

**Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products)
(Exemption) Regulations 2014**

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No. S 768

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

**TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE)
(PROHIBITED TOBACCO PRODUCTS) (EXEMPTION)
REGULATIONS 2014**

In exercise of the powers conferred by sections 22 and 37(1) of the Tobacco (Control of Advertisements and Sale) Act, the Minister for Health hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products) (Exemption) Regulations 2014.

Definitions

2. In these Regulations —

“import and wholesale licence” means a licence referred to in regulation 3 of the Licensing Regulations;

“licensed premises” means any premises in respect of which an import or wholesale licence is granted under the Licensing Regulations;

“Licensing Regulations” means the Tobacco (Control of Advertisements and Sale) (Licensing of Importers, Wholesalers and Retailers) Regulations 2010 (G.N. No. S 478/2010);

“retail licence” means a licence referred to in regulation 4 of the Licensing Regulations;

“retail outlet” has the same meaning as in regulation 2 of the Licensing Regulations;

“shisha tobacco” means any mixture containing tobacco intended for smoking in a water pipe, whether or not containing glycerol, aromatic oils, aromatic extracts, molasses or sugar, and whether or not flavoured with fruit.

Exemption of existing shisha tobacco importers

3.—(1) Subject to paragraph (2), section 15(1) of the Act read with regulation 2 of the Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products) Regulations 2014 (G.N. No. S 769/2014) does not apply to prohibit any person who is specified in the First Schedule (called an exempt importer) from doing any of the following during the exemption period referred to in paragraph (3):

- (a) importing any shisha tobacco;
- (b) distributing by wholesale any shisha tobacco at any licensed premises;
- (c) selling or offering for sale by wholesale any shisha tobacco at any licensed premises;
- (d) permitting to be sold or to be offered for sale by wholesale any shisha tobacco at any licensed premises;
- (e) having in the exempt importer’s possession, for sale by wholesale, any

shisha tobacco at any licensed premises.

(2) The exempt importer must, immediately before 28 November 2014, be the holder of a valid import and wholesale licence.

(3) The exemption period for an exempt importer is the period starting on 28 November 2014 and ending on —

- (a) 31 July 2016 (that date inclusive); or
- (b) the date on which the exempt importer's import and wholesale licence expires (and is not renewed) or is revoked, if earlier.

Exemption of existing shisha tobacco retailers

4.—(1) Subject to paragraph (2), section 15(1) of the Act read with regulation 2 of the Tobacco (Control of Advertisements and Sale) (Prohibited Tobacco Products) Regulations 2014 does not apply to prohibit any person who is specified in the first column of the Second Schedule (called an exempt retailer) from doing any of the following at the retail outlet specified in the third column of that Schedule during the exemption period referred to in paragraph (3):

- (a) distributing by retail any shisha tobacco;
- (b) selling or offering for sale by retail any shisha tobacco;
- (c) permitting to be sold or to be offered for sale by retail any shisha tobacco;
- (d) having in the exempt retailer's possession, for sale by retail, any shisha tobacco.

(2) The exempt retailer must, immediately before 28 November 2014, be the holder of a valid retail licence in respect of the retail outlet referred to in paragraph (1).

(3) The exemption period for an exempt retailer is the period starting on 28 November 2014 and ending on —

- (a) 31 July 2016 (that date inclusive); or
- (b) the date on which the exempt retailer's retail licence expires (and is not renewed) or is revoked, if earlier.

FIRST SCHEDULE

Regulation 3(1)

EXEMPT IMPORTERS