

Smoking (Control of Advertisements and Sale of Tobacco) (Amendment) Bill

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Bill No: 36/2002

Read the first time: 1st October 2002

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Expenditure of Public Money

Smoking (Control of Advertisements and Sale of Tobacco) (Amendment) Bill

Bill No. 36/2002

Read the first time on 1st October 2002.

An Act to amend the Smoking (Control of Advertisements and Sale of Tobacco) Act (Chapter 309 of the 1994 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Smoking (Control of Advertisements and Sale of Tobacco) (Amendment) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Smoking (Control of Advertisements and Sale of Tobacco) Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the definition of “Chief Executive”, the following definition:

““cigarette” means any product which consists in whole or in part of cut, shredded or manufactured tobacco, or any tobacco derivative or substitute, rolled up in paper, tobacco leaf or other material and which is in such form as to be capable of immediate use for smoking;”.

Amendment of section 11

3. Section 11(1) of the principal Act is amended by deleting the words “\$50 and, in the case of a second or subsequent conviction, to a fine not exceeding \$100” in the penultimate and last lines and substituting “\$300”.

New section 11A

4. The principal Act is amended by inserting, immediately after section 11, the following section:

“Number of cigarettes in package

11A.—(1) No person shall —

(a) sell or offer for sale cigarettes by retail; or

(b) permit the sale or offer for sale of cigarettes by retail,
except in a package that contains not less than the prescribed number of cigarettes.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) In subsection (1) —

“package” —

- (a) means any box, carton or other container in which cigarettes are supplied by the manufacturer or importer of the cigarettes for the purpose of sale by retail; and
- (b) includes, in the case where the package is, or several packages are, contained inside one or more larger packages, the smaller package or each of the smaller packages, as the case may be;

“prescribed number of cigarettes” means —

- (a) 20 cigarettes, where no other number of cigarettes is specified under paragraph (b); or
- (b) where a number of cigarettes is specified under this paragraph by the Minister for the purposes of this section by notification in the *Gazette*, such number of cigarettes as may for the time being be so specified.”.

Amendment of section 14

5. Section 14 of the principal Act is amended —

(a) by inserting, immediately after subsection (2), the following subsection:

“(2A) Notwithstanding subsection (2), no person shall import, sell or offer for sale any tobacco product —

- (a) that contains; or
- (b) which emissions contain,

any substance in excess of such amount as the Minister may by order prescribe for that substance.”;

(b) by deleting the words “and (2)” in subsection (3) and substituting the