



**FOR IMMEDIATE RELEASE**

**Public Consultation on Proposed Amendments to the Tobacco (Control of Advertisements and Sale) Act**

The Ministry of Health (MOH) would like to invite the public to submit feedback on the proposed amendments to the Tobacco (Control of Advertisements and Sale) Act (TCASA). The public consultation will be held from 13 June to 10 July 2017, and feedback can be submitted via the online feedback form available at [www.moh.gov.sg/tcasa2017](http://www.moh.gov.sg/tcasa2017) or via email, post or fax.

2. MOH has progressively enhanced our tobacco control measures over the years to keep up with evolving trends in tobacco promotion and use, and as part of our continuing effort to reduce the prevalence of tobacco use in Singapore. The TCASA was last amended in 2016 to introduce the ban on the Point-of-Sale Display of tobacco products. The Act:

- Prohibits advertisements and promotions relating to tobacco products;
- Controls the use of tobacco products by under-aged persons; and
- Regulates the sale, packaging and trade description of tobacco products.

3. In December 2015, MOH announced the ban of emerging tobacco products as a pre-emptive measure to protect public health against the known and unknown harms of such products. At the Committee of Supply Debate this year, MOH announced that legislative changes will be proposed to Parliament within a year to raise the Minimum Legal Age (MLA) for the sale of tobacco products to minors, from 18 to 21 years.

4. MOH is currently proposing amendments to the TCASA to:

- i) Raise the MLA for the sale, purchase, use and possession of tobacco products; and
- ii) Strengthen existing legislation to prohibit the purchase, use and possession of harmful tobacco products and imitation tobacco products.

**Minimum Legal Age**

5. In Singapore, 95% of smokers had their first puff before they reached 21 years old, and 83% of smokers became regular smokers before they were 21 years old. There is a growing body of evidence on the public health benefits of increasing the MLA. Besides the direct impact on the ability of youths aged 18 to 20 to buy tobacco products from retailers, MLA21 would also more effectively reduce social supply of tobacco to youths from peers in the same social networks (e.g. in schools), hence preventing or delaying smoking initiation among adolescents.

6. To minimise the impact on existing smokers aged 18 to 20 years, the MLA will be progressively raised over a period of three years after the Amendment Bill takes effect. The MLA will be raised to 19 after one year, 20 after the second year and finally 21 after a third year.

7. The proposed amendments to TCASA are:

- i) Section 2 of the Act will be amended to include a new definition of “under-aged person” to allow for this phased increase in MLA.
- ii) To ensure consistency, other provisions that currently make reference to “persons aged below 18 years” will also be amended to refer to “under-aged person”.
  - Section 3 will amend Section 10 of the TCASA to make it clear that the prohibition on supply to persons will apply to an “under-aged person” as defined by Section 2 of the Amendment Bill.
  - Section 4 will amend Section 11 of the TCASA to prohibit the use of tobacco products by an “under-aged person” as defined by Section 2 of the Amendment Bill.
  - Section 5 will amend Section 13(4) of the TCASA to require that the warning notice at retail outlets state that the sale of any tobacco product to “under-aged persons”, as defined by Section 2 of the Amendment Bill, is prohibited by law.
  - Section 8 will amend Section 34(3) of the TCASA to clarify that this section would apply to “an under-aged person” as defined by Section 2 of the Amendment Bill.

### **Harmful tobacco products and imitation tobacco products**

8. The importation, distribution, sale and offer for sale of imitation tobacco products such as Electronic Nicotine Delivery Systems (ENDS) and vaporisers are currently prohibited under Section 16 of the TCASA. However, the purchase, use and possession of these products are currently not prohibited. As ENDS and vaporisers are durable rather than consumable goods, illicit trade in these products may result in a sizeable pool of people who possess and use ENDS and vaporisers in Singapore, leading to entrenchment. Similar legal loopholes exist for other emerging products such as shisha and smokeless tobacco which are currently prohibited from being imported, distributed and sold under Section 15 of the TCASA.

9. The proposed amendments to TCASA are:

- i) Section 6 of the Amendment Bill will amend Section 15 of the TCASA to *inter alia* include a new subsection which will prohibit the purchase, use and possession of harmful tobacco products, which include emerging tobacco products such as shisha and smokeless tobacco.
- ii) Section 7 of the Amendment Bill will amend Section 16 of the TCASA to prohibit the purchase, use and possession of imitation tobacco products, which include ENDS and vaporisers. This prohibition on the purchase, use and possession of

imitation tobacco products will apply regardless of whether or not it contains tobacco products such as nicotine refills.

10. A copy of the draft Amendment Bill is available on the MOH website at [www.moh.gov.sg/tcasa2017](http://www.moh.gov.sg/tcasa2017). The modes of feedback are listed below. All feedback should reach MOH by 10 July 2017, 1700hrs.

- i) By Post:  
Ministry of Health  
TCASA Public Consultation  
College of Medicine Building  
16 College Road  
Singapore 169854
- ii) By Email:  
[moh\\_qsm@moh.gov.sg](mailto:moh_qsm@moh.gov.sg)
- iii) By Fax:  
6224 1677

**MINISTRY OF HEALTH**  
**12 JUNE 2017**

---

For media queries, please contact:

Kelly Ser  
Senior Manager  
Corporate Communications Division  
Ministry of Health  
DID: 6325 1013 / 9633 7326  
Email: [kelly\\_ser@moh.gov.sg](mailto:kelly_ser@moh.gov.sg)