



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 7 November 2017 and assented to by the President on 7 December 2017:—

### REPUBLIC OF SINGAPORE

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**No. 46 of 2017.**

I assent.



HALIMAH YACOB,  
*President.*  
7 December 2017.

An Act to amend the Tobacco (Control of Advertisements and Sale) Act (Chapter 309 of the 2011 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 is the Tobacco (Control of Advertisements and Sale) (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. Section 2 of the Tobacco (Control of Advertisements and Sale) Act (called in this Act the principal Act) is amended —

- (a) by deleting the words “or substitute” in the definition of “cigarette” in subsection (1) and substituting the words “or tobacco substitute”;
- (b) by deleting the definitions of “tobacco product” and “tobacco substitute” in subsection (1) and substituting the following definitions:

“ “tobacco product” means —

- (a) a cigarette or cigar, or any other form of tobacco;
- (b) a tobacco derivative;
- (c) a tobacco substitute; or
- (d) a mixture containing any form of tobacco or a tobacco derivative or tobacco substitute,

but does not include a therapeutic product registered under the Health Products Act (Cap. 122D);

“tobacco substitute” means any article, object or thing that contains nicotine, but does not include any of the following:

- (a) a cigarette or cigar, or any other form of tobacco;
- (b) a tobacco derivative;
- (c) a mixture containing any form of tobacco or a tobacco derivative;

- (d) a therapeutic product registered under the Health Products Act;”;
- (c) by inserting, immediately after the definition of “unauthorised advertisement” in subsection (1), the following definition:

“ “under-aged person” means —

- (a) for 12 months after the date prescribed, an individual who is below 19 years of age;
- (b) for 12 months after the end of the period in paragraph (a), an individual who is below 20 years of age; and
- (c) at any time after the end of the period in paragraph (b), an individual who is below 21 years of age;”; and
- (d) by deleting subsection (2) and substituting the following subsection:

“(2) For the purposes of this Act, a sale or a purchase, as the case may be, that is transacted online is regarded as a sale or a purchase in Singapore if, and only if, the purchaser is physically present in Singapore and the purchased product is intended to be delivered in Singapore.”.

### **Amendment of section 10**

**3.** Section 10 of the principal Act is amended —

- (a) by deleting the words “a person below the age of 18 years” in subsection (1)(a), (b) and (c) and substituting in each case the words “an under-aged person”;
- (b) by deleting the words “below the age of 18 years” in subsection (2)(a) and (b) and substituting in each case the words “an under-aged person”; and