

Process of smoke-free law changes in Spain
Update by Dr Carles Ariza, Spanish coalition
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During the spring of 2009, with the arrival of the new Health Minister, Trinidad Jiménez, the government announced its intention to modify the present 28/2005 law of health measures relating to smoking. The Ministry announced two previous decisions:

- 1- to order a report with the main existing evaluation data of the current law to the Smoking Working Group of the Spanish Society of Epidemiology (Gtt-SEE);
- 2- to re-open the Observatory of Smoking Prevention, created years ago, but without being given a structure and concrete goals.

During the period from October to December 2009 the Gtt-SEE joined the existing data about all the projects carried out in Spain during the last five years, trying to evaluate the law. The group compiled and published a monograph with data relating to:

- law acceptability in general population, before and after the law was introduced;
- impact of the law in terms of smoking prevalence;
- law impact on the exposure to second-hand smoke (SHS);
- impact of the law on Spanish population health (admissions by myocardial infarction in the general population or respiratory symptoms in hospitality workers);
- economical impact of the current law;
- and Law performance, taking in account that in Spain this is the responsibility of regional governments.

The Health Ministry presented this publication in the first meeting of the reopend Smoking Prevention Observatory, during the meeting held on 26 January 2010.

Later, during a new meeting of this Observatory (on 6 April 2010), the Ministry gave its members a document with a list of statements related to Health Ministry intentions about the next law changes. The main reasons contained in the document, to argue the necessity of changes, were:

- the morbidity and mortality attributable to smoking consumption or SHS exposure in Spain;
- the rights to health protection of hospitality workers and also protection of minors, today not completely observed in all public places in Spain;
- and the necessity to assure equity in the law enforcement in the entire country, which is currently infringed many regions.

The Health Ministry announced also the following timetable about the process changes:

- 1- The text with the law changes will be presented on 22 June 2010 by the Minister of Health. She will present it during the meeting of the Health Interterritorial Board that joins the Minister of Health and the health responsables of the 17 regions existing in Spain. The government's objective is to reach the maximum consensus with the text. The text will extend the condition of smoke-free to all public places, including pubs and all bars and restaurants, without the possibility of smoking rooms.

- 2- Lately, the purpose of changes will be presented in other technical forums as the Smoking Prevention Observatory and the Health Commission that join the regional public health responsables, and also the text will be passed to the deputies of all political parties for discussion.

The Health Ministry expect that the new modified law will become effective at the beginning of 2011.