

**Smoking (Control of Advertisements and Sale of Tobacco) (Licensing)  
Regulations 1998**

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

SMOKING (CONTROL OF ADVERTISEMENTS  
AND SALE OF TOBACCO) (LICENSING)  
REGULATIONS 1998

In exercise of the powers conferred by sections 17 and 33 of the Smoking (Control of Advertisements and Sale of Tobacco) Act, the Minister for Health hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Smoking (Control of Advertisements and Sale of Tobacco) (Licensing) Regulations 1998 and shall come into operation on 17th July 1998.

**Definitions**

2. In these Regulations, unless the context otherwise requires —

“container”, in relation to cigarettes, means a box, tin, packet or other receptacle but does not include any outer wrapper or cellophane or other transparent material;

“licence” means a licence granted by the Director under regulation 5;

“licensee” means a person to whom a licence has been granted;

“retail outlet” means any shop, kiosk, showboard, stall or counter which offers for sale any goods by retail to customers for their own use or consumption only.

**Prohibition of sale of tobacco product by retail without licence**

3. No person shall at any time on or after 1st September 1998 —

- (a) sell by retail;
- (b) offer for sale by retail;
- (c) possess for sale by retail; or
- (d) permit to be sold or offered,

any tobacco product unless he is the holder of a valid licence in respect of the retail