

TOBACCO RETAILER 2025



SUMMER 2015

Welcome to Regional Public Health's Tobacco Retailer 2025 newsletter for retailers and shop-owners.

This newsletter will be published quarterly to give you up to date information and news.

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- Latest results of cigarette sales to minors
- Staff training
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Retailers continue selling to underage volunteers

Controlled purchase operations (CPO's) took place across the Wellington region during January 2015. Tobacco retailers continue to sell cigarettes to underage volunteers. Twenty-four tobacco retailers were put to the test and ten retailers sold cigarettes to the sixteen-year-old volunteer.

Tobacco retailers must ensure that any person who looks under the age of 25 years is asked for identification and all staff working in the store must be trained on this policy.

The retailers that sold to the underage volunteer in the latest operation are liable to an infringement fine of up to \$1000.



Staff Training

It is your responsibility to ensure your staff are fully trained and are aware that it is illegal to sell or supply cigarettes to any person under the age of 18 years. You may be liable to a fine or prosecution if you have not carried out training with your employees.

What resources are available to train my staff?

- We have a range of pamphlets available in various languages including English, Gujarati, Hindi, Punjabi and Chinese. Visit www.healthed.govt.nz to order resources.
- Previous copies of the Tobacco Retailer 2025 newsletter can be found at www.rph.org.nz
- Call your Public Health Advisor/Smoke-free Enforcement Officer to arrange for them to speak to staff and answer any questions during a meeting or training session. Call Regional Public Health on 04 570 9002.



Smoke-free Infringement Notices



Infringement notice

Section 38C(1), Smoke-free Environments Act 1990

Infringement Notice Number: 140061
Date of notice: 14 October 2014
Name of enforcement officer issuing the notice:
Person served:
Full name:
Full address:
Date of birth:
Gender: Male
Occupation: Business Owner
Telephone number(s):
Details of alleged infringement offence:
Date: 10 October 2014
Time: 1:42 p.m.
Place:
Details of offence: Selling a tobacco product, namely Holiday Red 20's to a person aged 16 years which is an offence under section 38(6) of the Smoke-free Environments Act 1990, namely selling tobacco products to a person younger than 18 years
The infringement fee is: \$500.00
The infringement fee is payable within 28 days after 18 October 2014, i.e. 15 November 2014
The infringement fee is payable to the Director-General, Ministry of Health, at: PO Box 5013 Wellington

IMPORTANT: Please read the summary of rights printed on the following pages.

Smoke-free Enforcement Officers can recommend the Ministry of Health issue an infringement notice when an offence has been committed under section 38A of the Smoke-free Environments Act 1990.

If you receive an infringement notice you can:

- pay the fee within 28 days of the date of the notice; or,
- request in writing to waive the fee; or
- request a defended or non-defended hearing in the District Court.

The Ministry of Health may withdraw the infringement notice or reject a waiver request. A letter will be sent following the Ministry's decision advising you of the outcome and the options available to you.

If you do not respond **within 28 days** following receipt of the infringement notice a reminder notice will be sent.

If you want the Ministry of Health to consider waiving the notice you need to provide a written explanation outlining your reasons for this. When writing to the Ministry of Health you must include the date of the infringement, the 6-digit notice number and your name, phone number and address. If the notice is waived you do not need to do anything further, if the notice is not waived, you can either pay the infringement fee or request a defended or non-defended hearing.

You can pay your infringement notice by way of internet banking, cheque or credit card.

For more information on Infringement Notices please visit www.health.govt.nz

Some important points to remember!

- The cabinets or drawers containing tobacco in your store can only ever be opened to the extent necessary to retrieve the product for the customer.
- You no longer can display the "SMOKING KILLS" and "No Sales to Under 18's" signs.
- Tobacco price notices can no longer be openly displayed.
- Your retail trading name must not contain words, phrases, trademarks or company names that have the effect of advertising the availability of tobacco products.

If you have any questions you can contact us at Regional Public Health on 04 570 9002 and ask to speak to a Smoke-free Enforcement Officer.