SOUTH AUSTRALIA

TOBACCO PRODUCTS (LICENSING) REGULATIONS, 1986

REGULATIONS UNDER THE TOBACCO PRODUCTS (LICENSING) ACT, 1986

Tobacco Products (Licensing) Regulations, 1986

being

No. 245 of 1986: *Gaz.* 18 December 1986, p. 1925

as varied by

No. 223 of 1995: *Gaz.* 7 December 1995, p. 1592[1]

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[1]   Came into operation 7 December 1995: reg. 2.

Short title

1. These regulations may be cited as the *Tobacco Products (Licensing) Regulations, 1986.*

Interpretation

2. In these regulations—

"the Act" means the *Tobacco Products (Licensing) Act, 1986.*

Notice under section 16

3. The notice referred to in section 16 of the Act must conform with the following requirements:

(a) the notice must be in the form of a rectangle with a width of at least 297 millimetres and a height of at least 210 millimetres;

(b) the contents of the notice must be as shown in the schedule;

(c) the notice must be printed on a white background in black and red as indicated in the schedule;

(d) the height of the print must be at least four millimetres.

Notice under section 17

3A. A notice required to be given by a person to the Commissioner under section 17 of the Act must be posted to or lodged at the Commissioner's office and must contain the following particulars:

(a) the address of any place to be used by the person for tobacco merchandising within the State; and

(b) the residential address of the person; and

(c) if the notice is being given on behalf of a company—the address of the company's registered office; and

(d) the date on which the person commenced or intends to commence tobacco merchandising in the State.

Records to be kept under section 27

4. (1) Records kept by a tobacco merchant under section 27(1) of the Act must contain the following particulars in relation to the tobacco merchant's dealings in tobacco products:

(a) the date of each transaction involving the sale or purchase of tobacco products;

(b) the names and addresses of the parties to the transaction;

(c) the nature and quantity of the tobacco products the subject of the transaction;

(d) the price at which those products were sold or purchased by the merchant.

(2) Particulars are only required under subregulation (1) in relation to transactions between tobacco merchants.

(3) Records kept under section 27(1a) of the Act by a person transporting tobacco products must contain the following particulars in relation to each occasion on which tobacco products are transported:

(a)   the date that transportation of the products commenced; and

(b)   the address from which the products were collected for transportation; and

(c)   the name and address of the owner of the products; and

(d)   the name and address of the person on whose behalf the products are being transported; and

(e)   the name and address of the person (if any) to whom the products are being transported; and

(f)   the address to which the person is transporting the products; and

(g)   the name and address of the person (if any) who has agreed to purchase the products.

Invoices

5. An invoice required under section 29a of the Act must contain the following particulars:

(a)   the name and address of the person selling the tobacco products; and

(b)   the name and address of the purchaser of the tobacco products; and

(c)   the date of the sale; and

(d)   the date on which delivery is to take place; and

(e)   the type and quantity of tobacco products sold; and

(f)   the consideration paid by the purchaser.

Prescribed quantity of tobacco products

6. For the purposes of section 32(3) of the Act the prescribed quantity is 3500 cigarettes or 5 kilograms of any other type of tobacco product.

4.

SCHEDULE

[Notice appears in *Gaz.* 18 December 1986, p. 1925]

APPENDIX

LEGISLATIVE HISTORY

Regulation 3A:	inserted by 223, 1995, reg. 3
Regulation 4(1):	varied by 223, 1995, reg. 4(a)
Regulation 4(2):	varied by 223, 1995, reg. 4(b)
Regulation 4(3):	inserted by 223, 1995, reg. 4(c)
Regulation 5:	substituted by 223, 1995, reg. 5
Regulation 6:	inserted by 223, 1995, reg. 5