



STATUTORY INSTRUMENTS.

S.I. No. 530 of 2013



PUBLIC HEALTH (TOBACCO) (CONTROL OF SALES PROMOTION)
REGULATIONS 2013

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I, JAMES REILLY, Minister for Health, in exercise of the powers conferred on me by section 38(10) (as amended by section 1 of the Public Health (Tobacco) (Amendment) Act 2013 (No. 17 of 2013)) of the Public Health (Tobacco) Act 2002 (No. 6 of 2002) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the Public Health (Tobacco) (Control of Sales Promotion) Regulations 2013.

2. These Regulations shall come into operation on 23 December 2013.

3. (1) A person shall not sell, or cause to be sold, a tobacco product at a reduced price to another person on the purchase by that person of any other—

(a) tobacco product, or

(b) product or service.

(2) A person shall not make available, or cause to be made available, a tobacco product to another person free of charge on the purchase by that person of any other—

(a) tobacco product, or

(b) product or service.

(3) A person shall not promote, or cause to be promoted, a tobacco product to another person at a reduced price or free of charge on the purchase by that person of any other—

(a) tobacco product, or

(b) product or service.

(4) A person shall not—

(a) sell, or cause to be sold,

(b) make available, or cause to be made available, or

(c) promote, or cause to be promoted,

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“Iris Oifigiúil” of 3rd January, 2014.*

a tobacco product to another person at a reduced price or free of charge for a limited period of time on any day.



GIVEN under my Official Seal,
19 December 2013.

JAMES REILLY,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations may be cited as the Public Health (Tobacco)(Control of Sales Promotion) Regulations 2013. They have been developed under Section 38(10A) of the Public Health (Tobacco) Act 2002 as inserted by Section 1 of the Public Health (Tobacco)(Amendment) Act 2013.

These regulations replace provisions set out in Regulation 2(b) of S.I. No. 525 of 2012 Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) (Amendment) Regulations which were made under the Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) Act 1978.

The commencement of Section 2 of the Public Health (Tobacco) (Amendment) Act 2013 revokes the provisions outlined in Regulation 2(b) mentioned above.

The effect of these Regulations (the Public Health (Tobacco) (Control of Sales Promotion) Regulations 2013) is:

- to prohibit the sale or supply of tobacco products at a reduced price on the purchase of tobacco products or other products,
- to prohibit the supply of tobacco products free of charge on the purchase of tobacco products or other products,
- to prohibit the promotion of tobacco products at a reduced price or free of charge on the purchase of tobacco products or other products, and
- to prohibit “happy hour” or similar type promotions where tobacco products are sold at a reduced price or provided free of charge for a limited period of time, including those promotions which may run over a number of days.

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