

**Tobacco (Control of Advertisements and Sale) Act
(CHAPTER 309)**

Table of Contents

Long Title

Part I PRELIMINARY

1 Short title

2 Interpretation

**Part II CONTROL OF ADVERTISEMENTS RELATING TO TOBACCO
PRODUCTS**

3 Prohibition on advertisements relating to tobacco products

4 Defence

5 Offences by owner and occupier

6 Presumption relating to printed documents

7 Advertisements in newspapers published outside Singapore

8 Advertisements not exempted

Part III CONTROL OF SALE OF TOBACCO PRODUCTS

9 Prohibition on sales promotion of tobacco products

10 Prohibition on supply to persons below age of 18 years

11 Control of use of tobacco products by young persons

12 Number of cigarettes in package

13 Notice of prohibition

14 Prohibition on sale by vending machines

15 Prohibition on importation, distribution and sale of harmful tobacco products

16 Prohibition of imitation tobacco products

17 Health warnings and labelling

17A Prohibition of false or misleading packaging and labelling

18 Power to license tobacco retailers, etc.

19 Appointment of authorised officers

Part IV ENFORCEMENT AND MISCELLANEOUS

20 Offences by bodies corporate or unincorporate

21 Immunity from suit

22 Exemption

23 Powers of police and authorised officers

24 Power to examine and secure attendance

25 Power to require tobacco products for testing or analysis and furnishing of information

26 Power to enter premises and inspect and seize advertisements, products, vending machines and documents

27 Obstruction of officers

28 Notice of test and intended prosecution

29 Forfeiture

30 Things seized may be delivered to owner or other person

31 Protection of officers

32 Forms

33 Jurisdiction of court

34 Composition of offences

35 Fees, charges, etc., collected by Chief Executive or authorised officer to be paid to Authority

36 Service of summons, notices, etc.

37 Regulations

Legislative History

Comparative Table

**TOBACCO (CONTROL OF
ADVERTISEMENTS AND SALE) ACT**

(CHAPTER 309)

(Original Enactment: Act 10 of 1993)

REVISED EDITION 2011

(15th July 2011)

An Act to prohibit advertisements relating to any tobacco product or its use, to control the use of tobacco products by young persons, to control the sale, packaging and trade description of tobacco products and for matters connected therewith.

[31st May 1993]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Tobacco (Control of Advertisements and Sale) Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“advertisement” includes any notice, circular, pamphlet, brochure, programme, price-list, label, wrapper or other document and any announcement, notification or intimation to the public or any section thereof or to any person or persons made —

- (a) orally or in writing;
- (b) by means of any poster, placard, notice or other document affixed, posted up or displayed on any wall, billboard or hoarding or on any other object or thing;
- (c) by means of producing or transmitting sound or light and whether for aural or visual reception or both;
- (d) by means of any writing on any vehicle, ashtray, calendar, cigarette-lighter, clock or any other object or thing; or
- (e) in any other manner whatsoever;

“advertisement relating to any tobacco product” means any advertisement referred to in section 3(1) which has not been approved under section 3(2);

[17/2010]

“authorised officer” means any officer or person appointed under section 19;

“Authority” means the Health Sciences Authority established under the Health Sciences Authority Act (Cap. 122C);

“Chief Executive” means the person appointed under section 15 of the Health

Sciences Authority Act to be the Chief Executive of the Authority;

“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;

“emission” means any substance that is produced when a tobacco product is used; [17/2010]

“imitation tobacco product” means any of the products referred to in section 16(1);

“newspaper” includes any magazine, journal, periodical or any other publication containing news, intelligence, information or reports of occurrences, or any remarks, observations or comments in relation either to such news, intelligence, information or occurrences or to any other matter of interest to the public or any section of the public, issued in any language at regular or irregular intervals;

“packaging”, in relation to any product or article, means any container and any other packaging material in which or with which the product or article is supplied, and includes —

- (a) the box, carton, cylinder, packet, pouch, tin or other receptacle which contains the product or article;
- (b) where any such receptacle is or is to be contained in one or more other receptacles, each of the other receptacles;
- (c) wrapper or wrapping of any nature or form;
- (d) any accompanying leaflet, brochure or other written material; and
- (e) any written, printed or graphic representation that appears on or with, or is attached to, the product or article or any part of its packaging;

[17/2010]

“premises” includes any place or building or part thereof;

[17/2010]

“publish”, with its grammatical variations, in relation to an advertisement, includes issuing, showing, displaying, exhibiting or making known an advertisement in any manner whatsoever;

“smoking”, with its grammatical variations, means inhaling and expelling the smoke of any tobacco product and includes the holding of any tobacco product which is alight or emitting smoke;