



New South Wales

Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2020

under the

Public Health (Tobacco) Act 2008

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

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Regulation is to prescribe amounts of tobacco product that, if exceeded, are presumed to be for the purposes of sale in certain circumstances.

This Regulation is made under the *Public Health (Tobacco) Act 2008*, including sections 6(4), 7(4), 21(1A) and 58 (the general regulation-making power).

Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2020

under the

Public Health (Tobacco) Act 2008

1 Name of Regulation

This Regulation is the *Public Health (Tobacco) Amendment (Prescribed Quantities) Regulation 2020*.

2 Commencement

This Regulation commences on 1 January 2021 and is required to be published on the NSW legislation website.

3 Amendment of Public Health (Tobacco) Regulation 2016

(1) Clause 5

Omit the clause. Insert instead—

5 Certain sales of prescribed amount of tobacco product prohibited

For the purposes of section 6(4) of the Act, 100 grams is the prescribed amount.

(2) Clause 6

Omit the clause. Insert instead—

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

For the purposes of section 7(4) of the Act, the following amounts are prescribed—

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

(3) Clause 9A

Insert after clause 9—

9A Certain sales of tobacco products designed for consumption other than by smoking

For the purposes of section 21(1A) of the Act, 35 grams is the prescribed amount.