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No. S 213

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) ACT (CHAPTER 309)

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) (TFWA ASIA PACIFIC EXHIBITION & CONFERENCE 2016) (EXEMPTION) REGULATIONS 2016

ARRANGEMENT OF REGULATIONS

Regulation

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In exercise of the powers conferred by sections 22 and 37(1) of the Tobacco (Control of Advertisements and Sale) Act, the Minister for Health makes the following Regulations:

Citation

1. These Regulations are the Tobacco (Control of Advertisements and Sale) (TFWA Asia Pacific Exhibition & Conference 2016) (Exemption) Regulations 2016.

Definitions

2. In these Regulations —

“2016 exhibition” means the TFWA Asia Pacific Exhibition & Conference 2016 held in Singapore during the exhibition period;

“exhibition period” means the period from 10 May 2016 to 12 May 2016 (both dates inclusive);

“exhibition venue” means the Sands Expo and Convention Centre, Marina Bay Sands, at which the 2016 exhibition is held;

“exhibitor” means a participant in the 2016 exhibition specified in the Schedule;

“organiser” means the Tax Free World Association and includes the Association’s members, agents and managers involved in the organisation and conduct of the 2016 exhibition on the Association’s behalf;

“registered trade visitor” means a person who is registered to participate in or visit the 2016 exhibition;

“TFWA website” means the Internet website of the Tax Free World Association at www.tfwa.com.

Exemption for exhibitor from section 3 of Act

3. Section 3 of the Act does not apply to prohibit an exhibitor from publishing any advertisement described in section 3(1)(a), (b) or (c) of the Act if, and only if —

- (a) the advertisement is approved by the Authority before it is published; and
- (b) the advertisement is published —
 - (i) during the period from 10 April 2016 to 12 August 2016 (both dates inclusive), in the online 2016 exhibition directory at the TFWA website;
 - (ii) during the exhibition period, within the booth allocated to that exhibitor at the exhibition venue, and nowhere else, for the purposes of the 2016 exhibition; or
 - (iii) during the exhibition period, in the hard copy 2016 exhibition directory, which is to be distributed only to exhibitors and registered trade visitors at the exhibition venue.

Exemption for exhibitor from sections 17(1) and 17A(1) of Act

4.—(1) Sections 17(1) and 17A(1) of the Act, read with regulations 4 to 8, 10 and 11 of the Tobacco (Control of Advertisements and Sale) (Labelling) Regulations 2012 (G.N. No. S 419/2012), do not apply to prohibit an exhibitor from distributing or giving, or causing to be distributed or given, during the exhibition period, any free sample of a tobacco product if, and only if —

- (a) the tobacco product is not prohibited under section 15 of the Act;
- (b) the distribution or giving takes place at the exhibition venue, and nowhere else;
- (c) the free sample is distributed or given to a registered trade visitor who is associated or concerned with the manufacture, distribution or sale of tobacco products, and no other person; and
- (d) each free sample has firmly attached to the packaging a label stating the following text:

Trade samples — for registered trade visitors only. Not for distribution to the general public.

(2) For the purposes of paragraph (1)(d), if the packaging of the free sample has a cellophane or other clear outer wrapping, the label is taken to be firmly attached to the packaging only if the label is attached to the packaging underneath the cellophane or other clear outer wrapping.

Exemption for organiser from sections 3 and 5 of Act

5.—(1) Section 3 of the Act does not apply to prohibit the organiser from publishing, causing to be published, or taking part in the publication of, any advertisement described in section 3(1)(a), (b) or (c) of the Act that is contained in the online 2016 exhibition directory during the period from 10 April 2016 to 12 August 2016 (both dates inclusive) if, and only if, the online 2016 exhibition directory is accessible only to exhibitors, registered trade visitors or registered

members of the Tax Free World Association, through the TFWA website.

(2) Sections 3 and 5 of the Act do not apply to prohibit the organiser from doing any of the following, during the exhibition period, for the purposes of the 2016 exhibition:

- (a) causing to be published, or taking part in the publication of, any advertisement described in section 3(1)(a), (b) or (c) of the Act at the exhibition venue;
- (b) as owner or occupier of the exhibition venue, permitting the exhibition venue or any part of it to be kept or used for the publication of any advertisement described in section 3(1)(a), (b) or (c) of the Act,

if, and only if —

- (i) the organiser before the start of the exhibition period gives to each exhibitor sufficient written notice of the requirements in regulations 3 and 4 for the exemption of an exhibitor from sections 3, 17(1) and 17A(1) of the Act; and
- (ii) no exhibitor breaches any of the requirements mentioned in sub-paragraph (i).

THE SCHEDULE

Regulation 2

EXHIBITORS

1. Agio Cigars
2. Alishan Group Limited
3. Arnold André GmbH & Co. KG
4. British American Tobacco International Services Pte Ltd
5. Bulgartabac Holding
6. Cheuk Shing Global Group Ltd
7. Ever Fortune Tobacco Limited
8. Imperial Tobacco (Asia) Pte Ltd
9. J.C. Newman Cigar Company

THE SCHEDULE — *continued*

10. J. Cortes Cigars NV
11. Joh. Wilh. von Eicken GmbH
12. JT International S.A.
13. Karelia Tobacco Company Inc
14. KT International S.A.
15. Philip Morris Travel Retail Singapore Pte Ltd
16. Scandinavian Tobacco Group A/S
17. Silver Base International Development Co Ltd
18. Swisher International & Drew Estate LLC
19. Tian Li International Co Ltd.
20. True Spirit Tobacco Company
21. Yunnan Tobacco International Co., Ltd

Made on 9 May 2016.

CHAN HENG KEE
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Ministry of Health,
Singapore.*

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(To be presented to Parliament under section 37(2) of the Tobacco (Control of Advertisements and Sale) Act).