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**No. S 582**

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

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE)  
(PROHIBITED TOBACCO PRODUCTS)  
(EXEMPTION) ORDER 2016

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation
  2. Definitions
  3. Exemption from sections 15(1) and 18(4) of Act
  4. Conditions of exemption
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In exercise of the powers conferred by section 22 of the Tobacco (Control of Advertisements and Sale) Act, the Minister for Health makes the following Order:

**Citation**

1. This Order is the Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products) (Exemption) Order 2016.

**Definitions**

2. In this Order —

“non-clinical research”, in relation to a smokeless tobacco product, means any research conducted in a laboratory or other research facility that does not involve the testing or application of the smokeless tobacco product on a human being;

“Prohibited Tobacco Products Regulations” means the Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products) Regulations 2014 (G.N. No. S 769/2014);

“smokeless tobacco product” means any tobacco product specified in item 2 of the Schedule to the Prohibited Tobacco Products Regulations.

### **Exemption from sections 15(1) and 18(4) of Act**

3. Subject to paragraph 4, a person that —
- (a) is not convicted of any offence under the Act or any subsidiary legislation under the Act committed on or after 2 August 2016;
  - (b) gives prior notice to the Authority of the person’s intention to import any smokeless tobacco product for the purpose of conducting non-clinical research;
  - (c) imports any smokeless tobacco product between 2 August 2016 and 31 December 2026 (both dates inclusive) for the sole purpose of non-clinical research conducted by the person; and
  - (d) where the non-clinical research involves any application or testing of the smokeless tobacco product on an animal, is the holder of a licence issued under the Animals and Birds (Care and Use of Animals for Scientific Purposes) Rules (Cap. 7, R 10),

is exempt from the following in respect of each consignment of smokeless tobacco product so imported:

- (i) section 15(1) of the Act (as it relates to the import of a tobacco product) read with regulation 2 of the Prohibited Tobacco Products Regulations;
- (ii) section 18(4) of the Act read with regulation 3(1) of the Tobacco (Control of Advertisements and Sale) (Licensing of Importers, Wholesalers and Retailers) Regulations 2010 (G.N. No. S 478/2010).

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**Conditions of exemption**

4. The exemption in paragraph 3 is subject to the following conditions:

- (a) the person in that paragraph must take all reasonable steps to prevent any use, distribution, sale or supply of the smokeless tobacco product for a purpose other than the non-clinical research for which the product is imported;
- (b) the person must, within 3 days after becoming aware of any use, distribution, sale or supply of the smokeless tobacco product for a purpose that is not the non-clinical research for which the product is imported, inform the Authority of such use, distribution, sale or supply.

Made on 11 November 2016.

CHAN HENG KEE  
*Permanent Secretary,  
Ministry of Health,  
Singapore.*

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