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

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) (BAN ON DISPLAY OF TOBACCO PRODUCTS) REGULATIONS 2017

ARRANGEMENT OF REGULATIONS

Regulation

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

Citation and commencement

1. These Regulations are the Tobacco (Control of Advertisements and Sale) (Ban on Display of Tobacco Products) Regulations 2017 and come into operation on 1 August 2017.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “retailer” means a person that distributes, sells or offers for sale any tobacco product by retail at a retail outlet;
- “storage unit” means a cabinet, counter, drawer, box, container or other receptacle for storing things.

Price lists

- 3.—(1) For the purposes of section 3(1A) of the Act, a price list —
- (a) must comply with paragraphs (2), (3) and (4); and
 - (b) must only be published in accordance with paragraphs (5) to (8).
- (2) A price list must not contain any picture, image or photograph, or any information other than the following in plain text:
- (a) the title “Tobacco Products Price List” in English or its equivalent in any of the other official languages of Singapore;
 - (b) the price of any tobacco product offered by the retailer for sale;
 - (c) the name of the manufacturer or brand name of the tobacco product;
 - (d) the type or variant of the tobacco product;
 - (e) the net weight, or number of units in each package, of the tobacco product;
 - (f) the barcode or stock number of the tobacco product.
- (3) In addition, a price list must not be printed on anything other than a piece of paper —
- (a) that is no larger than 297 millimetres in length by 210 millimetres in width; and
 - (b) that has no border or frame.
- (4) Any printed characters on the price list must —
- (a) be uniform in font type and size;
 - (b) be of a font size not exceeding 5 millimetres;
 - (c) be black in colour;
 - (d) have a font weight of less than 400;
 - (e) not be underlined or highlighted; and
 - (f) be set on a plain white background.

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- (5) Except as provided in paragraphs (6), (7) and (8), a retailer —
- (a) must not publish or distribute any price list; and
 - (b) must keep every price list out of the sight of any customer at the retailer's retail outlet.
- (6) A retailer must not make a price list available to an under-aged person.

[S 854/2018 wef 01/01/2019]

(7) In relation to an individual who is not an under-aged person, a retailer may make available a price list only under all of the following circumstances:

- (a) on the request of that individual for information about the tobacco products that are offered for sale at the retail outlet;
- (b) at the point of sale within the retail outlet at which the individual's request is made;
- (c) after taking reasonable steps to ensure that the individual making the request is not an under-aged person;
- (d) for no longer than is needed by the individual to obtain the requested information.

[S 854/2018 wef 01/01/2019]

(8) A retailer must not make available at any point of sale within a retail outlet more than one copy each of the price list in any of the 4 official languages of Singapore.

Storage of tobacco products to prevent display

4.—(1) For the purposes of section 12A(1)(c) of the Act, a retailer must ensure that every tobacco product that is to be distributed, sold or offered for sale at the retailer's retail outlet is kept within the retail outlet —

- (a) at a point of sale, in a storage unit that complies with all of the requirements in paragraph (2); or
- (b) in a storeroom that is not accessible to the public.

(2) The requirements for a storage unit mentioned in paragraph (1)(a) are as follows:

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- (a) the storage unit must be completely opaque;
 - (b) the storage unit must be in a single colour, being one of the following:
 - (i) white;
 - (ii) black;
 - (iii) grey;
 - (iv) if the storage unit is made of natural material (such as wood, marble, stone or steel), the natural colour of the material used;
 - (v) the same colour as any of the interior walls of the retail outlet;
 - (c) there must not be affixed on or to the storage unit any text, figure, symbol or image that mentions or alludes to any tobacco product or brand;
 - (d) the design or appearance of the storage unit must not resemble or be associated with any particular brand of tobacco products;
 - (e) if any of the contents of the storage unit, other than a drawer, are visible to any customer when the storage unit is opened, the opening of the storage unit must be covered by a door, flap or cover with a self-closing mechanism;
 - (f) the storage unit must not be accessible to any customer;
 - (g) the storage unit must not emit any sound or light.

(3) In addition to the requirements in paragraph (2), if more than one storage unit is used to keep tobacco products, the retailer must ensure that all the storage units are of the same colour.

(4) When a retailer needs to retrieve or restock a tobacco product from or in a storage unit, the retailer must ensure that the contents of the storage unit are not visible to any customer or member of the public for a longer time than is necessary to carry out the retrieval or restocking, as the case may be.

Made on 13 July 2017.

CHAN HENG KEE
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Singapore.*

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