



New South Wales

Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2016

under the

Public Health (Tobacco) Act 2008

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Health (Tobacco) Act 2008*.

JILLIAN SKINNER, MP
Minister for Health

Explanatory note

The object of this Regulation is to prescribe quantities of tobacco product that are presumed under the *Public Health (Tobacco) Act 2008* to be for sale in certain circumstances for the purposes of offences under the Act that prohibit a person from selling a tobacco product that is not in:

- (a) the package in which it was packed by the manufacturer, or
- (b) packaging marked with a health warning.

This Regulation is made under the *Public Health (Tobacco) Act 2008*, including sections 6 (4), 7 (4) and 58 (the general regulation-making power).

Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2016

under the

Public Health (Tobacco) Act 2008

1 Name of Regulation

This Regulation is the *Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2016*.

2 Commencement

This Regulation commences on 1 February 2016 and is required to be published on the NSW legislation website.

3 Amendment of Public Health (Tobacco) Regulation 2009

Clauses 4 and 4A

Insert before clause 5:

4 Certain sales of prescribed amount of tobacco product prohibited

For the purposes of section 6 (4) of the Act, 100 grams is the prescribed quantity of tobacco product presumed to be for the purposes of sale.

4A Packing and sale of prescribed amount of tobacco product without health warning prohibited

For the purposes of section 7 (4) of the Act, the prescribed quantity of tobacco product presumed to be for the purposes of sale is:

- (a) for cigarettes, 50 cigarettes, or
- (b) for any other tobacco product, 50 grams.