

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF TOBACCO CONTROL REGULATIONS

Regulations 2003, No. 32

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 2003, No. 32*

Regulations under the *Tobacco Control Act*

I, JOHN CHRISTOPHER ANICTOMATIS, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Tobacco Control Act*.

Dated 30 June 2003.

J. C. ANICTOMATIS
Administrator

By His Honour's Command

P. R. HENDERSON
Minister for Business, Industry and Resource Development
acting for and behalf of the
Minister for Health and Community Services

* Notified in the *Northern Territory Government Gazette* on 1 July 2003.

AMENDMENTS OF TOBACCO CONTROL REGULATIONS

1. Principal Regulations

The Tobacco Control Regulations are in these Regulations referred to as the Principal Regulations.

2. Definitions

Regulation 3 of the Principal Regulations is amended by inserting after the definition of "occupier of an educational facility" the following:

" 'restaurant' means liquor licensed premises categorised in the liquor licence as a restaurant subject to conditions to the effect that liquor may be sold for consumption on or at the premises –

- (a) ancillary to a meal; or
- (b) without a meal if the premises have the appearance of, and trade predominantly as, a restaurant."

3. Repeal and substitution

Regulation 4 of the Principal Regulations is repealed and the following substituted:

"4. Prescribed class of food for food service area

"For the purposes of section 5A(2) of the Act, food that is free of charge is a prescribed class of food."

4. Smoke-free areas that are not required to display signs

Regulation 7 of the Principal Regulations is amended –

- (a) by inserting after paragraph (d) the following:

"(da) Parliament House;" and

- (b) by inserting after paragraph (h) the following:

"(i) entrance areas into or onto any of the classes of smoke-free areas specified in paragraphs (a) to (h) (inclusive)."

5. Liquor licensed premises – on and after 31 May 2003

Regulation 9 of the Principal Regulations is amended –

- (a) by inserting in subregulation (1) "(other than a restaurant)" after "liquor licensed premises"; and

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(b) by omitting subregulation (4) and substituting the following:

"(4) For the purposes of section 11(1) of the Act, the occupier of liquor licensed premises that are a casino is permitted to designate an area, or part of an area, within the casino in which are located gaming tables and gaming machines to be an exempt area, subject to the following conditions:

- (a) that the occupier establishes and maintains a smoke-free area of equal amenity to the exempt area that contains gaming tables and gaming machines;
- (b) that the occupier has in place reasonable measures to minimise employees' exposure to environmental tobacco smoke."

6. Outdoor food service areas

Regulation 12 of the Principal Regulations is amended by omitting "a food service area that is not an enclosed public area or an enclosed workplace area" and substituting "an outdoor food service area".

7. New regulation

The Principal Regulations are amended by inserting before regulation 16 in Part 2 the following:

"15A. Oil and gas platforms

"For the purposes of section 11(1) of the Act, the occupier of an oil or gas platform is permitted to designate an enclosed workplace area on the platform to be an exempt area, subject to the condition that the area is adequately ventilated."

8. Displays other than at specialist tobacconists or on vending machines

Regulation 21 of the Principal Regulations is amended –

(a) by omitting subregulations (1), (2) and (3) and substituting the following:

"(1) For the purposes of section 21(3) of the Act, the numbers of packets of cigarettes, cigars (other than cigars sold singly) or other tobacco products that are displayed cannot exceed one packet of each kind of packet for each kind of cigarette, cigar or other tobacco product that is available under each brand name.

"(2) For the purposes of section 21(4) of the Act, the numbers of cigars sold singly that are displayed cannot exceed 2 cigars of each size for each kind of cigar that is available under each brand name.

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"(3) For the purposes of section 21(5) of the Act, the numbers of cartons of cigarettes that are displayed cannot exceed one carton of each kind of packet for each kind of cigarette that is available under each brand name."

9. New regulation

The Principal Regulations are amended by inserting after regulation 21 the following:

"21A. Displays at specialist tobacconists

"(1) For the purposes of section 20(1)(b)(ii) of the Act, the conditions specified in this regulation apply in relation to displays of tobacco products that are at points of sale at specialist tobacconists in substitution of the conditions specified in section 21(3), (4), (5) and (8) of the Act.

"(2) The area occupied by a display cannot exceed 12 square metres.

"(3) The area of the part of a display occupied by packets of cigarettes cannot exceed 4 square metres.

"(4) The area of the part of a display occupied by cigars cannot exceed 4 square metres.

"(5) The area of the part of a display occupied by loose tobacco cannot exceed 2 square metres.

"(6) The area of the part of a display occupied by cartons of cigarettes cannot exceed 2 square metres."
