

**L.N. 344 of 2010**

**TOBACCO (SMOKING CONTROL) ACT  
(CAP. 315)**

**Advertising and Promotion of Tobacco Products Regulations,  
2010**

IN exercise of the powers conferred by article 9 of the Tobacco (Smoking Control) Act, the Minister for Health, the Elderly and Community Care has made the following regulations:-

**1.** The title of these regulations is Advertising and Promotion of Tobacco Products Regulations, 2010. Title.

**2.** In these regulations, unless the context otherwise requires: Interpretation.

“cigarette decoys” means the pictorial representation of cigarette and tobacco products illustrated on automatic tobacco sales machine intended as an indication for the consumer to make his desired selection;

“close proximity” means up to one meter from the point of sale;

“responsible person” means any person who at any time is performing, supervising or managing any operation being carried out in any premises to which these regulations apply and shall include any person acting on his behalf or on behalf of his employer.

**3.** (1) No responsible person may advertise or allow to be advertised on any object, whether movable or not, any cigarettes, cigars, tobacco or tobacco products: Advertising of tobacco.

Provided that in the case of existing advertising at point of sale which is placed in close proximity to where the tobacco products are displayed for sale and which is not visible from the outside of the retail outlet, this provision shall come into effect on the 1st January, 2011.

(2) This regulation shall not apply to tobacco packaging unless such packaging is used in such a manner as to be deemed as advertising of the tobacco product.

(3) Cigarette decoys shall only be allowed on premises from which cigarettes, cigars, tobacco and tobacco products are sold provided that such decoys carry the health warning: “Smoking kills - It-tipjip joqtol”.

(4) Any such health warning shall be clearly legible and shall not cover less than 30% of the surface of the decoy.

Ban on advertising by means of lotteries.

**4.** No responsible person may make use or allow to make use of lotteries and other gift schemes intended for the promotion and advertising of any cigarettes, tobacco and tobacco products.

Sale of tobacco from automatic vending machines.

**5.** It shall not be lawful for any responsible person to sell or permit to be sold any product other than cigarettes and tobacco products from automatic sales machines which are used to dispense cigarettes and tobacco products.

Other laws and regulations.

**6.** These regulations shall be without prejudice to other laws and regulations enacted to protect further the health of the community from the effects of exposure to tobacco smoking.

Revokes L.N. 406 of 2005.

**7.** The Ban on Advertising and Promotion of Tobacco Products Regulations, 2005 are hereby being revoked.

