

# **GOVERNMENT OF THE REPUBLIC OF LITHUANIA**

**RESOLUTION NO. 683**

## **ON THE ESTABLISHMENT OF THE STATE AGENCY OF TOBACCO AND ALCOHOL CONTROL UNDER THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA**

12 June 1996

Vilnius

Pursuant to Article 117 of the Law on Health System of the Republic of Lithuania and Article 40 of the Law on Alcohol Control of the Republic of Lithuania, the Government of the Republic of Lithuania has resolved:

1. to establish a budgetary institution – State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania.
2. to approve the Regulations of the State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania ( attached thereto).
3. to oblige the Ministry of Public Administration Reforms and Local Authorities together with the Ministry of Health Care, Ministry of Industry and Trade, Ministry of Agriculture, Ministry of Finance and other state institutions to submit within a period of one month since the coming into force of this Resolution proposals to the Government of the Republic of Lithuania concerning the delegation of functions relating to tobacco and alcohol control to the State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania, as well as proposals for the reallocation of the wages fund of the Ministries and other state agencies performing the said functions.

Having regard to the aforementioned proposals, the Ministry of Finance shall draft and submit to the Government of the Republic of Lithuania the Law on the Amendment of the Law on the Approval of the State Budget for 1996 of the Republic of Lithuania and Norms of Appropriations to Local Government Budgets and Subsidies.

Prime Minister

Mindaugas Stankevičius

Minister of Health Care

Antanas Vinkus

**APPROVED**  
**by Resolution No. 683 of 12**  
**June 1996 of the**  
**Government of the Republic**  
**of Lithuania**

Regulations of the State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania

**General provisions**

1. The State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania (hereinafter referred to as the Agency) shall be an executive budgetary institution of the Republic of Lithuania acting under the Government of the Republic of Lithuania.

2. In pursuing its activities, the Agency shall adhere to the Constitution of the Republic of Lithuania, the Law on Alcohol Control of the Republic of Lithuania, the Law on Tobacco Control of the Republic of Lithuania, the Law on Health System of the Republic of Lithuania, other laws, resolutions of the Seimas of the Republic of Lithuania, decrees of the President of the Republic, resolutions of the Government of the Republic of Lithuania, ordinances of the Prime Minister, other legal acts, as well as these regulations.

# Objectives and functions of the Agency

4. The main objectives of the Agency shall be:

4.1. to form and implement together with the ministries and other governmental agencies the state policy of tobacco and alcohol control;

4.2. to try to achieve a reduced level of smoking and the consumption of alcoholic beverages in Lithuania, lessen the harmful effects of tobacco and alcohol on people's health.

5. In pursuing its objectives, the Agency shall perform the following functions:

5.1. control adherence by natural and legal persons to laws of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania and other legal acts relating to tobacco and alcohol control;

5.2. co-ordinate the activities of the ministries and other governmental institutions, relating to the implementation of the policy of tobacco and alcohol control;

5.3. issue and revoke pursuant to the procedure established by the Government of the Republic of Lithuania licences to enterprises to produce alcoholic products, tobacco and tobacco products, import the said products into the Republic of Lithuania and engage in wholesale trade in alcoholic products;

5.4. control adherence by self- government executive institutions to the procedure established for the issue of licences to engage in retail trade in alcoholic beverages and tobacco products;

5.5. control together with other institutions adherence by enterprises to the procedure established for the production, trade, import and export of tobacco, tobacco products and alcoholic products;

5.6. control adherence by natural and legal persons to legislative requirements relating to the prohibition of tobacco and alcohol advertising;

5.7. control adherence by natural and legal persons to legislative requirements relating to the restriction of the selling of alcoholic beverages and tobacco products;

5.8. draft and submit pursuant to the established procedure for approval legal acts relevant to the competence of the Agency;

5.9. initiate and draw up projects for public programmes of tobacco and alcohol control, monitor the implementation of the said programmes;

5.10. advise self-government executive institutions on the drawing up and implementation of municipal programmes of alcohol and(or) tobacco control;

5.11. exercise monitoring of the consumption of alcoholic beverages and tobacco products;

5.12. accumulate, analyse and generalise information on the world prices of alcoholic beverages and tobacco products, price fluctuations, taxation, production, import and trade indicators with regard to foreign states and Lithuania, communicate the said information to the Government of the Republic of Lithuania, interested ministries and other governmental institutions;

5.13. define harm caused by alcoholic beverages and tobacco products to people's health;

5.14. accumulate and systematize scientific, technical and legal information on the issues relating to tobacco and alcohol control;

5.15. formulate and submit proposals to the Seimas of the Republic of Lithuania, Government of the Republic of Lithuania and other state institutions for the formation of the policy of alcohol and tobacco control and the implementation thereof;

5.16. render methodological and informational assistance to the ministries and other state and self-government executive institutions in organising alcohol and tobacco control;

5.17. perform the analysis of legal acts and programmes, which are within the competence of the Agency;

5.18. maintain contacts with the relevant foreign institutions and international organisations;

5.19. establish a procedure for additional marking of imported alcoholic beverages (except for beer) with special marks of enterprises licensed to engage in wholesale trade in alcoholic beverages;

5.20. analyse within its competence applications, proposals and complaints of natural and legal persons;

5.21. exercise other functions provided for by legislation;

5.22. communicate information on the activities of the Agency to the public.

## **Rights of the Agency**

6. The Agency shall have the right:

6.1. to apply, pursuant to the established procedure, economic sanctions to enterprises, institutions and organisations for the infringements of the Law on Alcohol Control of the Republic of Lithuania and the Law on Tobacco Control of the Republic of Lithuania, impose administrative penalties for the violations of the rules of the importation and exportation of alcoholic products, tobacco and tobacco products and internal trade in the said products;

6.2. to seize, pursuant to the procedure established by the Administrative Code of the Republic of Lithuania, adulterated alcoholic products produced in the Republic of Lithuania, alcoholic products smuggled into the Republic of Lithuania and those alcoholic products which are being marketed in the Republic of Lithuania where they do not meet quality requirements stipulated by statutory acts of the Republic of Lithuania;

6.3. to receive data relevant to the competence of the Agency from the ministries, other governmental institutions, self-government executive institutions, enterprises, agencies and organisations;

6.4. to visit upon the presentation of a certificate of an established form all enterprises engaged in the production, processing, importation, exportation, warehousing and transportation of alcoholic products and (or) tobacco and tobacco products, as well as enterprises engaged in trade in the said products;

6.5. to bind enterprises to terminate the activities which infringe laws and other legal acts relating to alcohol and tobacco control;

6.6. to put forward proposals to self-government executive institutions to invalidate, pursuant to the established procedure, licenses issued to enterprises by the said institutions to engage in trade in alcoholic beverages and (or) tobacco products;

6.7. to request assistance of the specialists from the ministries, other governmental institutions, self-government executive institutions, enterprises, agencies and organisations for the examination of the issues relating to the activities of the Agency;

6.8. to establish commissions (working groups) with specialists from other institutions included in their work to draft legislation and other documents, which are within the competence of the Agency. Where appropriate, foreign specialists may also be included in the activities of the said commissions.

7. In addition to the aforementioned rights, the Agency shall have other rights granted to it by laws and other legal acts of the Republic of Lithuania.

## **Organisation of the Activities of the Agency**

8. Edition of Resolution No 773 of  
23 June 1998 of the Government of  
the Republic of Lithuania (in force since  
2 July 1998).

(Official Gazette No 59-1677, 1998)

The Agency shall be headed by the Director who shall be appointed and dismissed from office by the Prime Minister on the proposal by the Secretary of the Government of the Republic of Lithuania. The Director of the Agency shall be subordinate to the Prime Minister. The Prime Minister shall give incentives to the Director and, where appropriate, impose administrative penalties upon him. The activities of the Director shall be co-ordinated by the Secretary of the Government. Basic salary for the Director shall be fixed by the Secretary of the Government on the approval by the Prime Minister, and extra pay shall be fixed by the Prime Minister.

The Director of the Agency shall be allowed to have a deputy, who shall be appointed and dismissed from office by the Prime Minister on the proposal by the Director, or by the Secretary of the Government upon the instruction of the Prime Minister.

#### 9. The Director of the Agency:

9.1. Edition of Resolution No 773 of  
23 June 1998 of the Government of  
the Republic of Lithuania (in force since  
2 July 1998).  
(Official Gazette No 59-1677, 1998)

shall be held accountable for the execution of the functions vested in the Agency.

9.2. shall ensure adherence to the laws of the Republic of Lithuania and the implementation of the decrees of the President of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania, ordinances of the Prime Minister and other legal acts;

9.3. pursuant to the rules of procedure of the Government of the Republic of Lithuania, shall submit to the Government of the Republic of Lithuania laws and other legal acts drafted within the competence of the Agency;

9.4. shall issue orders and other legal acts approved by the said orders, monitor the execution thereof.

Orders and other legal acts issued by the Director of the Agency shall be registered in accordance with the rules of procedure of the Government of the Republic of Lithuania. Where appropriate, the Director shall issue joint orders or other legal acts approved by the said orders together with heads of other state institutions.

Director's orders and other legal acts on issues within the competence of the Agency shall be binding on the ministries, other governmental institutions, self-government executive institutions, enterprises, agencies and organisations;

9.5. shall exercise other powers vested in him/her by law, Government of the Republic of Lithuania and Prime Minister.

9.6. shall approve the structure and list of positions of the Agency without exceeding the established limits of the annual wages fund;

9.7. shall approve regulations of structural divisions of the Agency;

9.8. shall appoint and dismiss from office employees of the Agency, fix their salaries, impose administrative penalties upon them and give incentives to them.

9.9. Edition of Resolution No 773 of  
23 June 1998 of the Government of  
the Republic of Lithuania (in force since  
2 July 1998).

(Official Gazette No 59-1677, 1998)

shall carry out instructions of the Government of the Republic of Lithuania, Prime Minister, Chancellor of the Government and Secretary of the Government.

10. Edition of Resolution No 773 of  
23 June 1998 of the Government of  
the Republic of Lithuania (in force since

2 July 1998).

(Official Gazette No 59-1677, 1998)

In the absence of the Director of the Agency, the duties of the Director shall be discharged by the Deputy, and in the absence of the Deputy – by the person authorised by the latter.

11. The Director shall be accountable to the Prime Minister for the activities of the Agency.

## **Funding of the Agency**

12. The activities of the Agency shall be funded by the State Budget of the Republic of Lithuania.

13. The Agency shall be allowed to possess non-budgetary funds.

## **Liquidation of the Agency**

14. The Agency shall be liquidated pursuant to the procedure established by the laws of the Republic of Lithuania.