

THE GAMBIA

NO. 6 OF 1997

Assented to by The President,

this Fourth day of- November, 1997.

YAHYX A. J. J. -JAMMEH
President

LS

AN ACT to control advertisements of Tobacco Products and for matters connected therewith.

[6 t h N o v e m b e r . 1 9 9 7 /

ENACTED by the President and the National Assembly.

Short title 1. This Act may be cited as the Tobacco Products (Control of Advertisements) Act, 1997.

Interpreta- 2 . In this Act, unless the
Tion context otherwise requires -

"advertisement" in relation to 9 tobacco product, includes every form of commendation of the product to the public, and in particular -

(a) the statement of the name of the product or of any brand, trade description or designation, by reference to which the product is sold: or

(b) the statement of any

properties of the product,

where such a statement may reasonably be regarded as a commendation of the product to the public:

"tobacco product" means any form of tobacco intended for smoking or chewing including cigarettes.

Advertisement 3 . Subject to the provisions of
Of Tobacco Section 4, the advertisement or
products promotion of tobacco products is
authorised hereby authorised.

Prohibition 4 . There shall not be any form
of certain of advertisement or promotion of
forms of any tobacco product -
Advertisement
or promotion

- (a) in. any media directed specifically at an educational or health institution;
- (b) in or on any means of transportation connected with an educational or health institution;
- (c) by external aerial, fluvial or maritime means of advertising;
- (d) in any public place by the use of audio means of advertising except in supermarkets, commercial institutions, trade fairs or in sponsored events;
or
- (e) at any activity or area concerned with education or health.

Required
Warning on
Advertisement

5. Any advertisement or promotion of a tobacco product shall bear a warning to the effect that smoking is harmful to health or such other statements the Department of State responsible for health may by Order published in the Gazette prescribe.

Bower of
Secretary of
State to-
make
regulations

6. The Secretary of state may make Regulations -

- (a) determining the time limit or number of spots for the advertisement of tobacco products by audio or visual means or public address system;
- (b) prescribing the space limit for advertising tobacco products in newspapers;
- (c) limiting the use of promotional items and materials; or
- (d) for the better putting into effect the purposes of this Act.

Offences and
Penalties

7. Any person who contravenes a provision of this Act shall on summary conviction be liable to a fine not exceeding twenty thousand dalasis or a term of imprisonment not exceeding five years and in the case of a continuing offence, to a further time of two thousands dalasis for each day the offence is continued.

Repeal
Cap 32:02

8. the Tobacco Products (Control of Advertisements) Act 1986 is hereby repealed.

PASSED in the National Assembly this Twenty-Eighth day of October.
in the year of Our Lord One Thousand nine hundred and Ninety-Seven.

D. S. NJIE,
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the National Assembly, and found by me to be a true and correct copy of the said Bill.

D. S. NJIE,
Clerk the National Assembly.