



22 SEP 2023

MEMORANDUM CIRCULAR NO. 19
Series of 2023

SUBJECT : No Smoking and Vaping Policy at the MIAA Corporate Buildings/Offices and NAIA Terminals

GENERAL

1. Among the State policies provided for under Section 2 of Republic Act (R.A.) No. 9211, otherwise known as the "*Tobacco Regulation Act of 2003*", is the policy to protect the populace from hazardous products and promote the right to health and instill health consciousness among them, among others. For this purpose the government shall regulate the use of tobacco products in order to promote a healthful environment and protect the citizens from the hazards of tobacco smoke. Accordingly, Section 5 thereof imposes a smoking ban in public places, which includes under subsection (e) public facilities such as airports, except in designated smoking areas.
2. Section 2 of R.A. No. 11900, otherwise known as the "*Vaporized Nicotine and Non-Nicotine Products Regulation Act*", declared that it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. For this purpose, the government shall regulate the use of Vaporized Nicotine and Non-Nicotine Products, and their devices, and novel tobacco products in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products and reduce the harm caused. As such, Section 15 thereof prohibits the use of said products in all indoor public places, except in designated vaping areas.
3. Consistent with the thrust of the Manila International Airport Authority (MIAA) in promoting a healthful environment and protecting airport personnel and clientele from the hazards of smoking and vaping, the following guidelines shall be adopted in the implementation of MIAA's "**100% No Smoking and Vaping Policy**" in consonance with the policies enumerated under Executive Order (E.O.) No. 26 dated 16 May 2017, which provides for the establishment of smoke-free environments in public and enclosed places.

PURPOSE AND SCOPE

4. This Memorandum Circular (MC) defines the policies and sets forth the guidelines for the promotion and furtherance of a *100% Smoking and Vaping-Free* environment and prescribes the penalties for their violation. It will apply to all employees/clientele of MIAA, other government agencies, concessionaires and contractors, other persons doing business at the MIAA Corporate

Buildings/Offices and Ninoy Aquino International Airport Terminals, the general public, and other airport users.

DEFINITION OF TERMS

5. "*Designated Vaping Area*" (DVA) refers to an assigned indoor or outdoor area where the use of Vaporized Nicotine and Non-Nicotine Products shall be allowed.
6. "*Designated Smoking Area*" (DSA) refers to an area of a building or conveyance where smoking may be allowed, which maybe an open space or separate area with proper ventilation subject to the specific standards provided under E.O. No. 26, s. 2017.
7. "*Heated Tobacco Products*", also referred to as Heated Tobacco Product (HTP) Consumables or Heat-Not-Burn Product Consumables, refer to tobacco products that are intended to be consumed through heating tobacco, either electronically or through other means, sufficient to release an aerosol that can be inhaled, without combustion of the tobacco. HTP Consumables or Heat-Not-Burn Product Consumables may also include liquid solutions and gels that are part of the product and are heated to generate an aerosol. HTPs may or may not operate by means of an HTP Device
8. "*Implementing Units*" refer to the Offices that will execute these policies, such as Airport Police Department, Terminal Managers, Terminal Administrative Section Head, Department Heads, and MIAA Contracted Security Guards.
9. "*MIAA Corporate Buildings / Offices*" refer to the buildings and offices owned and controlled by the MIAA.
10. "*Ninoy Aquino International Airport (NAIA) Terminals*" refer to the International Cargo Terminal (ICT), General Aviation Areas (GAA), NAIA Terminal 1, NAIA Terminal 2, NAIA Terminal 3, and Terminal 4.
11. "*Public Conveyances*" refers to the mode of transportation servicing the airport employees, passengers, and general public, such as but not limited to, airplanes, shuttle buses, airport taxis, airport/ramp vehicles, elevators/escalators, jeepneys, and other similar vehicles.
12. "*Public Places*" refer to all places, fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including but not limited to, workplaces, government facilities, establishments that provide food/drinks, accommodation, merchandise, professional services, or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, grounds or centers, transportation terminals, walkways/sidewalks, entrance ways, waiting areas, and the like.
13. "*Vapor Products*", also referred to as Vapor Product Refills, refer to the liquid, solid, or gel, or any combination thereof, which may or may not contain

nicotine, that is transformed into an aerosol without combustion by a Vapor Product Device.

14. "*Vapor Product Device*" refers to a device or a combination of devices used to heat a Vapor Product, to produce an aerosol, mist, or vapor that users inhale. These may include combinations of a liquid solution or gel that are heated and transformed into an aerosol without combustion through the employment of a mechanical or electronic heating element, battery, or circuit, and includes, but is not limited to, a cartridge, a tank, or a device without a cartridge or tank.
15. "*Vaporized Nicotine or Non-Nicotine Products*" refers to both Heated Tobacco Products and Vapor Products, as defined herein, which are novel consumer goods that generate a nicotine-containing or non-nicotine-containing aerosol without combustion.

STATEMENT OF POLICY

16. MIAA adopts a **100% No Smoking and Vaping Policy**. Smoking and vaping are prohibited in or on the premises, building, government vehicles, and grounds within the MIAA Corporate Buildings/Offices and NAIA Terminals, except in duly established DSAs and DVAs, if any.
17. Nothing in this MC shall prevent the Building Administrators and/or Terminal Managers from imposing stringent measures in their establishments, buildings, and/or terminals to better ensure a smoke-free environment in their respective premises.

GUIDELINES

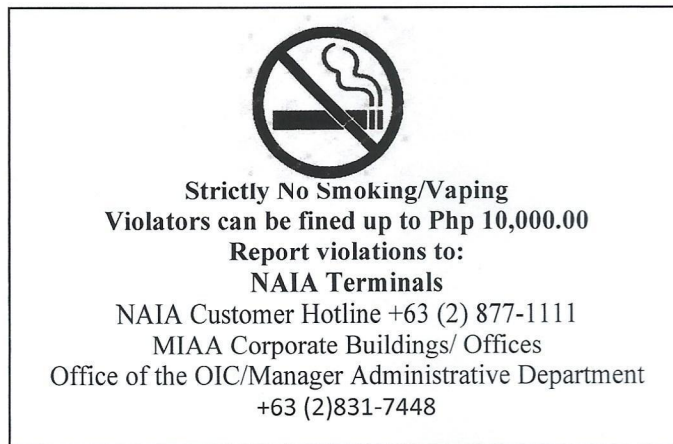
18. Any one caught smoking or vaping in prohibited areas shall be reported directly to the Implementing Units for proper recording or documentation of violation and/or confiscation of identification cards/access passes, if necessary.
 - 18.1. For violations committed in NAIA Terminals, the Implementing Unit shall prepare a violation report to be submitted to the Terminal Administration Office.
 - 18.2. For violations committed in MIAA Corporate Buildings/Offices, the Implementing Unit shall prepare a violation report to be submitted to the Terminal Administration Office.
 - 18.3. Identification cards and/or access passes may be confiscated.
19. Upon prior approval of the Memorandum Circular by the MIAA's Board of Directors, DSAs and DVAs will be identified and established in each building and Terminals.

- 19.1. All DSAs, whether indoor or outdoor, shall comply with the specific standards required under Executive Order No. 26 dated 16 May 2017¹ and Department of Health Administrative Order No. 2017-0023².
- 19.2. All DVAs shall comply with the specific standards set forth under Section 17 of R.A. No. 11900.

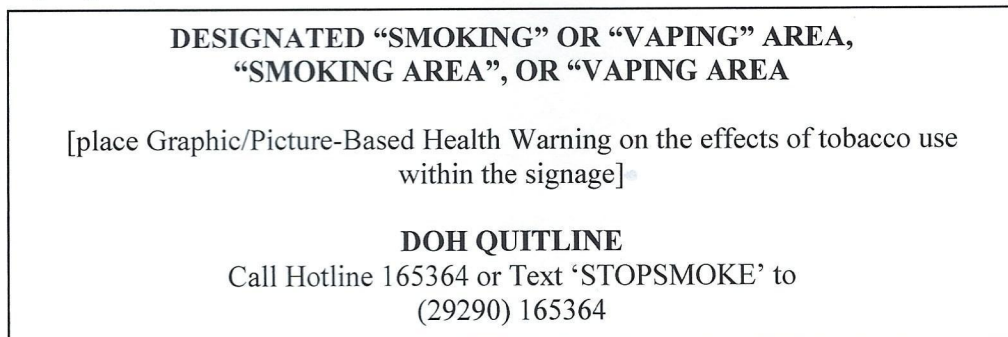
STATEMENT OF RESPONSIBILITIES

20. Building Administrators and Terminal Managers shall:

- 20.1. Prominently post and display "No Smoking and Vaping" signages, in the locations most visible to the public and in the areas where smoking or vaping is prohibited. At the very least, the said signages must be posted at the entrance to an area, which shall be at least 8x11 inches in size, where the symbol shall occupy no less than 60% of the signage, while the remaining 40% of the signage shall show pertinent information, as follows:



- 20.2. Prominently post and display the "No Smoking and Vaping" signages in the most conspicuous location within the public conveyance. At the very least, a three-and-a-half (3.5) sq. in. The signages shall be placed on the windshield, and a ten (10) sq. in. signage at the driver's back seat.
- 20.3. As for DSAs and DVAs, prominently display the following elements in the signage:



¹ Entitled: Providing for the Establishment of Smoke-Free Environments in Public And Enclosed Places.

²Entitled: Guidelines in the Effective Implementation and Enforcement of Executive Order (EO) No. 26; Providing for the Establishment of Smoke Free Environment in Public and Enclosed Places.

20.4. Heads of offices, other government agencies, concessionaires, and contractors are enjoined to ensure that all their employees and transacting public are aware of this MC. Further, they shall be responsible for the following:

- 20.4.1. Ensure implementation and compliance with this policy;
- 20.4.2. Establish procedures for reporting and dealing with violations; and
- 20.4.3. Monitor and report on rates of compliance and effectiveness of this MC.

PENAL PROVISIONS

21. The following penalties shall apply to MIAA and government employees, all stakeholders and Airport users:

a. First Offense	A fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1,000.00) and confiscation of MIAA ID/Access Pass.
b. Second Offense	A fine of not less than One Thousand (Php 1,000.00) but not more than Five Thousand Pesos (Php5,000.00) and confiscation of MIAA ID/Access Pass.
c. Third Offense	In addition to a fine of not less than Five Thousand Pesos (Php5,000.00) but not more than Ten Thousand Pesos (Php10,000.00) and confiscation of MIAA ID/Access Pass.

21.1. However, passengers violating this MC will be sternly warned.

SUPERSEDING CLAUSE

22. MC No. 03-M s.2010 and other MIAA issuances inconsistent herewith are hereby superseded or modified accordingly.

EFFECTIVITY

23. This MC shall take effect immediately.

For strict compliance.


BRYAN ANDERSEN Y. CO
Officer-In-Charge, MIAA

