

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

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SMOKING (CONTROL OF ADVERTISEMENTS AND SALE OF TOBACCO) ACT

(CHAPTER 309)

(Original Enactment: Act 10 of 1993)

REVISED EDITION 2003

(31st July 2003)

An Act to prohibit advertisements relating to smoking, 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 Smoking (Control of Advertisements and Sale of Tobacco) 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 smoking” means any advertisement referred to in section 3(1) which has not been approved under section 3(2);

“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 (Cap. 122C) 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 for smoking;

“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;

“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;

“tobacco product” means any cigarette, cigar or any other form of tobacco including any mixture containing tobacco but excludes any medicinal product registered under the Medicines Act (Cap. 176);

“writing” includes painting, inscription, printing, lithography, typewriting, photography and other modes of representing or reproducing words or figures in visible form.

[4/2001; 35/2002]

PART II

CONTROL OF ADVERTISEMENTS RELATING TO SMOKING

Prohibition on advertisements relating to smoking

3.—(1) Except as provided in subsection (2) or section 22, any person who publishes or causes to be published or takes part in the publication of any advertisement —

- (a) containing any express or implied inducement, suggestion or request to purchase or to smoke any tobacco product;
- (b) relating to smoking in terms which are calculated, expressly or impliedly, to lead to, induce, urge, promote or encourage the use of any tobacco product for the purpose of smoking; or
- (c) which mentions, illustrates or depicts —
 - (i) the name or trade name of any person associated or concerned with the manufacture, distribution or marketing of any tobacco product;