

General

As described previously, smoking bans have been imposed on approximately 1,500 housing companies under the Tobacco Act, and according to data from the Trade Register, approximately 1,100 housing companies have decided to introduce smoking bans on their own. Given that there are around 90,000 housing company associations in Finland alone, smoking has only been banned in a very small number of housing companies. One reason for the low number of bans may be that housing companies have found it too difficult to ban smoking or to apply to their municipality for a ban. Another possible explanation is that not all housing companies suffer from tobacco smoke, which has kept a ban on smoking from becoming a pressing issue.

Regardless, according to the surveys described above, 46% of people living in blocks of flats and 42% of people living in terraced and semi-detached houses are disturbed by tobacco smoke carried in from other homes. In addition, 66% of people who live in blocks of flats are in favour of giving housing companies the right to prohibit smoking in flats and on balconies by majority decision. It is therefore reasonable to assume that the proposed legislation, which would facilitate and clarify the enforcement of smoking bans in housing companies, would lead to an increase in such bans, at least to some or possibly significant extent. However, it is not possible to make an accurate estimate of how many new bans on smoking the proposal would lead to.

The National Institute for Health and Welfare has estimated that smoking caused an expense of roughly EUR 1.0–1.6 billion to Finnish society in 2020. However, this does not include the costs of exposure to second-hand tobacco smoke. The costs to society arising from exposure to second-hand tobacco smoke or smoke particles accumulating in the environment have not been estimated in Finland.

A significant proportion of regular exposure to second-hand tobacco smoke currently occurs in homes, as smoking bans are otherwise quite comprehensive. By improving the ability of housing companies to ban smoking, it is therefore possible to significantly reduce exposure to second-hand smoke and concurrently reduce the health risks associated with such exposure. However, in practice, the effectiveness of the proposal in reducing the tobacco smoke issue and exposure to second-hand tobacco smoke in housing companies depends on how well the residents comply with smoking bans decided on by their housing companies. Regardless, the legislation on housing companies provide for the means by which it is possible to intervene in cases of non-compliance with the smoking ban if the right conditions are met.

Economic impact

Impact on the position of households

Amendments to Section 79 of the Tobacco Act would help to preserve the condition and value of homes and their furniture and fixtures, as tobacco smoke would no longer drift into other homes from neighbouring flats to the same extent as currently. It can be assumed that disputes arising from the drift of tobacco smoke following a property sale would decrease. Residents who have previously been unable to make full use of their balcony because tobacco smoke from a neighbour's flat repeatedly drifts onto it would be able to make full use of the home they control by virtue of ownership, tenancy or other rights.

Housing companies would no longer have to pay fees to local authorities for processing smoking ban applications. Costs would continue to be incurred from consulting property owners and other

preparatory work, as well as from the actual decision-making process, but in a housing company, it could be possible to influence these costs with a decision made at the annual general meeting.

Under the proposal, enforcement of a smoking ban would no longer be the responsibility of the local authority but of the housing company. It is possible that this might, to some extent, reduce the willingness to serve on the board of a housing company. Even now, however, in the case of a violation of the smoking ban imposed under Section 79, the matter is typically brought to the attention of the board of the housing company and the property manager. Therefore, the proposal would not necessarily entail any significant change in this respect.

However, where the measure taken to address a violation of the smoking ban involves the housing company taking control of the flat, the board and the property manager would generally need to gather evidence of the breach over a longer period than would be the case with a smoking ban imposed by the local authority. This is because the take-over of a flat by the management of a housing company requires not only the grounds laid down in the Housing Companies Act, but also that the violation is not minor. The municipal authority may, in principle, take action against any violation of a smoking ban it has imposed as soon as it receives a notification of the violation. In practice, however, the local authority does not intervene in isolated violations, except by reminding residents of the housing company of the smoking ban.

The proposed amendments to Section 79 could also have an impact on the neighbourly relations at the housing company. On the one hand, the relations could deteriorate if the decision on a smoking ban leads to unwanted attention and disputes between neighbours. On the other hand, if the ban is followed, the relations could improve and disputes with neighbours could decrease.

Smoking is significantly more common among less educated people than among people with a higher or medium-level education. Studies also show that there are more frequent points of sale of tobacco products in areas where the income level of residents is lower than average¹. Assuming that smoking indoors or on the balcony of a flat is similarly more common in areas of a lower socioeconomic status, it can be estimated that the proposal could lead to an increase in the number of smoking bans, particularly in housing companies in these areas.

Any expansion of existing smoking bans in housing companies could reduce the amount of smoking or even encourage them to stop smoking. This, in turn, would be an economic benefit to households where smokers reduce or stop smoking altogether, as they could save the money previously spent on tobacco products.

Studies have shown that exposure to tobacco smoke also has harmful effects on the health of pets, and these harmful effects are described in more detail below in the section on environmental effects. It can be estimated that the proposal would also reduce the exposure of pets to second-hand tobacco smoke and the accumulation of smoke particles in the environment. This could, to some extent, reduce the households' veterinary costs.

Impact on business

The proposed changes would make it easier to ban smoking in housing companies. The proposal would have a positive impact on companies that own blocks of flats or rental houses, as their property remained in a better condition if there was no smoking inside. However, it would diminish

¹ Pätsi, Salla-Maaria — Toikka, Arho — Ollila, Hanna — Ruokolainen, Otto: Tupakan myyntipaikkojen alueelliset ja sosiodemografiset erot, Tutkimuksesta tiiviisti 26/2023, THL.

the significance of the impact achieved by the amendment to the Tobacco Act if the Act on Residential Leases were to be amended, as proposed in the Government bill to Parliament on the amendment of the Act on Residential Leases and the Act on Commercial Leases (HE 33/2026 vp) with a smoking ban to be established as the starting point.

The proposal would also have positive implications for business owners and their employees who work in people's homes. It can be assumed that the proposed changes would reduce the exposure to second-hand tobacco smoke among business owners that provide services such as cleaning, private care and home nursing, and renovation services at least to some extent, which could, for example, lead to a reduction in sick leave.

Housing companies may have sought assistance from property management companies when applying for a smoking ban. Even if no further smoking ban applications would be made in the future, the need for property management services is not likely to change from the present, as property management companies could prepare the decision on a smoking ban, for example at the general meeting.

The ban on CBD and certain other cannabinoids as tobacco products and tobacco substitutes is not expected to have a significant impact on businesses. CBD and other cannabinoids, for which health claims are made, may already be considered prohibited as tobacco products, nicotine liquids, nicotine-free liquids intended for vaping, and smokeless nicotine products. In addition, the Finnish Food Authority has considered nicotine-free 'CBD pouches' to be prohibited under food legislation. A ban on CBD and certain other cannabinoids would therefore mainly affect the legal situation regarding herbal cigarettes and other plant-based products intended for smoking, but sales of such products are reportedly very low.

Impact on public finances

The bill would not have a direct impact on public finances. However, there would be indirect effects: a decrease in the exposure to second-hand tobacco smoke would have a beneficial health impact and, as a result, the need for healthcare services would decline. At the same time, it would improve people's working capacity and create a decrease in absenteeism. However, it is impossible to estimate the magnitude of these impacts.

The proposal could also reduce smoking, as, with the increase in smoking bans, at least some current smokers in residential communities would presumably smoke less or give up smoking altogether, rather than moving to smoke in a place where it is permitted. This would imply that the health risks of smoking and the associated treatment costs in the wellbeing services counties could decrease.

Impact on the activities of the public authorities

With the proposal, municipalities would no longer impose smoking bans at housing companies under the Tobacco Act, nor would municipalities have any role in enforcing smoking bans decided under Section 79 of the Tobacco Act. The proposed changes would therefore free up resources of the municipal authorities for other enforcement activities such as those under the Tobacco Act. It is true that smoking bans imposed under the current Tobacco Act would remain in force and municipalities would, upon application, have to lift the smoking bans imposed if, due to changed circumstances, there are no longer grounds for the ban. However, it is not expected that processing applications for the revocation of such decisions will create a significant employment impact for

municipal authorities, as, in practice, no applications for the revocation of smoking bans have been submitted to municipal authorities even under the current system.

There are a total of 60 environmental health enforcement units, and in 2024, a total of approximately 29 person-years were allocated across these units to tasks under the Tobacco Act. However, it is not known how many person-years the municipalities have spent specifically on tasks under Section 79 of the Tobacco Act.

It can also be estimated that, as smoking bans in residential communities would likely increase as a result of the proposal, the need to intervene under the Health Protection Act to address the health hazards of tobacco smoke would decrease. However, if the smoking ban is not observed and the housing association does not intervene in the violation, because it does not seem to meet the conditions for taking control of the flat, it is possible that an individual resident might ask the local authority to intervene regarding the second-hand smoke under the Health Protection Act. Such situations, in turn, could increase the need for enforcement under the Health Protection Act compared to the current situation, as the violation of a municipally-imposed smoking ban would primarily be addressed under the Tobacco Act and not under the Health Protection Act.

If smoking were banned in a larger number of housing companies than currently, personnel providing services organised by the wellbeing services counties – such as home care and home nursing – would experience less exposure to second-hand smoke in people's homes. However, the impact on personnel working in home care and home nursing would probably be fairly minor, as people over 75 rarely smoke.

It can also be estimated that, as smoking bans become more widespread, the number of fires caused by smoking would decrease, thereby reducing the workload of the emergency services.

The use of CBD and certain other cannabinoids would be banned in all tobacco substitutes, which would mean that additives in, for example, nicotine-free pouches placed under the lip, as well as herbal cigarettes and other products intended for smoking, would also be subject to regulation under the Tobacco Act. However, this task is not expected to create significant additional work for municipal authorities, as CBD pouches are considered to be prohibited under food legislation and should therefore not be on sale in the first place.

The amendment concerning the levying of enforcement fees would ensure that the Finnish Supervisory Agency (FSA) is able to levy enforcement fees on the basis of sales volume declarations for products referred to in the Tobacco Act, regardless of who made the declaration in the role of manufacturer or importer. The FSA would free up resources for other work, as the Agency would no longer need to clarify the status of the notifying party at the time of notification. The amendment would thus secure resources for the FSA to enforce compliance with the Tobacco Act. Income from the enforcement fees would allow the FSA to cover expenditure incurred not only for product control of products referred to in the Tobacco Act, but also for other tasks under the Tobacco Act, such as the monitoring of marketing bans and verification laboratories, and the steering of municipalities.

The FSA would be designated as the joint data controller, together with the Commission and the other EU Member States, for the data recording system concerning the traceability of tobacco products; in addition, the FSA would also be assigned certain other tasks relating to the traceability of tobacco products. The provision of these functions would have no impact on the workload of the FSA, which already performs the same functions on the basis of an order issued by the Ministry of Social Affairs and Health. However, there would be an additional load for the FSA through the fact that the unique identifier for tracing unit packets would have to be issued by an entity designated by

the FSA, as the FSA would have to put the issuers of these identifiers out to tender and make a decision to designate the issuer. However, it is estimated that the FSA will be able to carry out this task with its existing resources, as the issuer can be designated for several years at a time.

Impact on the environment

Exposure to second-hand tobacco smoke and tobacco smoke residues is also harmful to pets, such as dogs, cats, birds and small animals. They inhale hazardous chemicals in second-hand tobacco smoke and are exposed to tobacco smoke residues not only in the airways but also through skin contact and, in particular, by licking the fur or their owner's skin and clothing.²

In dogs, exposure to tobacco smoke increases the risk of nasal and lung cancer. The risk varies depending on the length of the snout: long-nosed dogs have an increased risk of nasal cancer, while short-nosed dogs have an increased risk of lung cancer. Exposure to tobacco smoke and its residues increases the risk of lymphoma and oral cancer in cats, as cats groom themselves by licking their fur, which accumulates tobacco smoke residues. Furthermore, exposure to tobacco smoke can cause asthma, coughing, breathing difficulties, chronic respiratory infections and other lung diseases, such as cardiovascular diseases and skin and eye symptoms in dogs and cats. Birds are particularly sensitive to tobacco smoke. They may develop respiratory problems and are also at risk of contracting pneumonia, allergies and lung cancer, and may even suffer sudden death. Exposure to tobacco smoke and smoke residues is also dangerous for aquarium fish. Fish are sensitive to nicotine, which dissolves easily in water. Fish may develop muscle spasms and stiff fins, and they may lose their colour or even die.³

The expected increase in smoking bans in housing companies as a result of the proposal would reduce the above-mentioned harm and suffering from exposure of pets to tobacco smoke and smoke particles that accumulate in their environment.

Other social effects

Effects on health

As described previously in section 2.1.2, exposure to second-hand tobacco smoke and smoke particles that accumulate in the environment can cause a range of health problems. The most significant health risks include cardiovascular diseases, irritation of the upper respiratory tract and eyes, lung diseases, and an increased risk of various cancers.

As smoking bans imposed by housing companies would presumably increase as a result of the proposal, exposure to second-hand smoke and the resulting health damage should decrease at the same time. This would have a positive impact on the health and wellbeing of the population.

In addition to reducing exposure to second-hand tobacco smoke, the proposal could also have positive effects on smoker health. This would be the case if smoking were banned more frequently in housing companies, leading smokers to cut down on smoking or give it up altogether, rather than simply moving to smoke in a place where it is permitted⁴.

² Secondhand (and Third-Hand) Smoke May Be Making Your Pet Sick, U.S. Food and Drug Administration, <https://www.fda.gov/consumers/consumer-updates/secondhand-and-third-hand-smoke-may-be-making-your-pet-sick>, accessed 2 March 2026.

³ Be Smoke-free and Help Your Pets Live Longer, Healthier Lives, <https://www.fda.gov/animal-veterinary/animal-health-literacy/be-smoke-free-and-help-your-pets-live-longer-healthier-lives>, accessed 5 March 2026

⁴ According to a study carried out in the Netherlands, smoking bans in housing companies appear to reduce smoking and exposure to tobacco smoke. See Garritsen et al.: Associations of smoke-free policies in multi-unit housing with

If a housing company prohibits smoking only on balconies, for example, it is possible that smoking in the living spaces of flats will increase. This would have negative consequences for the health of the cohabitants of the smoker, as well as for the health of neighbours, if the smoke drifting from one flat to another is not prevented.

Impact on children

As described in section 2.1.2, exposure to second-hand smoke is particularly harmful to children. Young children are also particularly vulnerable to smoke particles that accumulate in the environment. Children also have very limited ability to influence their exposure to second-hand tobacco smoke at home. The proposal is expected to result in a more smoking bans in housing companies, with positive effects on child health. The proposal is expected to result in more non-smoking flats in the future and, as a result, also reduce exposure to second-hand smoke particles and the adverse health effects of exposure in the long term.

Exposure to nicotine and tobacco smoke during pregnancy and while breastfeeding is detrimental to the child's development. Exposure to tobacco smoke during pregnancy can lead to premature birth, foetal growth restriction and developmental abnormalities in the organ systems of the foetus, among other things. It also increases the risk of miscarriage and sudden infant death syndrome. The possible increase in smoking bans in housing companies would also reduce the exposure of pregnant women to second-hand tobacco smoke, which in turn would reduce the harm caused to the foetus and the child.

If the proposal reduces smoking in homes or among adults in general, it could also help to reduce the incidence of learning to smoke from role models. This could reduce the likelihood of children taking up smoking themselves.

Impact on gender equality

In 2024, 9% of Finnish women and 11% of Finnish men aged 20–64 smoked daily. 1% of men and women of the same age used e-cigarettes daily, and 4% of men and 3% of women used e-cigarettes daily or occasionally. 18% of men and 13% of women smoke daily or occasionally.⁵

According to the statistics, smoking and the use of e-cigarettes are therefore slightly more common among men than among women. It is not known how many of them smoke or use e-cigarettes specifically in premises where the proposed bill would allow the housing company to prohibit smoking or the use of e-cigarettes. However, it is to be expected that the proposed bill would restrict smoking and the use of e-cigarettes slightly more for men than for women. These gender differences would remain minor in this respect.

On average, women spend slightly more time at home than men.⁶ It can therefore be concluded that the positive impacts of the growing number of smoking bans in housing companies on health and

smoking behavior and second-hand smoke exposure: A systematic review. Tilburg University 2024.

⁵ Tobacco statistics 2024. Statistical report 51/2025, Finnish Institute for Health and Welfare.

⁶ Statistics Finland, time use survey. According to data collected between September 2020 and September 2021, men spend an average of 16.7 hours a day at home and women spend 17.4 hours a day at home. The figures include sleep and represent the population over 10 years of age without an upper age limit. This data was collected in the middle of the coronavirus pandemic, with lockdown measures in place, so people spent more time at home than usual. The previous data was collected in 2009/2010, when the average time spent at home was 15.6 hours per day for men and 16.3 hours per day for women.

quality of life would be felt slightly more strongly by women than by men. Furthermore, according to a survey commissioned by the public health organisation ASH Finland, second-hand smoke at home bothers women slightly more than men, and women are somewhat more likely than men to be concerned about their or another resident's exposure to second-hand smoke. The proposal would allow housing companies to address tobacco smoke problems more effectively, which means it would also respond to concerns that are slightly more common among women than among men.

Impact on the elderly and persons with disabilities

The amendments to Section 79 of the Tobacco Act would have an impact on persons with reduced mobility, such as some elderly people and persons with disabilities. There could be a significant reduction in the possibilities to smoke for persons with reduced mobility or who are unable to move independently. Nicotine is highly addictive, which means they may experience various withdrawal symptoms, such as irritability, nausea, restlessness, difficulty concentrating and sleeping, headaches and an increased appetite. However, as described in Section 2.1.2, people over 75 rarely smoke, so these impacts would not be felt by a significant proportion of older people. In addition, there are over-the-counter medicines available to help with withdrawal symptoms, and a home support worker could, where necessary, accompany the person to a place where smoking is permitted. A smoking ban could also lead them to stop smoking, which would have positive health effects.

The increase in smoking bans in housing companies could have significant positive effects for people who spend almost all their time at home because of reduced mobility due to old age or disability among others, and who currently suffer from their neighbours' tobacco smoke and the health issues and other harm it causes. For these people, exposure to tobacco smoke may have been almost continuous. The proposal would reduce their exposure to tobacco smoke and thus improve their physical and mental health and their quality of life in general.

Impact on fundamental and human rights

The proposal would promote a wide range of fundamental and human rights for residents of housing companies who are affected by tobacco smoke. The amendment would improve the health of neighbours who suffer from smoke, and the proposal would therefore fulfil the obligation of the public authorities to promote the health of the population laid down in Article 19(3) of the Finnish Constitution. An increase in smoking bans would be particularly significant for those who live with a smoker, as their exposure to tobacco smoke and smoke particles that accumulate in the environment ('third-hand smoke') is generally even greater than that of their neighbours. In this respect, the proposal would even safeguard the right to life provided for in Article 7 of the Constitution, since second-hand tobacco smoke is a carcinogenic mixture for which a threshold concentration in indoor air under which no harm occurs has not been indicated. Concurrently, the proposal would implement Article 12(1) of the International Covenant on Economic, Social and Cultural Rights (Sops 6/1976), hereafter referred to as the *ICESCR*, under which the States Parties to the Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

These impacts would be particularly relevant for children, as exposure to tobacco smoke is particularly harmful for children, and they generally have no means of protection from environmental tobacco smoke at home. This is the case regardless of whether smoking takes place in the child's home or whether smoke drifts in from a neighbouring flat. The proposal would implement Article 24(1) of the Convention on the Rights of the Child (Sops 60/1991), under which States Parties recognize the right of the child to the enjoyment of the highest attainable standard of

health, and Article 24(3), under which States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

The proposal would also safeguard the health of people with disabilities, among others, as they may spend a great deal of time at home due to restricted mobility or other limitations and are therefore exposed to exceptionally high levels of second-hand smoke drifting in from neighbouring properties. The proposal would thus implement Article 25 of the Convention on the Rights of Persons with Disabilities (Treaty Series 27/2016), according to which the States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.

The proposal on amending Section 79 of the Tobacco Act would also promote universal right to housing in accordance with Section 19(4) of the Constitution, as, according to the preparatory work on the provision, particular attention must be paid to healthy living conditions when promoting the right to housing⁷. Thus, the proposal would also contribute to the implementation of Article 11(1) of the ICESCR. According to this Article, States Parties recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

The proposed Section 79 would also help to safeguard the protection of property laid down in Section 15 of the Constitution, as the proposal would facilitate the banning of smoking in housing companies and thereby improve the ability of shareholders in housing companies to enjoy their property without being exposed to the harm and nuisance caused by other residents' smoking, among other things. The proposal would also have an impact on the protection of the property of the shareholders in that it can be expected to help retain the condition and value of the flats. The proposal would also implement Article 1(1) of Protocol No 1 to the European Convention on Human Rights (SopS 63/1999), according to which every natural or legal person is entitled to the peaceful enjoyment of his possessions.

In addition, the proposed Section 79 would contribute to the implementation of Section 20(2) of the Constitution. According to the regulation, public authorities must seek to safeguard everyone's right to a healthy environment and the opportunity to influence decision-making that concerns their living environment. According to the preparatory work for the Constitution, the requirement for a healthy environment must be understood in a broad sense. Human habitats must be viable in such a way that their condition does not directly or indirectly pose a risk of disease to human beings. On the other hand, the state of the environment must be subject to more far-reaching requirements. For example, healthiness includes at least a certain dimension of a comfortable environment.⁸

The proposal would empower housing companies to address the problems caused by drifting tobacco smoke, thereby safeguarding the right to a healthy and comfortable living environment. However, the proposal on Section 79 of the Tobacco Act would make it easier than at present to restrict the fundamental rights of people who live in a housing company and smoke in their own flat or on its balcony. If a housing company bans smoking, such a ban would restrict a smoker's personal freedom and right to self-determination, as well as their right to privacy and protection of property. In addition, smoking is part of the individual's right to respect for private life within the meaning of Article 8(1) of the European Convention on Human Rights. The impact of a smoking ban on smokers' fundamental rights is the same regardless of whether the ban is imposed by the municipal authority or decided on by the housing company. However, it can be assumed that

⁷ Government Bill 309/1993, p. 72.

⁸ Government Bill 309/1993, p. 66.

smoking bans under the Tobacco Act will increase as a result of the amendment to the Act, which in practice would also have an impact on the realisation of the fundamental rights of smokers.