

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

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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;