

Industry Strategies to Undermine Alcohol Policies in Sri Lanka C6-4-4

**Shakya Nanayakkara
Kingsley Senadheera
Iron Prasad**

Healthy Lanka Alliance for Development
Foundation for Innovative Social Development

Alcohol Policy

- * Working against alcohol use started in the Country in 1912.
- * Activists took new move during latter 1980s.
- * President took interest and appointed to make recommendations.
- * Alcohol Policy adapted by the Cabinet in 1997.

Laws other than NATA Act

- * Excise Ordinance No 8 of 1912
 - * To regularize sale of alcohol through issuing licenses and collecting the tax revenue
- * Offences Committed under the Influence of Liquor (Special Provisions) Act No 41 of 1979

NATA Act No 27 of 2006

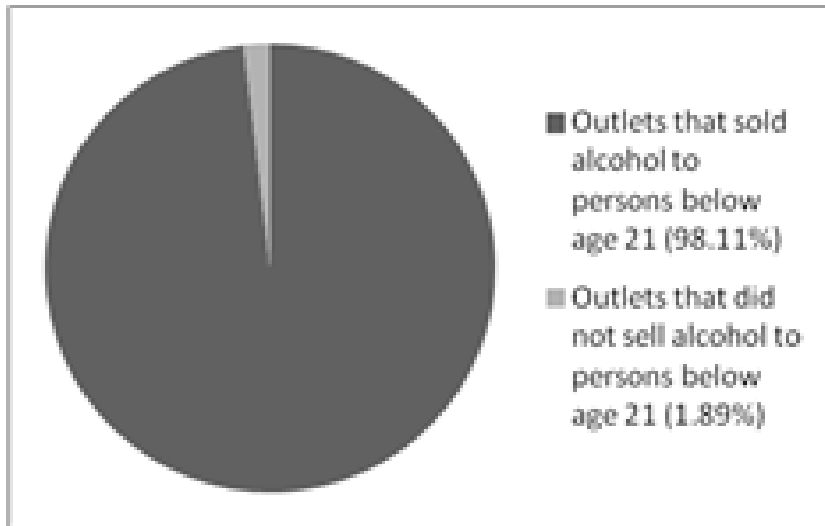
- * Six Sections deals with offences related to alcohol.
- * 1. Section 31 – Prohibition of sale to persons below 21 years of age.
- * 2. Section 32 – Prohibition of installing vending machines.
- * 3. Section 35 – Prohibition of Advertisements.

NATA Act No 27 of 2006

- * 4. Section 36. Prohibitions of Sponsorships
- * 5. Section 37. Prohibition of free distribution of alcohol products
- * 6. Section 38. Offence relating to trademarks, characteristic symbols, distinctive logo, or brand name of a alcohol product.

Assess Implementation of NATA Act – Section 31

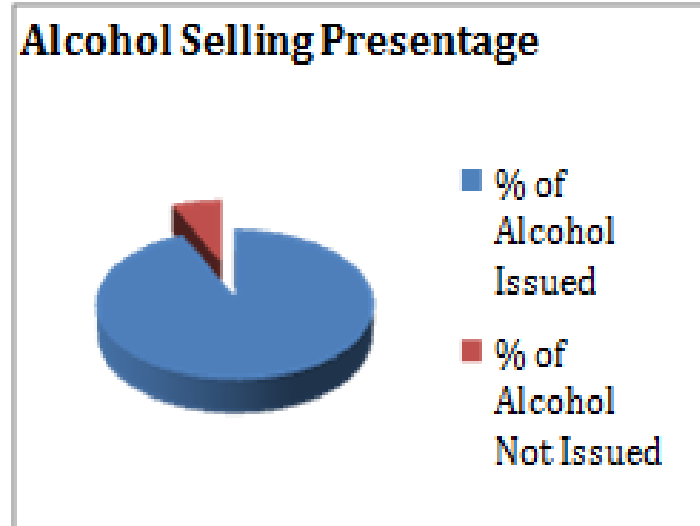
FISD Research Results



98.7 % Merchants sells Alcohol to Persons below 21 years of age.

HLAD Research Results

Alcohol Selling Presentage



93.3 % Merchants sells Alcohol to Persons below 21 years of age.

Undermining Strategies of the Industry

- * 1. Filing cases against enactment or revision of laws.
- * 2. Providing legal assistance to violators of the law.
- * 3. Discouraging and jeopardizing authorised officers in the court.
 - * e.g. stating officers cannot file cases due to a grammatical mistake in the section 16 of the Act.

Undermining Strategies of the Industry

- * 4. Misinterpretation of law provisions in the court by using industry sponsored attorneys.
 - * Arguing that authorised officers need a letter from Chairman of NATA to file cases. In fact these officers not required such a letter because they are public officers (Statute 170 of Constitution).

- * 5. Installing notices at selling outlets on the prohibition of selling to minors to get the psychological advantage of young generation.

Undermining Strategies of the Industry

- * 6. Get the support of artists to include scenes in teledramas and films while influencing owners of media stations to televise dramas and films that contain alcohol scenes.
- * 7. The infiltration of lawyers who are on the payroll of the alcohol and tobacco industries into the panel of lawyers appointed by NATA to provide training on the NATA Act to the implementing authorities. The infiltrating lawyers discourage those receiving training from filing cases concerning violations of the Act.

Undermining Strategies of the Industry

- * 8. The influencing some senior officials in the Ministry of Health to take steps or not to take some actions which helps to make the NATA Authority defunct.
- * 9. The buying over of some of those in the panel of authors appointed by NATA for compiling the book of guidelines on the implementation of the NATA Act. The panelists under the influence of the industries included false and misleading information in the book that would result in the misinterpretation of the NATA Act.

Undermining Strategies of the Industry

- * 10. Lobbying the Ministry of Finance to ensure that increases in the price of alcohol would not exceed the increase in the cost of living thereby maintaining the cost of alcohol at a relatively cheap rate.
- * 11. Developing an image of the NATA Act among the authorities and the general public as weak and also a one containing errors.

Measures Taken to React

- * 1. Actively involve in the court cases as intervenient petitioners to elaborate the scientific evidence.
- * 2. Authorised officers were given proper training explaining the strength of the act and clarifying proper interpretation of legal provisions of the act so as to counteract the lawyers.

Measures Taken to React

- * 3. Converts village shops and boutiques as information centres so as to spread the true message about alcohol.
- * 4. A study on the containing of alcohol scenes in televised dramas and films was conducted both to get the idea of such happening and let children understand the truth of displaying advertisement in such programmes.

Measures Taken to React

- * 5. Sponsorships and free distribution of alcohol at motor cross rallies organized by military forces is yet to tackle.
- * 6. Policy Advocacy event organized and make Minister aware of the drawbacks of the implementation of NATA act and remedial measures that need to be taken.

Recommendation Submitted to Minister

- * 1. Making the implementation of NATA Act a priority action in the job description of authorised officers.
- * 2. Establish special units in each department dedicated to the implementation of the NATA Act till such time that NATA will be strengthened to work at its full swing.
- * 3. Take action to appoint officers and servants as specified in Section 15 (d) and Section 21 of the act in order to carry out the actions stated in the NATA Act.

Recommendation Submitted to Minister

- * 4. Organized process should be established at particular departments through which authorised officers able to get the necessary advice from the Attorney General's Department as quickly as possible whenever they required such assistance.
- * 5. A secure environment should be created in order to enable them to carry out their duties without any fears

Recommendation Submitted to Minister

- * 6. It is necessary to form child and youth groups under the offices where authorised officers are working to get the support of persons below the age of 21 years as decoys while alcohol prevention should be initiated through these groups.
- * 7. It become essential to establish the Act as a strong one and for which it is necessary to motivate and encourage authorised officers and their supervising officers to implement the relevant laws effectively.

Recommendation Submitted to Minister

- * 8. Ministry should take steps to bring necessary amendments required as soon as possible.
- * 9. The Honourable Minister of Health should make use of the popular electronic and print media to make the business community aware of the government will. The Honourable Minister could also make public statements educating the general public on the government intention and the importance of enforcing it.
- * 10. The Honourable Minister of Health should take leadership in counteracting the strategies employed by the alcohol and tobacco industries to undermine the NATA Act, making Sri Lanka an example to other countries.



Thank You

Welcome to Sri Lanka