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No. S 257

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

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE)
(TFWA ASIA PACIFIC EXHIBITION & CONFERENCE 2015)
(EXEMPTION) REGULATIONS 2015

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
2. Definitions
3. Exemption for exhibitor from section 3 of Act
4. Exemption for exhibitor from sections 17(1) and 17A(1) of Act
5. Exemption for organiser from sections 3 and 5 of Act

The Schedule

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 may be cited as the Tobacco (Control of Advertisements and Sale) (TFWA Asia Pacific Exhibition & Conference 2015) (Exemption) Regulations 2015.

Definitions

2. In these Regulations —

“2015 exhibition” means the TFWA Asia Pacific Exhibition & Conference 2015 held in Singapore during the exemption period;

“exemption period” means the period from 10 May 2015 to 14 May 2015 (both dates inclusive);

“exhibitor” means a participant in the 2015 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 2015 exhibition on the Association’s behalf.

Exemption for exhibitor from section 3 of Act

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

- (a) a copy of the advertisement is submitted to the Authority and approved by the Authority before it is published; and
- (b) the advertisement is published only within the booth allocated to that exhibitor at and for the purposes of the 2015 exhibition.

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 exemption period, any free sample of a tobacco product if, and only if —

- (a) the distribution or giving takes place at the venue of the 2015 exhibition;
- (b) the free sample is distributed or given to a registered trade visitor of the 2015 exhibition who is associated or concerned with the manufacture, distribution or sale of tobacco products, and no other person; and
- (c) 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)(c), 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.

(3) In this regulation, “registered trade visitor” means a person who is registered to participate in or visit the 2015 exhibition.

Exemption for organiser from sections 3 and 5 of Act

5. Sections 3 and 5 of the Act do not apply to prohibit the organiser from doing any of the following during the exemption period:

- (a) causing to be published or taking part in the publication at the 2015 exhibition of any advertisement described in section 3(1)(a), (b) or (c) of the Act;
- (b) permitting any premises of which the organiser is the owner or occupier, or part of such premises, 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 exemption period gives to each exhibitor sufficient written notice of the conditions 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 conditions in regulations 3 and 4 for the exemption of an exhibitor from sections 3, 17(1) and 17A(1) of the Act.

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. Imperial Tobacco (Asia) Pte Ltd
7. J.C. Newman Cigar Company
8. J. Cortes Cigars NV
9. Joh. Wilh. von Eicken GmbH
10. JT International S.A.
11. Karelia Tobacco Company Inc

THE SCHEDULE — *continued*

12. KT & G Corporation
13. KT International EAD
14. Lubritrade Trading Pte Ltd
15. Mac Baren Tobacco Company
16. Philip Morris Travel Retail Singapore Pte Ltd
17. Protégé International Ltd
18. Santa Fe Reynolds Tobacco International
19. Scandinavian Tobacco Group A/S
20. Silver Base International Development Co Ltd
21. Tian Li International Co Ltd.
22. Yunnan Tobacco International Co., Ltd

Made on 30 April 2015.

TAN CHING YEE
*Permanent Secretary,
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).