

1994—No. 355

**TOBACCO ADVERTISING PROHIBITION ACT 1991—
REGULATION**

(Relating to custom built billboards and illuminated signs for tobacco advertisements and price boards for tobacco products)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Tobacco Advertising Prohibition Act 1991, has been pleased to make the Regulation set forth hereunder.

RON PHILLIPS
Minister for Health.

Commencement

1. This Regulation commences on 1 August 1994.

Amendments

2. The Tobacco Advertising Prohibition Regulation 1993 is amended:
 - (a) by inserting at the end of clause 7 the following subclause:
 - (2) For the purposes of section 5 (3) of the Act, 1 August 1994 is the prescribed date for the following classes of tobacco advertisements (not being tobacco advertisements included in a class prescribed by subclause (1)):
 - (a) tobacco advertisements that form part of or are attached to or are directly adjacent to a shop or retail outlet, other than any advertisement that is a billboard, or an illuminated sign, custom built for the shop or outlet; and
 - (b) tobacco advertisements that are located in a shopping complex or shopping mall, other than any advertisement that is a billboard, or an illuminated sign, custom built for a particular shop or outlet in the complex or mall.

(b) by omitting clause 13 (b) and by inserting instead the following paragraph:

(b) the price board is black and all the lettering on the price board is white or the price board is white and all the lettering on the price board is black; and

(b1) each letter on the price board is not more than 2 centimetres in height and not more than 1.5 centimetres in width; and

EXPLANATORY NOTE

The object of this Regulation is to change the requirements relating to tobacco advertising in retail outlets.

Section 5 (3) of the Tobacco Advertising Prohibition Act 1991 exempts, until 26 September 1995, certain tobacco advertisements from the prohibition on tobacco advertising unless an earlier date is prescribed for the exemption to end. This Regulation prescribes 1 August 1994 as the date on which that exemption expires for certain custom built signs forming part of, attached to or adjacent to a shop or located in a shopping complex or shopping mall.

The Regulation also prescribes a maximum size for lettering on price boards for tobacco products. The requirements relating to the colouring of such price boards are altered to enable the use of chalk boards.

This Regulation is made under the Tobacco Advertising Prohibition Act 1991, including section 25 (the general regulation making power) and sections 5 and 17.
