

Smoke Free Environments Act 1990

Retailer's Checklist

Updated July 2012

KEY PROVISIONS These apply to all categories of retailers (e.g. convenience independent, convenience organised, tobacconists)		Check (✓)
	TOBACCO DISPLAY	
1	All tobacco products (cigarettes, loose tobacco and cigars) must be hidden from view from 23 July 2012.* No part of the packaging should be visible once the tobacco products are covered.	
2	There is no longer a restriction on the number of packages of the same kind or a maximum of 100 facings at each point of sale or 'till'.	
3	Retailers may open the tobacco unit to retrieve product requested by a customer or restock the unit but must have it open for the minimum time necessary.	
	SIGNAGE	
4	<p>Should a retailer choose to have tobacco availability signage displayed, it must be:</p> <ul style="list-style-type: none"> - Not larger than A3 size (A4 sized notice plus A4 sized pictorial health warning) - displayed either where the tobacco is stored or where the tobacco can be purchased - not visible from the outside of the outlet <p>These are available to order from the website below:</p> <p>https://www.healthed.govt.nz/resource/tobacco-available-here-sign-retailers-only</p> <p>Only one notice may be displayed in an outlet smaller than 200m². No more than two notices can be displayed in an outlet larger than 200m² but under 500m². No more than three notices can be displayed in an outlet larger than 500m².</p>	
5	<p>Selling to people under the age of 18 is prohibited.</p> <p>'No sales to persons under the age of 18' can only be visible on two documents:</p> <ul style="list-style-type: none"> - Tobacco availability signage (if displayed) - Each page of a price list 	
6	Shop signage must not include any word, expression or trade mark that indicates the availability of tobacco products.	
	PRICE LISTS	
7	<p>Price lists must:</p> <ul style="list-style-type: none"> - be no larger than A4 - be stored out of customers' view and only provided on request - only identify the tobacco products available for purchase and their price. <p>There is no limit to the number of A4 pages in the price list.</p>	

* Smoking accessories including papers and filters can be displayed.



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	PRICE NOTICES	
8	Retailers are allowed to have price identification labels on the tobacco units that indicate product name and price. These labels should not be able to be read by consumers. Price notices are no longer permitted.	
	OTHERS	
9	Children's products should be 1 metre away from tobacco products. This includes toys, comics, games, confectionery, ice-cream, soft drinks and similar products marketed primarily for children.	
10	Value added offers cannot be sold, for example, tobacco products packaged with radios.	
11	Smoking inside your store is prohibited.	
12	Retailers must not sell or offer for sale cigarettes in amounts of fewer than 20 cigarettes or loose tobacco in a package that contains less than 30g of loose tobacco.	
13	Any tobacco products or herbal smoking products offered for sale on the Internet must carry a health warning and purchase age information. The site can only have printed or written words that identify the tobacco product and indicate its price.	

INFRINGEMENT OFFENCES (ON-THE-SPOT)	<p>If an enforcement officer observes an infringement offence or has reasonable cause to believe that such an offence is or has been committed, they may serve an infringement notice for a certain number of particular offences.</p> <ul style="list-style-type: none"> • Permitting a vending machine to be accessible to the public – max \$400 • Selling, or after selling them, delivering or arranging for the delivery of tobacco products to under 18 – up to \$1,000 • Sale of TMC of less than 20 and RYO 30g – up to \$400 • Sale of toy tobacco product to under 18 – up to \$400
OFFENCES (COURTS)	<ul style="list-style-type: none"> • Allowing a tobacco product, package or carton to be visible without reasonable excuse – max \$10,000 • Failure to display point of sale or internet health information or warnings – max \$2,000 • Sale, delivery or arranging for delivery of a tobacco product to under 18 : <ol style="list-style-type: none"> a. individual, up to \$5,000 b. corporate, up to \$10,000

The Illegal Tobacco Trade

British American Tobacco New Zealand has been proactive in its stance regarding unlawful tobacco products, having worked with the New Zealand Customs Service and other Government agencies to reduce the incidence of such products.

The trade in unlawful tobacco products impacts your business as well as ours; it deprives government of revenue, indirectly fosters smuggling and counterfeiting and undermines consumer confidence in supplied tobacco products.

REPORT ILLICIT TOBACCO – CALL 0800 228 255

