

South Australia

Tobacco Products Variation Regulations 2007

under the *Tobacco Products Regulation Act 1997*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Tobacco Products Variation Regulations 2007*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Tobacco Products Regulations 2004*

4—Variation of regulation 6—Certain advertising prohibited (section 40)

(1) Regulation 6—after subregulation (2e) insert:

(2ea) Subregulation (2c)(j) does not apply in the case of a retail display that is—

- (a) situated in a prescribed shop that is a service station or other premises at which fuel for motor vehicles is sold; and

- (b) visible to a person who is outside of the prescribed shop but who is in an area in which such fuel is dispensed, or other services provided, by the prescribed shop (including a car park provided by the prescribed shop); and
 - (c) not visible to a person outside of the prescribed shop other than a person referred to in paragraph (b).
- (2) Regulation 6(3)—before the definition of *packet* insert:
- floor area*, in relation to a prescribed shop, does not include the following areas of the shop:
- (a) any outdoor area (whether enclosed or otherwise);
 - (b) any toilet or bathroom area;
 - (c) any area to which members of the public do not have access and in which products are stored;
- (3) Regulation 6(3), definition of *prescribed shop*—delete "a shop the floor" and substitute:
- premises where tobacco products are sold by retail, the floor area

5—Revocation of regulation 7

Regulation 7—delete the regulation

6—Variation of regulation 8—Requirement that certain signs be displayed in enclosed public places

- (1) Regulation 8(1)—delete "(not being licensed premises)"
- (2) Regulation 8(1)(a)—delete ", "smoking prohibited" or "smoke-free zone"" and substitute:

or "smoking prohibited"
- (3) Regulation 8(2), (3) and (4)—delete subregulations (2), (3) and (4)
- (4) Regulation 8(5)—delete "or licensee" wherever occurring
- (5) Regulation 8(6)—delete subregulation (6)

7—Revocation of Schedule 2

Schedule 2—delete the schedule

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 13 December 2007

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