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

TOBACCO (CONTROL OF ADVERTISEMENTS AND
SALE) (EXEMPTION FOR DUTY-FREE RETAILERS AND
SPECIALIST TOBACCONISTS) ORDER 2017

ARRANGEMENT OF PARAGRAPHS

Paragraph

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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 and commencement

1. This Order is the Tobacco (Control of Advertisements and Sale) (Exemption for Duty-free Retailers and Specialist Tobacconists) Order 2017 and comes into operation on 1 August 2017.

Definitions

2. In this Order —

“Changi Airport” means the airport declared under the Civil Aviation Authority of Singapore (Changi Airport) Notification 2009 (G.N. No. S 293/2009);

“cigar shop” means a retail outlet where, at any time —

- (a) more than 50% of the products displayed for sale in the outlet are tobacco products; and
- (b) at least 90% of the tobacco products in paragraph (a) are cigars;

“duty-free retailer” means a person that holds —

- (a) a valid retail licence under the Act to distribute, sell or offer for sale any tobacco product by retail at a retail outlet specified in the retail licence; and
- (b) a valid licence granted under section 82 of the Customs Act (Cap. 70) to sell goods free of duty to tourists and returning or departing residents of Singapore at a retail outlet designated in that licence, being the same retail outlet mentioned in paragraph (a);

“permitted information”, in relation to a tobacco product, means any of the following:

- (a) the price of the tobacco product;
- (b) the name of the manufacturer or brand name of the tobacco product;
- (c) the type or variant of the tobacco product;
- (d) the net weight, or number of units in each package, of the tobacco product;
- (e) the barcode or stock number of the tobacco product;

“plainly display”, for a tobacco product, means to display the tobacco product in such a way that the display —

- (a) is not accompanied by any images, sound, light or text, other than the permitted information in plain text on a price tag, if any; or
- (b) is not otherwise intended to induce, urge, promote or encourage the use of the tobacco product;

“specialist tobacconist” means a person that holds a valid retail licence under the Act to distribute, sell or offer for sale any tobacco product by retail at a cigar shop specified in that licence.

Exemption for duty-free retailers at Changi Airport

3.—(1) Section 3(1) of the Act does not apply to a duty-free retailer that plainly displays or causes to be plainly displayed any tobacco product within a retail outlet that is —

- (a) specified in the retailer’s retail licence; and
- (b) situated in a passenger terminal building at Changi Airport.

(2) Section 12A(1) and (2) of the Act does not apply to a duty-free retailer that distributes, sells or offers for sale any tobacco product by retail at a retail outlet that is —

- (a) specified in the retailer’s retail licence; and
- (b) situated in a passenger terminal building at Changi Airport.

Exemption for duty-free retailers at certain ferry terminals

4.—(1) This paragraph applies to a duty-free retailer that distributes, sells or offers for sale any tobacco product by retail at a retail outlet that is specified in the retailer’s retail licence and situated in —

- (a) the Singapore Cruise Centre; or
- (b) the Marina Bay Cruise Centre Singapore.

[S 684/2018 wef 09/10/2018]

(2) Sections 3(1) and 12A(1) and (2) of the Act do not apply to a duty-free retailer mentioned in sub-paragraph (1) that —

- (a) keeps, within the retail outlet, a separate enclosed area (called a tobacco area) for the purposes of displaying any tobacco product intended or offered for sale;
- (b) plainly displays or causes to be plainly displayed any tobacco product within the tobacco area only;

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- (c) ensures that no customer or member of the public can see, from outside the tobacco area, any tobacco product that is displayed within the tobacco area; and
- (d) does not require or encourage any individual to pass through or enter the tobacco area if the individual is not intending to buy any tobacco product.
- (3) In sub-paragraph (1) —
- (a) “Singapore Cruise Centre” refers to any passenger terminal of the Singapore Cruise Centre located at —
- (i) HarbourFront Centre, 1 Maritime Square; or
- (ii) the Tanah Merah Ferry Terminal, 50 Tanah Merah Ferry Road; and
- (b) “Marina Bay Cruise Centre Singapore” refers to the passenger terminal of the Marina Bay Cruise Centre Singapore located at 61 Marina Coastal Drive.

[S 684/2018 wef 09/10/2018]

Exemption for specialist tobacconists

5.—(1) Section 3(1) of the Act does not apply to a specialist tobacconist that plainly displays or causes to be plainly displayed any tobacco product within a cigar shop specified in the retail licence of the specialist tobacconist.

(2) Section 12A(1) and (2) of the Act does not apply to a specialist tobacconist, provided that the specialist tobacconist ensures that no customer or member of the public can see, from outside the premises of the specialist tobacconist’s cigar shop, any tobacco product that is displayed inside the cigar shop.

Made on 13 July 2017.

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

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