant because I am also a smoker	8	2.7

I don not want to create conflict with customers/guest	43	14.8
Feel uncomfortable to asked customer/guest	58	19.9
Bad for business if people can't use tobacco products	118	40.5
Not my responsibility	34	11.7
Tobacco use is allowed here	25	8.6
Other	5	1.7
Total	291	100.0

One third (29.1percent) of the managers/owners of the public places were found to have allowed their clients/visitors to use tobacco products inside their buildings. When the managers were asked about the reasons for allowance, majority of them (40.5 percent) said that not allowing their clients/visitors to smoke or use tobacco products can cause harm in their business whereas almost 19.9 percent said uneasiness to ask their customers to quit smoking was the reason behind allowance and it was followed by to avoid conflict with the customers (14.8 percent). Some also shared that it's not their responsibility (11.7 percent) and very few without hesitation said that using tobacco and smoking is allowed here (8.6 percent).

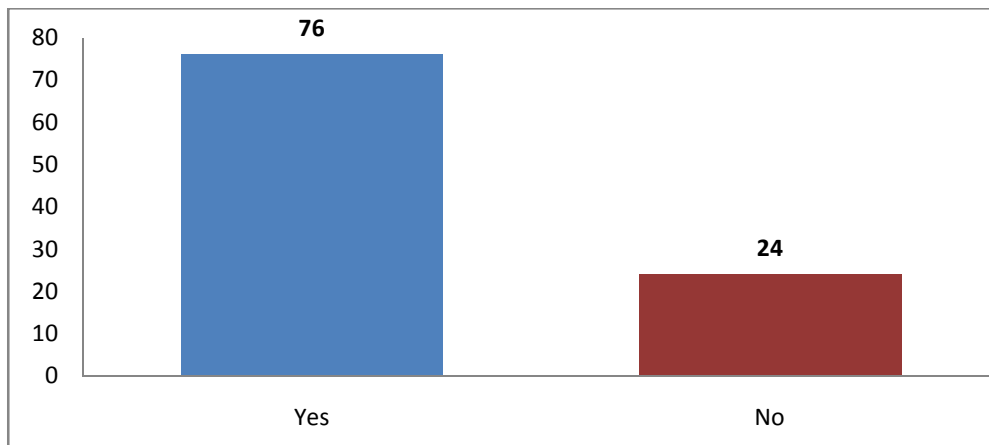


Figure 1: Ask visitors not to use tobacco products in smoke-free area as per the law

Majority of the managers (76 percent) were found to have asked their guests /customers to stop using tobacco products whereas one fourth (24 percent) didn't make such request to their clients/visitors.

Reasons for not asking

Table 4: Reasons for not asking

Reasons for not asking	Frequency	Percent
I am reluctant because I am also a smoker	6	2.5
I do not want to create conflict with customers/guest	37	15.4
Feel uncomfortable to asked customer/guest	47	19.6
Bad for business if people can't use tobacco products	100	41.7

Not my responsibility	30	12.5
Tobacco use is allowed here	18	7.5
Other	2	0.8
Total	240	100.0

Majority of the managers (41.1 percent) explained that fear of loss in business was the profound reason behind not asking their clients to stop smoking and it which was followed by uneasiness to make such request(19.6 percent) and unwillingness with the fear of conflict (15.4 percent). While some also shared that they don't feel that it's their responsibility (12.5 percent).

Designated area:

Table 5: Designated area available inside and outside the building

Availability of designated area	for smoking and tobacco use inside the building		for smoking and tobacco use outside the building	
	Frequency	Percent	Frequency	Percent
Yes	66	6.6	34	3.4
No	934	93.4	966	96.6
Total	1000	100.0	1000	100.0

6.6 percent and 3.4 percent of the managers reported that they have assigned designated area inside and outside the building.

3.3 Knowledge about the Tobacco Product (Control and Regulatory) Act

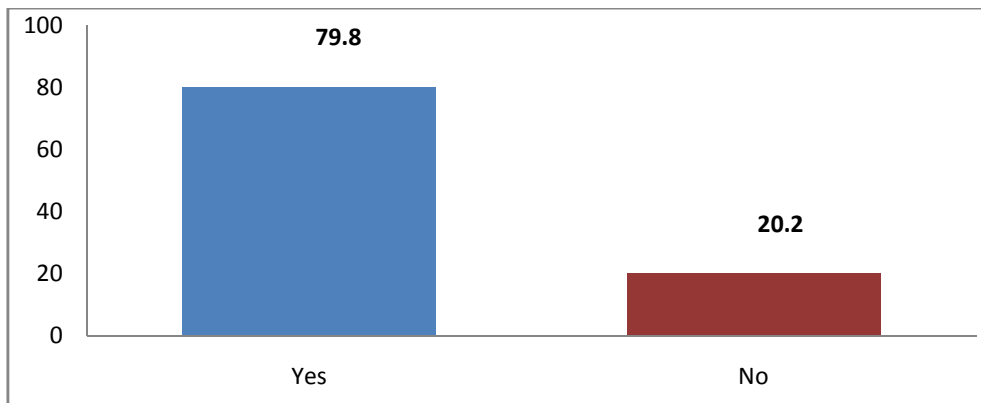


Figure 2: Knowledge about Tobacco Product (Control and Regulatory) Act

Almost 8 in 10 (79.8 percent) managers knew about the Tobacco Product (Control and Regulatory) Act, 2068 whereas 20.2 percent were found unknown.

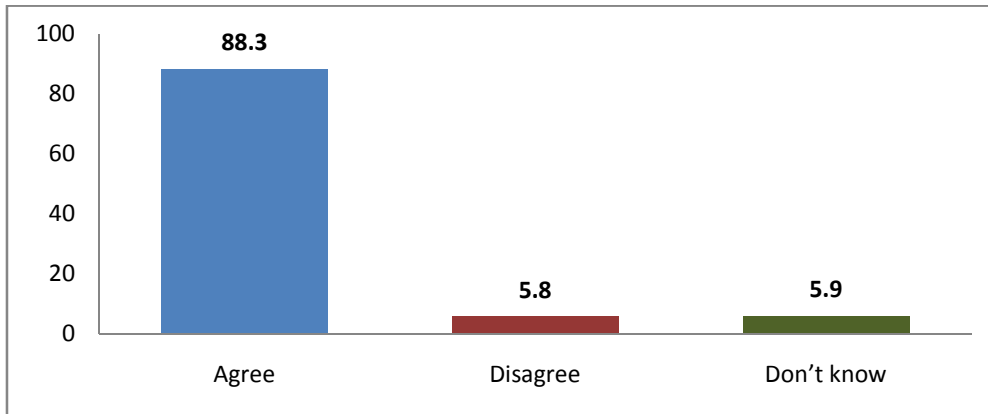


Figure 3: Owners are required to implement law

In response to the statement "owner/managers are required to implement law", nearly 90 percent of the managers thought that it's their responsibility to implement the law while 5.8 percent disagreed and nearly 6 percent said that they don't know about this.

3.4 Knowledge about the punishment for smoking and using tobacco products in public place

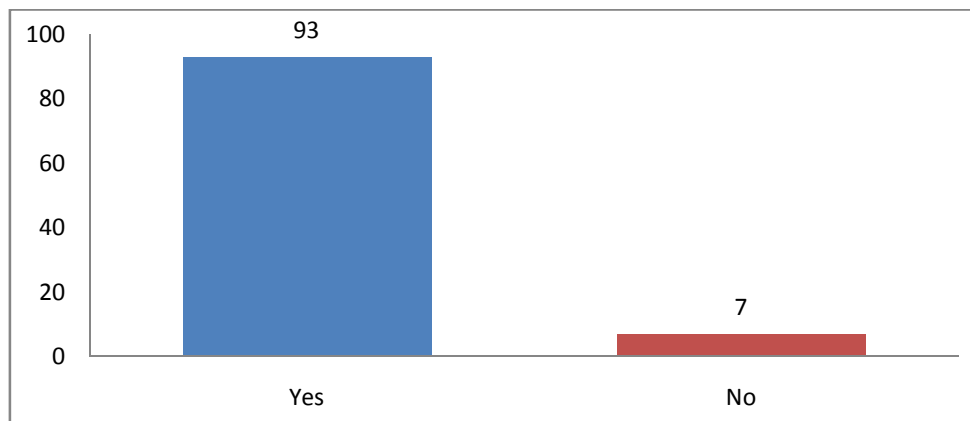


Figure 4: Knowledge about the punishment for smoking and using tobacco products in public place

Majority of the managers (93 percent) were aware of punishment in case of violations of the law in public places while very few (7 percent) were found still unknown about such aspects of law.

3.5 Problem faced while implementing law

The data shows that more than one fifth (22.5 percent) of the managers faced problems while implementing the law in their respective public places whereas around 80 percent responded they have no problem in implementing law.

Table 6: Problem faced while implementing law

Problem faced	Problem faced while implementing law	
	Frequency	Percent
Yes	225	22.5
No	775	77.5
Total	1000	100

B. Findings from Interview with Visitors/clients

3.4 Background characteristics of the respondents

A total number of 1527 clients/visitors of public places (699 from Kathmandu, 536 from Lalitpur and 292 from Bhaktapur) were interviewed (1 or 2 visitors from each public places).The female respondents were relatively lower than the men. The detail is described in the table below:

Table 7: Background characteristic

District name	Kathmandu		Lalitpur		Bhaktapur		Total	
	Frequency	Percent	Frequency	Percent	Frequency	Percent	Frequency	Percent
Sex								
Male	523	74.8	411	76.6	220	75.3	1154	75.6
Female	176	25.2	125	23.4	72	24.7	373	24.4
Total	699	100.0	536	100.0	292	100.0	1527	100.0
The Highest level of education attended								
Illiterate	12	1.7	7	1.3	8	2.8	27	1.8
Literate	17	2.4	41	7.6	18	6.1	76	5.0
Primary	16	2.3	30	5.6	16	5.5	62	4.0
Lower sec	27	3.9	29	5.4	23	7.9	79	5.1
Secondary	86	12.3	107	20	50	17.1	243	16.0
Higher sec & PCL	300	42.9	202	37.7	106	36.3	608	39.9
University	241	34.5	120	22.4	71	24.3	432	28.2
Total	699	100.0	536	100.0	292	100.0	1527	100.0
Occupation								
Labor	29	4.2	28	5.3	22	7.6	79	5.2
Agriculture	26	3.8	12	2.2	17	5.8	55	3.6
Gov. employ	54	7.7	34	6.3	34	11.6	122	7.9
Private sector	182	26	152	28.3	57	19.5	391	25.6
Business	148	21.2	164	30.6	72	24.6	384	25.2
Unemployed	234	33.4	93	17.4	71	24.3	398	26
Other	26	3.7	53	9.9	19	6.6	98	6.5
Total	699	100.0	536	100.0	292	100.0	1527	100.0

3.5 Knowledge, attitude and practice towards smoking and use of tobacco products and Legislation

3.5.1 Knowledge about harmful effects of tobacco use

The data revealed that almost all visitors (99.2 percent) were aware of the harmful effects of tobacco use and smoking whereas less than 1 percent were found unaware about this.

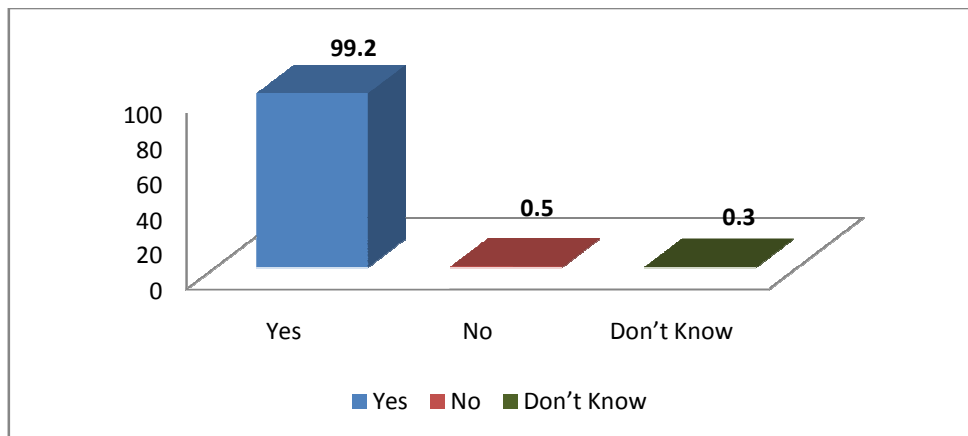


Figure 5: Knowledge about harmful effects of Tobacco use

3.5.1 Awareness about the Tobacco Control Act and Regulations

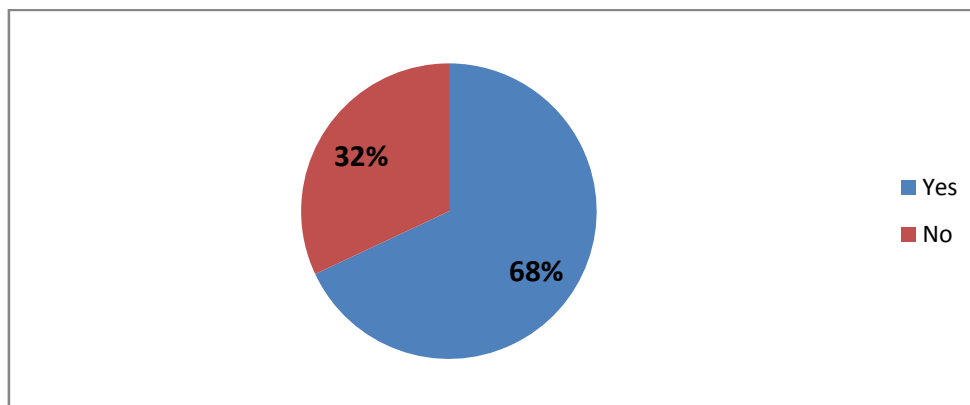


Figure 6: Awareness about the Tobacco Control Act

Almost 70 percent of the visitors/clients were found to be aware of the Tobacco Control Act and Regulations whereas 32 percent were found unaware of it. It reveals that there is a need of more awareness raising campaigns which could alert people about the recently enforced law.

3.5.2 Opinion on banning on smoking and tobacco use in public places

As per the data, almost all visitors (98.3 percent) thought that smoking and tobacco use should be banned in public places whereas 1.7 percent was found against the ban. It shows that many people believe that the banning on smoking and tobacco products is a prime step in controlling practice of tobacco use among people.

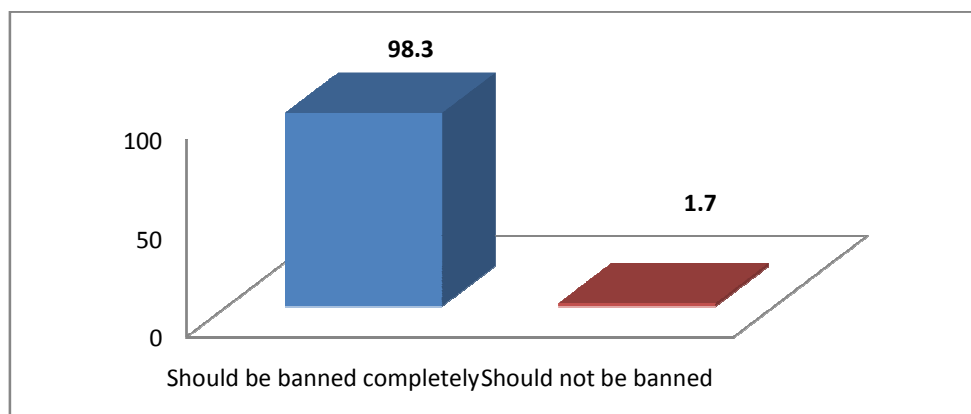


Figure 7: Ban on smoking and tobacco use in public places

Opinion on banning tobacco products selling

Table 8: Opinion on Banning of Tobacco Selling

Opinion on banning of tobacco selling	Ban on selling tobacco products to pregnant women		Ban on selling tobacco products to children less than 18 yrs old	
	Frequency	Percent	Frequency	Percent
Agree	1455	95.3	1424	93.3
Disagree	9	0.6	15	1.0
Don't know	63	4.1	88	5.8
Total	1527	100.0	1527	100.0

The above result showed that more than 9 in 10 (95.3 percent) agreed to legally ban sell of tobacco products to pregnant women whereas very few (0.6 percent) completely disagreed while remaining 4.1 percent were found to have no opinion regarding this.

Likewise, majority of the respondents (93.3 percent) agreed upon banning on sell of tobacco products to children less than 18 yrs whereas only 1 percent of the respondents completely disagreed and remaining nearly 6 percent had no opinion on this.

Opinion on Banning of advertisement, promotion and sponsorship of tobacco product:

The data revealed that the majority of the visitors (87 percent) to have agreed on the ban of advertisement, promotion and sponsorship of tobacco products as such promotional activities encourage people to consume tobacco products in many ways whereas very few (2.3 percent) disagreed and remaining 10.7 percent had no opinion on this.

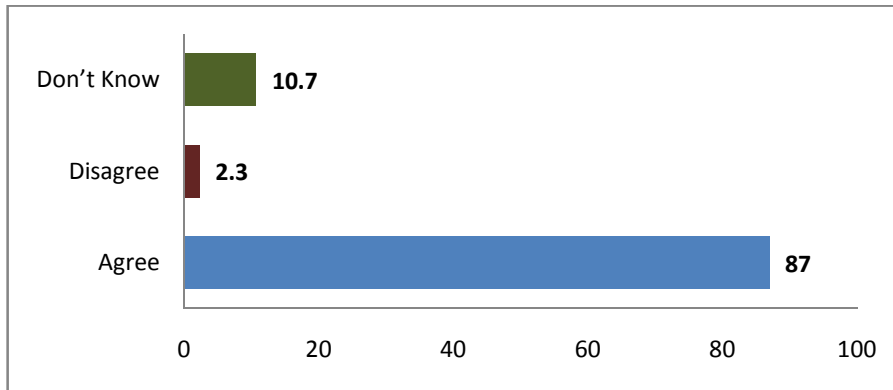


Figure 8: Opinion on Banning of advertisement, promotion and sponsorship of tobacco product

Opinion on displaying at least 75% pictorial health warning on tobacco products' package

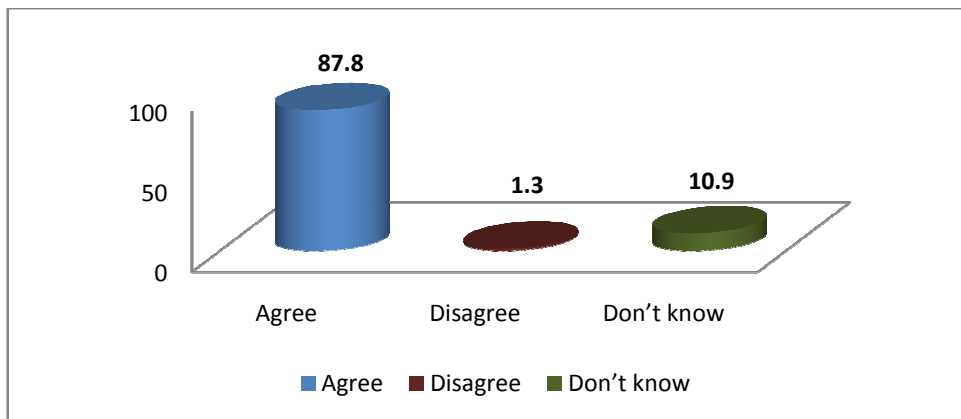


Figure 9: Opinion on displaying at least 75% pictorial health warning on tobacco products' package

The data indicate that 80 percent of the visitors agreed upon displaying at least 75 percent pictorial health warning on the packages of tobacco product. Less than 2 percent of the respondents completely disagreed and remaining 10.9 percent had no opinion in this.

3.5.3 Ever and current use of tobacco products

Table 9: Ever used and current users

Use of tobacco products	Ever used tobacco products		Currently using tobacco products	
	Frequency	Percent	Frequency	Percent
Yes	658	43.1	510	76.7
No	862	56.5	155	23.3
Don't Know	7	0.5	0	0
Total	1527	100.0	665	100.0

The result showed that 43.1 percent visitors had ever used tobacco products and 76.5 percent were currently using tobacco products.

C. Findings from Observation

Altogether 1000 public places were observed using the observation checklist to monitor physical environment and setting of the public places.

3.6 Indoor and Outdoor Observation of the building

3.6.1 No smoking Sign or notice at the main entrance

From the observation of the public places, it was found that only 5.1 percent had have "No smoking" signage stating smoking is injurious to health at the main entrance inside the building whereas majority (94.9 percent) of public places had have no such signage. Similarly, only 2.8 percent public places were found to have "no smoking" signage outside their building and only in case of public vehicles, 1 in 10 were found to have " no smoking" signage.

Table 10: Sign at the main entrance to the building and to the ground and at the public vehicle

	Inside the building		Outside the building		Public vehicle	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Yes	51	5.1	28	2.8	7	10.0
No	949	94.9	298	29.8	63	90.0
Not Applicable	-	-	674	67.4	-	-
Total	1000	100.0	1000	100.0	70	100.0

Table 11: Sign at the all other entrances to the building and to the ground

	Inside the building		Outside the building	
	Frequency	Percent	Frequency	Percent
Yes	16	1.6	15	4.6
No	198	19.8	177	54.3
Not Applicable	789	78.6	134	41.1
Total	1000	100.0	326	100.0

It was observed that only 1.6 percent public places were found to have "No smoking" signages in all other entrances to the building and only 4.6 percent have had to the ground. Tobacco Control laws have been enforced recently so most of the people are still unaware about the different aspects of law and its importance and this could be reason behind unavailability of signage in the public places.

Criteria for the No smoking sign or notice:

Among the total signage displayed, only 35.3 percent were observed to have met the proper criteria as defined by law such as size, display the picture of a lit cigarette with a cross red circle, refer the tobacco product (control & regulatory) act and list the penalties in case of violation.

Table 12: Criteria of the sign as defined by law

	Criteria of the sign							
	Size as per law		Display the picture of a lit cigarette with a crosses red circle		Refer the Tobacco Product (Control & Regulatory) Act		List the penalties/punishment in case of violation	
	Frequency	Percent	Frequency	Percent	Frequency	Percent	Frequency	Percent
Yes	18	35.3	18	35.3	18	35.3	18	35.3
No	33	64.7	33	64.7	33	64.7	33	64.7
Total	51	100.0	51	100.0	51	100.0	51	100.0

3.6.2 Presence of Cigarette butts, ashtrays and anybody smoking

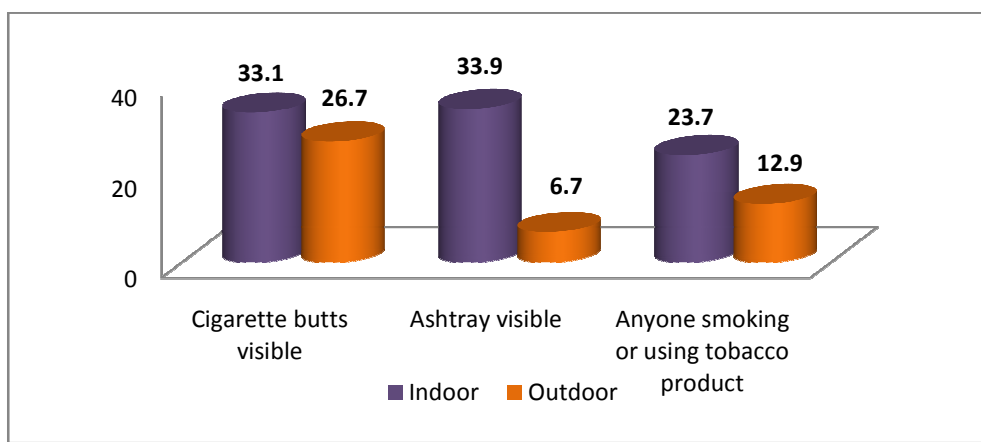


Figure 10: Visibility of cigarette butt, ashtrays and smoker

Cigarette butts were visible in both indoor places (33.1 percent) and outdoor places (26.7 percent). Likewise, ashtrays were visible in 33.9 percent indoor places and 6.7 percent outdoor places. In relation to this, more number of people was observed smoking indoor (23.7 percent) than the outdoor (12.9 percent) places .

3.6.3 Designated smoking area

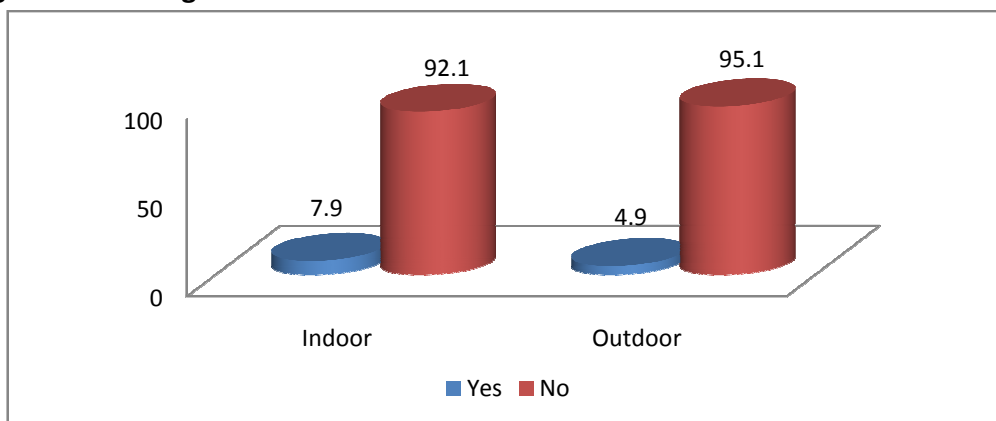


Figure 11: Designated smoking area

Results from the observation revealed that designated smoking area was observed in 7.9 percent indoor and 4.9 percent outdoor of public places.

3.6.4 Promotion, Sponsorship and advertisement of tobacco brands/company

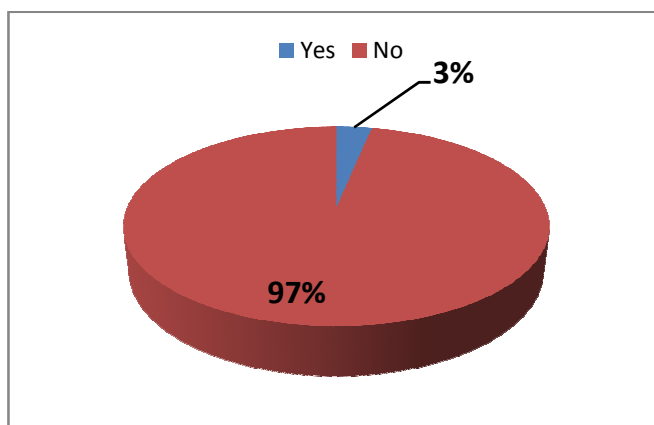


Figure 12: Promotion, sponsorship and advertisement of tobacco brands

From the observation, it was found that, tobacco companies still promote, sponsor and advertise tobacco products through different means(3 percent) though there is a complete ban on such activity.

3.6.5 Sales and purchase of tobacco products

The point of sales and purchase of tobacco products within the 100 meters was also observed within the span of 100 meter distance from health institutions (78.2 percent), which was followed by care centres (66.7 percent each) and educational institution (63.6 percent).

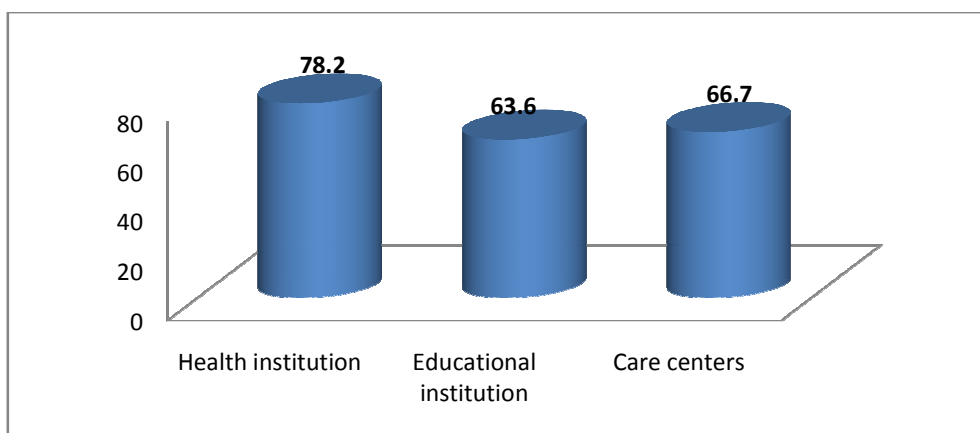


Figure 13: Sales and purchase of tobacco products within the 100 meters

D. Compliance of the law

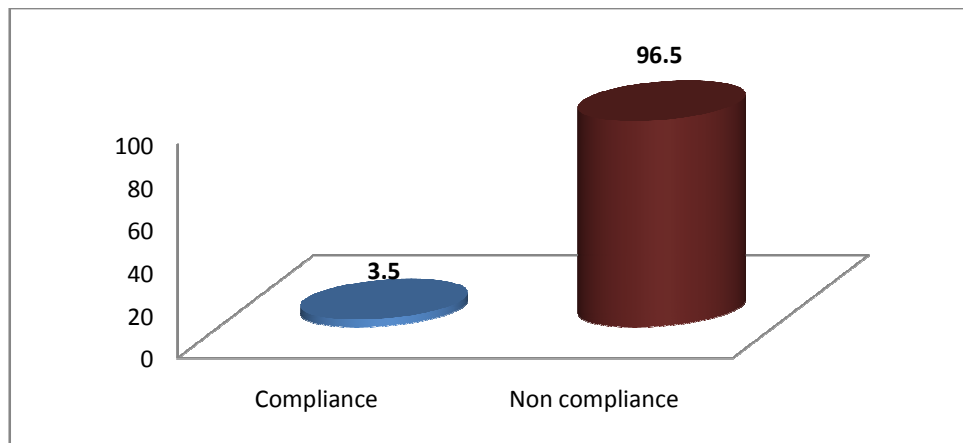


Figure 14: Compliance of the law

While inspecting the overall compliance of the law, it was found that, very few public places (3.5 percent) comply the smoke free law as per defined in the tobacco control law whereas more than 95 percent don't comply with it. It was based on visual evaluation of the interviewers. The compliance was measured on the basis of indicators such as No smoking signage at the main entrance, person smoking inside the building, designated smoking area inside the building, visible cigarette butts and ashtrays and smell of tobacco and smoke.

The low compliance rate reflects the gap and it calls for active enforcement and intensified programs and strategies. It is also an evidence for ensuring that there is a need of awareness and behaviour change communication campaigns.

E. Institution wise compliance

Table 13: Compliance as per type of institution

Type of Institution	Compliance of the law				Total	
	Compliance		Non Compliance			
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Education	5	4	122	96	127	100
Care centres	0	0	20	100	20	100
Hotel	1	0.6	166	99.4	167	100
Health inst.	9	10.4	78	89.6	87	100
Restaurant & bars	4	1.1	336	98.9	340	100
Sport centres	1	5.9	16	94.1	17	100
Religious places	0	0	27	100	27	100
Departmental store & Mini market	2	7.7	24	92.3	26	100
Government offices & bank	12	9.0	121	91.0	133	100
Industry-factory	1	3.0	33	97.0	34	100
Other venues	0	0	22	100	22	100

The above table shows the compliance and non compliance rate of each institution. The data revealed that none of the places fully comply with the law. But among those places, the compliance was observed more in health institution (10.4 percent) and government offices and bank (9 percent). It was followed by departmental store and mini market (7.7 percent), sport centres (5.9 percent), education institution (4 percent), industry and factory (3 percent), restaurant and bars (1.1 percent) and hotels (0.6 percent). Whereas the sites like care centres, religious places, public toilet, cinema hall, ticket counter and museum showed no compliance with the tobacco control law.

Chapter 4: Conclusion and Recommendations

Conclusion:

Among the total respondents, nearly half have had ever used tobacco products and among them nearly 80 percent are currently using tobacco products. Almost all respondents are aware that the use of tobacco products and smoking causes health hazards and majority of the respondents are also aware of Tobacco Product (Control & Regulatory) Act. As per the law, it is the responsibility of owners/managers of the public places to implement the law by controlling the use of tobacco in their places and most of them agreed upon this aspect of law.

Almost all of the people have strong views to ban smoking in all public places. In addition to that, majority of them also have strong opinion to ban selling of tobacco products to pregnant women and to children less than 18 yrs old.

Tobacco advertising has proven to increase tobacco consumption. Favouring this statement, most of the respondents agreed in banning tobacco product advertisement, promotion and sponsorship completely. Significant numbers of the people have positive opinion in displaying 75 percent graphic health warning on cigarette packages.

The public places were also observed during the survey. From the observation, it was found that only 5.1 percent public places have signage at the main entrance stating that smoking is injurious to health whereas majority (94.9 percent) of the public places possess no such signage, inside the building. Similarly, only 2.8 percent public places were found to have sign outside their building. Though the people are aware of the different aspects of tobacco control legislation and its smoke free laws, they are not effectively implementing and comply with it. In case of public vehicle, it was observed that very few of them possess such signage.

Some of the public places also possess designated area as a smoking zone which is completely illegal. Only few places namely airport, prison and tourist standard hotel could have separate place or designated area as a smoking zone and except these, no other places should have such place.

It is also observed that still there are promotional and advertisement activities going on in different public places which need to be stopped completely.

The overall result shows the huge public support for the tobacco control legislation. Therefore, it is hoped that with the continuous strong support from the people all over the country, Government of Nepal will continue to take steps to reduce tobacco use by persuasive legislation to make all public places and workplaces in the country smoke-free.

The overall compliance with the smoke free laws in the public places was low and it reflects that there is a necessity of more programs and efforts that could make everyone understand the importance of law and for this tobacco control coalition is needed to strengthen implementation process. Among the public places, the compliance was found more among health institution and government institutions and bank whereas the sites like care centres, religious places, ticket counter, public toilets, museum showed no compliance with the law. The law has been implemented recently, though many people are aware of the law, the lack of proper knowledge regarding the conditions of the law might be one of the reasons behind its low compliance.

Recommendation:

1. Concerned agencies should continue to work toward establishing smoke free environments in all public places so that every individual can be protected from second hand smoking.
2. Public education and awareness campaigns should be conducted to encourage people to adopt smoke free laws and they should be made aware about the effects of second hand smoke.
3. Surveys should be carried out to monitor as well as to evaluate whether the law has been implemented properly or not and to trace out the improvements.
4. A comprehensive mechanism for monitoring and evaluation of the compliance needs to be developed and put in place.
5. No smoking signage or notice should be developed in sufficient quantity and distributed in all public places.

Annexes

Annex I: Study tools

Annex I: Study Tools

Tool 1: Interview with manager/owner

**Government of Nepal
Ministry of Health and Population
National Health Education, Information and Communication Centre**

Interview with Managers/Owners of the public places

<p>INFORMED CONSENT</p> <p>Namaste! My name is..... I am here to collect some information for a survey. National Health Education, Information and Communication Centre under the Ministry of Health and Population is going to conduct study on "Opinion Poll and Compliance Study on Tobacco Control Legislation". The main objective of this study is to evaluate the smoke free areas. With your kind consent, I would like to ask you some questions. Please feel free to express your feelings and ask questions, if any. You may stop participating in interview at any time if you feel uncomfortable. I assure you that information given by you will be kept confidential and will be used only for the study purpose.</p>
--

IDENTIFICATION:

District	.....	VDC	.....
Ward no	<input type="text"/> <input type="text"/>	Tole name	.....
Date of Interview	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
Name of Interviewee	.....	
Name of Supervisor	.....	

Section 100: General Information

S.N	Question	Coding Categories	Code	Skip
101	Type of Tobacco and smoking prohibited area	1. Health Institutions 2. Educational Institutions 3. Library 4. Training Institutions 5. Government bodies, other organizations and offices 6. Childwelfare 7. Child care home 8. Old age homes 9. Orphanage 10. Child and Club 11. Hotel 12. Motel 13. Resort 14. Restaurant and Bar 15. Food center 16. Lodge 17. Hostel 18. Canteen 19. Guest House 20. Health Fitness Centre 21. Stadium 22. Coverdhall 23. Swimming pool and Pool house 24. Departmental Store and Mini Market 25. Religious places 27. Cinema Hall, cultural centers and theatres 28. Public transport waiting and Ticket counter 29. Public Toilet 30. Airport and 31. Public vehicles 32. Industry		
102	Name of building/facility/prohibited Area	.....	
103	Total number of buildings in the prohibited area	.....	

Section 200: Interview with Manager/Owner

S.N	Question	Coding Categories	Code	Skip
201	Do you allow people to use tobacco and smoke inside the building?	Yes No	1 3	→203
202	Why do you allow them to use tobacco and smoke inside the building?	I am reluctant because I am also a smoker I do not want to create conflict with the customers/guests Feel uncomfortable to asked customers to do so Bad for business Not my responsibility to reinforce Tobacco use and smoking is allowed here Others,.....	1 2 3 4 5 6 95	
203	If someone use tobacco and smoke inside the building, would you ask them not to do so?	Yes No	1 3	→205
204	If no, why?	I am reluctant because I am also a smoker I do not want to create conflict with the customers/guests Feel uncomfortable to asked customers to do so Bad for business Not my responsibility to reinforce Tobacco use and smoking is allowed here Others,.....	1 2 3 4 5 6 95	
205	Are you providing a designated area for smoking and tobacco use inside the building?	Yes No	1 3	
206	Are you providing a designated area for smoking and tobacco use outside the building?	Yes No	1 3	
207	If the type of institution with smoke free zone is Tourist standardhotel/Airport/Jail <i>(Evaluate by urself on the basis of criteria)</i>	Yes No	1 3	→214
208	Do you allow your guest to smoke and use tobacco products inside the guest room in your hotel?	Yes No	1 3	
209	Do you have designated area as a smoking and tobacco use zone in your hotel?	Yes No	1 3	
210	If Tourist standard hotel according to observation checklist, Do you allow your guest to smoke and use tobacco products inside the airport?	Yes No	1 3	

211	Do you have designated area as a smoking and tobacco use zone in this airport?	Yes No	1 3	
212	If its Airport according to observation checklist, Do you have designated area as a smoking and tobacco use zone in this airport?	Yes No	1 3	
213	Do you allow your prisoners to smoke and use tobacco products inside the airport?	Yes No	1 3	
212	If its Jail according to observation checklist, Do you have designated area as a smoking and tobacco use zone in this prison?	Yes No	1 3	
213	Do you allow your prisoners to smoke and use tobacco products inside the prison?	Yes No	1 3	
214	Do you know about Tobacco Product (Control and Regulatory) Act-2068 ?	Yes No	1 3	
215	According to law, owner/managers of public places are required to implement law in their places. Do you agree with this statement?	Agree Disagree Don't know	1 2 88	
216	Do you know that anyone who smoke and use tobacco product in a public place will be punished?	Yes No	1 3	
217	Are you facing any problem to implement this law?	Yes No	1 3	<p>→ 218</p> <p>→ End the interview</p>
218	What are the problems? ----- ----- -----			
219	How you solve them? What are the recommendation? ----- ----- -----			

Interviewer Note

Tool 2: Observation Checklist of Public Places

IDENTIFICATION

S.N: _____
Name of the building: _____
District: _____
Municipality: _____
Ward.no: _____

Please mark tick (✓) in the correct answer below.

Section 300: Indoor and outdoor observation

Indoor

S.N	Indicators	Yes	No	Not Applicable	Skip	Remarks
301	Is there a sign at the main entrance to the building stating that smoking and tobacco use is prohibited?				If no, go to Q.N. 306	
302	Is the sign at the main entrance at least as large as the law requires? (30cm*20cm)					
303	Does the sign at the main entrance display the picture of a lit cigarette with a crossed red circle clearly and easy to read?					
304	Does the sign at the main entrance refer to the Tobacco product (control and regulatory) Act?					
305	Does the sign at the main entrance list the penalties/punishment for violations?					
306	Are there signs at all other main entrances to the building? <i>(Circle "Not Applicable", if only one main entrance)</i>					
307	Are there signs inside the building stating that smoking and tobacco use is prohibited?				If no, go to Q.N. 309	
308	How many signs did you see in other places indoors stating that smoking and tobacco use is prohibited? <i>(Write in numbers of signs you saw)</i>					
309	Is anybody smoking tobacco products indoors? (cigarette, bidi etc)					
310	Is there a sign designating smoking area indoors? Circle "Yes" if you saw a designated area, even if no one was smoking.					
311	Are there any cigarette butts visible indoors?					
312	Are there any ashtrays visible indoors?					
313	Are there ashtrays on the tables inside the building?					
314	Did you smell tobacco smoke indoors?					

Outdoor

S.N	Indicators	Yes	No	Not Applicable	Skip	Remarks
315	Is there a sign at the main entrance to the grounds stating that smoking and tobacco use is prohibited? <i>(Circle Not Applicable, if there are no outdoor ground).</i>				If NA, go to Q.N. 323	
316	Are there any signs at all other entrances to the ground stating that smoking and tobacco use is prohibited? <i>(Circle Not Applicable, if there is only one entrance to the ground).</i>					
317	Are there any cigarette butts visible outdoors and within the building premises?					
318	Is anyone smoking or using any tobacco products outdoors and within the building premises? <i>(Cigarette, bidi etc)</i>					
319	Is the smoking taking place in an area with the furniture? (table, chair)					
320	Are chairs, tables and ashtrays provided outdoor lie within the building premises?					
321	Are ashtrays visible at any other places outdoor within the building premises?					
322	Is there a designated smoking area outdoor within the building premises? <i>(Circle "Yes", if you saw a designated area, even if no one was smoking in it)</i>					

Promotion, Sponsor and Advertisement of Tobacco Products

S.N	Indicators	Yes	No	Skip	Remarks
323	Did you observe any items that show promotion, advertisement or sponsorship of tobacco brands/company within the building premises? (Bill board, Napkin, Poster, Banner, Wall painting, Logo, Sign etc)				

Sales and Purchase of Tobacco products

S.N	Indicators	Yes	No	Skip	Remarks
324	According to the observation checklist, Do you observe anyone selling tobacco products within 100 m distance of following institutions?				
	1. Health related institution				
	2. Educational institutions				
	3. Child welfare homes				
	4. Old age homes				
	5. Orphanage				
	6. Child care centers				

Tool 3: Observation Checklist of Public Vehicle

IDENTIFICATION

S.N: _____
District: _____
Starting point: _____ , Time: _____
Ending point: _____ , Time: _____
Municipality: _____

Section 400: Observation inside the public vehicle

S.N	Indicators	Yes	No	Remarks
401	Did you see any passenger smoking or using any tobacco products inside the public vehicle?			
402	Is there a sign at the public vehicle stating that smoking and tobacco use is prohibited?			
403	Are there any cigarette butts visible inside the public vehicle?			
404	Did you smell tobacco smoke inside the public vehicle?			

Tool 4: Interview with the general public

**Government of Nepal
Ministry of Health and Population
National Health Education, Information and Communication Centre**

Interview with Managers/Owners of the public places

INFORMED CONSENT

Namaste! My name is..... I am here to collect some information for a survey. National Health Education, Information and Communication Centre under the Ministry of Health and Population is going to conduct study on "**Opinion Poll and Compliance Study on Tobacco Control Legislation**". The main objective of this study is to evaluate the smoke free areas. With your kind consent, I would like to ask you some questions. Please feel free to express your feelings and ask questions, if any. You may stop participating in interview at any time if you feel uncomfortable. I assure you that information given by you will be kept confidential and will be used only for the study purpose.

IDENTIFICATION

Type of public places: _____

District: _____

Municipality: _____

S.N	Question	Coding Categories	Code	Skip
A. Socio demographic characteristics				
1.	Permanent address	.....(district)		
2.	Age	.....(in completed years)		
3.	Sex			
4.		Male Female Third Gender	1 2 3	
5.	Educational status	Illiterate Literate (attended non formal) Primary (1-5) Lower secondary(6-7) Secondary(8-10) Higher secondary and PCL University	1 2 3 4 5 6 7	
6.	Occupation	Daily paid labor Farmer Government employ Private sector employ Business Unemployed Other (Specify).....	1 2 3 4 5 6 95	

B. Knowledge about tobacco products and smoking				
101	Do you know that the smoking and tobacco use cause harm in our health?	Yes No Don't know	1 3 88	
C. Opinion on Tobacco Control Legislation				
102	Do you know about the Tobacco Product (Control & Regulatory) Act, 2011?	Yes No	1 3	
103	What is your opinion about the restriction of smoking and tobacco use in indoor places?	It should be restricted in all public places It should not be restricted in all public places	1 3	
104	Do you agree that the selling of tobacco products to pregnant women should be legally restricted?	Agree Disagree Don't know	1 3 88	
105	Do you agree that the selling of tobacco product to less than 18 years age people should be restricted by law?	Agree Disagree Don't know	1 3 88	
106	Do you agree that the law should ban tobacco products advertisement and promotion in media?	Agree Disagree Don't know	1 3 88	
107	Do you agree that at least seventy-five percent of the cover of the cigarette and bidis should incorporate pictorial health warning on harmful effect due to consumption of tobacco products?	Agree Disagree Don't know	1 3 88	
D. Tobacco use and smoking habit				
108	Have you ever consumed tobacco products like cigarette, khaini, tobacco, panparag etc?	Yes No Don't know	1 3 88	End the interview
109	Do you consume tobacco products now?	Yes No	1 3	
110	If yes, then how much rupees do you spend per day?	Rs.....		