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Jg. .... Nr. .... P. 8 Dat. 13 NOV 1998

# Parliament huffs and puffs in passing tobacco bill

LYNDA LOXTON

PARLIAMENTARY CORRESPONDENT

Cape Town — The national council of provinces (NCOP) yesterday passed the controversial Tobacco Products Control Amendment Bill, paving the way for the end of tobacco advertising worth about R250 million in the media and advertising industry.

The bill was opposed by the Western Cape and KwaZulu Natal. Neels Ackermann, a West-

ern Cape delegate, said the bill was possibly unconstitutional, "unbalanced, draconian and one-sided".

He doubted whether it could be implemented because of the many unintended consequences it would have, especially in criminalising a portion of society. The bill also bans smoking in public places.

Ackermann facetiously challenged the government to implement the ban on tobacco advertis-

ing immediately as there was no mechanism to phase this in as planned. To phase the ban in would be "immoral", as children would continue to be exposed to tobacco advertising, which is what the government claims is the main reason for the bill.

After the bill was passed, Piet Delport, the executive director of the Freedom of Commercial Speech Trust, issued a statement warning that the government was also planning "far-reaching

TREFWOORDE

1 Business

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Jg..... Nr..... P. 8 Dat. 13 NOV 1998

and intrusive" regulations which would affect the liquor industry.

Delpont said the recently passed Liquor Bill contained a clause that allowed Alec Erwin, the trade and industry minister, and Nkosazana Zuma, the health minister, to determine the content and manner in which public health notices on the manufacture, distribution, sale and consumption of liquor had to be displayed.

"The powers given to the

relevant ministers are extremely wide and are an infringement of the freedom of commercial speech," said Delpont.

The NCOP also passed a bill aimed at transforming the South African Special Risks Insurance Association (Sasria) into a state-owned company. This will allow the government to use several billion rands from Sasria's reserve to pay off debt.

Parliament adjourned yesterday until February 6.

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