L.N. 28 of 1987

TOBACCO (SMOKING CONTROL) ACT, 1986 (ACT NO. XLII OF 1986)

Health Warnings (On Smoking) Regulations, 1987

IN exercise of the powers conferred by section 10 of the Tobacco (Smoking Control) Act, 1986, the Minister of Health has made the following regulations:—

Citation.

1. These regulations may be cited as the Health Warnings (On Smoking) Regulations, 1987.

Interpretation.

2. In these regulations, unless the context otherwise requires —

"the Act" means the Tobacco (Smoking Control) Act, 1986;

"cigarette" does not include cigars or other forms of tobacco or tobacco products.

Health warnings to be according to schedule to these regulations.

3. (1) The health warnings required to be shown, affixed, displayed or broadcast under the Act shall be one of the warnings set out in the Schedule to these regulations.

(2) The health warning shall be shown, affixed or displayed in one of the official languages of Malta and, unless otherwise prescribed in these regulations, shall be of a reasonable size as to be prominently legible and capture the attention of the person reading it, taking into consideration the size and colour background on which it is shown, affixed or displayed, to the satisfaction of the Superintendent.

(3) Each warning in the Schedule shall be preceded by the words "DANGER: Dept. of Health WARNING".

Health warnings in cinemas.

4. (1) It shall be the duty of every person so required under the Act in respect of a cinema to ensure that the warning shown on the screen at the beginning of the film is different from the one shown immediately on the resumption of the show after the interval.

(2) The health warning which is displayed in a cinema shall be substituted every three months by another warning from the Schedule in such a way that all the warnings in the Schedule appear with the same frequency during a year.

(3) The health warning shown as aforesaid shall be displayed for a minimum period of 30 seconds.

Health warnings during broadcasts.

5. The provisions of paragraphs 2 and 3 of regulation 4 of these regulations shall apply *mutatis mutandis* to visual warnings required to be broadcast under the Act in respect of broadcasting stations.

Health warnings in advertisements.

6. (1) The health warning in respect of adverts for any particular brand of an item to which the Act applies, appearing in any newspaper or magazine shall, where applicable, be changed at least every three months in such a way that all the warnings in the Schedule shall as far as possible appear with the same frequency during a year.

(2) The Superintendent may require that the warning on any other advert as is referred to in section 6 of the Act other than in the case of an illuminated sign, be changed or rotated as may in his opinion be practicable and reasonably necessary but in any case not more frequently than once every twelve months.

(3) Notwithstanding the provisions of paragraph (1) of regulation 3 of these regulations, the following warning (in one of the official languages of Malta) may be used in respect of adverts to which the provisions of paragraph 2 of this regulation applies —

"TAKE CARE OF YOUR HEALTH — DO NOT SMOKE"

Health warnings on packages of cigarettes.

7. (1) The health warning on a package of cigarettes shall be enclosed in a rectangle which shall be of a size approximately 15 millimetres by 50 millimetres or equivalent area. The letters for the health warning shall be block letters and their size shall be uniform throughout and shall be such as to reasonably occupy as fully as possible the space in the rectangle, to the satisfaction of the Superintendent.

(2) It shall not be lawful to place such warning only on the transparent foil or outer wrapping of a cigarette package.

(3) In every batch or consignment manufactured or produced all the different health warnings from the Schedule shall be used equally on each brand.

(4) Without prejudice to the requirements of the Act in respect of health warnings, the provisions of this regulation shall apply *mutatis mutandis* to imported cigarettes in so far as such compliance is in the opinion of the Superintendent reasonable or practicable.

(5) It shall be lawful to include the declaration of tar and nicotine content within the space bordered by the rectangle referred to in paragraph (1) of this regulation.

Health warning on premises.

8. The health warning to be displayed at or in any premises from which cigarettes, cigars, tobacco or tobacco products or smoking requisites are sold shall be prominently displayed as near as is reasonably practicable to the place where such items are displayed or sold and in such a way as to attract the attention of customers or other persons on the premises and so as to be easily seen and read by them. No article shall be put in such a way as to hinder such persons from easily reading such warning.

Information required by Superintendent.

9. The Superintendent may require any person responsible for ensuring compliance with the provisions of these regulations to provide such information as may be reasonably necessary to ensure that the provisions of these regulations are complied with and it shall be the duty of such person to comply with any such request from the Superintendent.

SCHEDULE

(Regulation 3 (1))

Health warnings which may be used in accordance with the requirements of the Tobacco Smoking Control Act, 1986:

1. Cigarettes can cause lung cancer and heart disease.
2. Smoking during pregnancy endangers the health of mother and baby.
3. If you stop smoking you improve your health and live longer.
4. The more you smoke the more you risk your health.

Ippubblikat mid-Dipartiment ta' l-Informazzjoni — Kastilja — *Published by the Department of Information — Kastilja*
Mitbugh fl-Istamperija tal-Gvern — *Printed at the Government Printing Press*

Prezz 2c — ***Price 2c***