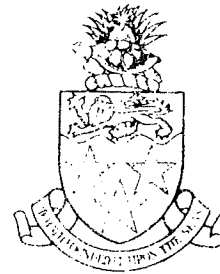


CAYMAN ISLANDS



Supplement No. 5 printed with Gazette No. 2 of 1987

**THE TOBACCO PRODUCT AND
INTOXICATING LIQUOR
ADVERTISING LAW, 1986
(LAW 21 OF 1986)**

Law 21 of 1986

I Assent

PETER LLOYD
Governor

23rd December, 1986

**A LAW TO MAKE PROVISION FOR THE
DISPLAY OF A HEALTH WARNING IN CONNECTION WITH
THE ADVERTISEMENT OF TOBACCO PRODUCTS; TO
PROVIDE FOR THE CONTROL OF ADVERTISING OF
TOBACCO PRODUCTS AND INTOXICATING LIQUOR; AND
FOR PURPOSES CONNECTED THEREWITH AND
INCIDENTAL THERETO.**

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Tobacco Product and Intoxicating Liquor Advertising Law, 1986.

Interpretation.

2. In this Law, unless the context otherwise requires -
“advertisement” includes -

- (a) every visual form of advertising
(whether or not accompanied by spoken words or other sounds);
- (b) any broadcast or cinematograph display; or any public announcement made orally or by any means of producing or transmitting light or sound;
- (c) without prejudice to the preceding paragraphs, any hoarding or similar structure used or adapted for use for the display of advertisements;

“broadcast” means a broadcast by wireless telegraphy by way of sound broadcasting or television of sounds or visual images intended for general reception (whether the sounds or images

are actually received by any person or not);

“cinematograph display” means a display at a public performance of moving pictures or other optical effects produced on a screen by means of cinematograph or other similar apparatus, with or without the mechanical reproduction of sound;

“health-warning” means a warning in writing in the prescribed terms, and in default of such prescription means a warning in writing in the following terms -

“WARNING: Smoking can severely damage your health.”;

“intoxicating liquor” has the same meaning as in the Liquor Licensing Law, 1985;

“tobacco products” means anything made out of or containing tobacco.

Law 8 of 1985.

Health - warning in advertisements of tobacco products.

3. (1) Subject to subsection (2), a health-warning shall be prominently displayed in all advertisements in the Islands concerning tobacco products.

(2) Subsection (1) does not apply to advertisements appearing in any written document published outside and imported into the Islands.

Restrictions on advertisements.

4. No advertisement concerning tobacco products or intoxicating liquor shall be -

- (a) broadcast from within the Islands; or
- (b) shown at any cinematograph display.

Regulations.

5. (1) The Governor in Council may make regulations for carrying this Law into effect.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may -

- (a) further prohibit, restrict or impose conditions upon the advertisement of tobacco products or intoxicating liquor;
- (b) prescribe the terms, size, shape, colour or wording of the health-warning;
- (c) prescribe offences against regulations made under this section.

Offences.

6. (1) Any person who contravenes or fails to comply with the provisions of subsection (1) of section 3 is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

(2) For the purposes of subsection (1), the publication of each copy of any advertisement published in contravention of subsection (1) of section 3 shall constitute a separate offence.

(3) Any person who contravenes section 4 is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

Passed the Legislative Assembly this 24th day of November, 1986.

PETER LLOYD
President.

E. GAY JACKSON
Clerk of the Legislative Assembly.