



ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 79 of 1984

An Act to prohibit the sale or supply of certain tobacco products to children; and to amend the Community Welfare Act, 1972.

[Assented to 15 November 1984]

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

1. This Act may be cited as the "Tobacco Sales to Children (Prohibition) Act, 1984". Short title.

2. In this Act, unless the contrary intention appears—

Interpretation.

"supply" means to give, lend or supply in any manner whatsoever:

"tobacco product" means tobacco, a cigarette or cigar, or any other manufactured product, intended for smoking, of which tobacco is a constituent part.

3. (1) A person who sells (whether directly or by way of a vending machine) or supplies, or offers to so sell or supply, a tobacco product—

Prohibition of sale of tobacco products to person under sixteen years.

(a) to a person under the age of sixteen years;

or

(b) to a person where the vendor knows, or has reasonable cause to believe, that the tobacco product is for the use of a person under the age of sixteen years,

shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

(2) In any proceedings for an offence against subsection (1) (a), it shall be a defence for the defendant to prove that he had reasonable cause to believe that the person to whom he sold or supplied, or offered to sell or supply, the tobacco product was of or over the age of sixteen years.

4. The occupier of premises at which tobacco products are sold by retail shall ensure that a statement as to the general effect of section 3, including the penalty provided in that section, is displayed at each place where the tobacco products are offered for sale on the premises, in such manner and

Vendor of tobacco products must display warnings.

position as to be readily noticed and understood by persons intending to purchase a tobacco product.

Penalty: Two hundred dollars.

Summary
offences.

5. Offences against this Act shall be disposed of summarily.

Amendment of
s. 83 of
Community
Welfare Act.

6. Section 83 of the Community Welfare Act, 1972, is amended by striking out subsection (1).

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

D. B. DUNSTAN, Governor