



ANNO VICESIMO QUARTO

# ELIZABETHAE II REGINAE

A.D. 1975

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## No. 81 of 1975

An Act to amend the Cigarettes (Labelling) Act, 1971-1972.

[Assented to 30th October, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Cigarettes (Labelling) Act Amendment Act, 1975". Short title.

(2) The Cigarettes (Labelling) Act, 1971-1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Cigarettes (Labelling) Act, 1971-1975".

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on a day to be fixed by proclamation. Commencement.

(2) A proclamation referred to in subsection (1) of this section shall not be made unless the Governor is satisfied that—

(a) legislation similar in effect to this Act has been enacted in respect of not less than three of the other States of the Commonwealth;

and

(b) that legislation has, or is likely to, come into operation.

3. The long title to the principal Act is amended by inserting immediately after the passage "health warning" the passage "to provide for the prescribed health warning to be presented in conjunction with any advertisement relating to cigarettes,". Amendment of long title of principal Act.

4. Section 3 of the principal Act is amended—

(a) by inserting immediately before the definition of "sell" the following definition:—

Amendment of principal Act s. 3—  
Definitions.

“advertisement” means any representation to the public or to a section of the public by any means whatever for the purpose of promoting directly or indirectly the sale of a product;;

and

(b) by inserting after definition of “sell” the following definition:—

“exempt advertisement” means an advertisement or an advertisement of a class for the time being exempted by regulation under this Act.

Enactment of  
s. 4a of  
principal Act.

5. The following section is enacted and inserted in the principal Act immediately after section 4 thereof:—

Regulation of  
advertisements  
of cigarettes.

4a. (1) On and after a day to be fixed by proclamation for the purposes of this section, a person shall not publish or cause directly or indirectly to be published any advertisement relating to any cigarettes unless the prescribed health warning is presented in the prescribed manner in conjunction with that advertisement.

Penalty: One thousand dollars.

(2) This section shall not apply to any exempt advertisement.

Amendment of  
principal Act,  
s. 5—  
Regulations.

6. Section 5 of the principal Act is amended—

(a) by inserting in paragraph (a) immediately after the passage “of this Act” the passage “or presented in conjunction with an advertisement referred to in section 4a of this Act”;

(b) by inserting in paragraph (b) immediately after the passage “in that expression” the passage “as required to be so marked”;

(c) by striking out the word “and” immediately before paragraph (d);

and

(d) by inserting immediately after paragraph (d) the following passage:—

and

(e) any matter or thing relating to the presentation of the prescribed health warning in conjunction with any advertisement referred to in section 4a of this Act

and

providing exemptions for any advertisement or any advertisement of a class of advertisements.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor