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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2012 Rhif 1911 (Cy.233)**

**2012 No. 1911 (W.233)**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH,  
WALES**

**Rheoliadau Hysbysebu a  
Hyrwyddo Tybaco (Arddangos  
Prisiau) (Cymru) 2012**

**The Tobacco Advertising and  
Promotion (Display of Prices)  
(Wales) Regulations 2012**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn gosod gofynion o ran arddangos prisiau cynhyrchion tybaco mewn lle yng Nghymru wrth gynnal busnes.

These Regulations impose requirements in relation to the display of prices of tobacco products in a place in Wales in the course of a business.

Mae rheoliad 1 yn darparu y bydd y Rheoliadau hyn yn dod i rym ar 3 Rhagfyr 2012 ar gyfer siopau mawr ac ar 6 Ebrill 2015 at bob diben arall.

Regulation 1 provides that these Regulations will come into force on 3 December 2012 for large shops and on 6 April 2015 for all other purposes.

Mae rheoliad 3 yn diffinio ystyr "lle" ("place") at ddibenion adran 7C o Ddeddf Hysbysebu a Hyrwyddo Tybaco 2002 (arddangosiadau: prisiau cynhyrchion tybaco). Fe'i diffiniwyd i olygu mangreoedd yng Nghymru lle y mae cynhyrchion tybaco yn cael eu gwerthu wrth gynnal busnes, ac eithrio mangreoedd sydd ond yn hygyrch i bobl sy'n ymhel â'r fasnach dybaco neu sy'n cael eu cyflogi ganddi, ac nad ydynt yn arddangos prisiau cynhyrchion tybaco mewn ffordd sy'n weladwy o'r tu allan i'r mangreoedd.

Regulation 3 defines the meaning of "place" ("lle") for the purposes of section 7C of the Tobacco Advertising and Promotion Act 2002 (displays: prices of tobacco products). It is defined as meaning premises in Wales where tobacco products are offered for sale in the course of a business, other than premises which are accessible only by persons engaged in, or employed by, the tobacco trade and which do not display the prices of tobacco products in a way that is visible from the outside of the premises.

Mae rheoliad 4 yn darparu bod rhaid i arddangosiad o brisiau cynhyrchion tybaco mewn lle yng Nghymru gydymffurfio â'r gofynion a bennir yn y Rheoliadau. Mae rheoliad 5 yn gosod gofynion cyffredinol y mae'n rhaid iddynt gael eu bodloni gan bob arddangosiad o'r fath. Mae rheoliadau 6 i 8 yn gosod gofynion ychwanegol sydd i'w bodloni mewn perthynas â dull penodol o arddangos prisiau o'r fath. Mae'r dangosiadau am bris gwerthu cynhyrchion tybaco hefyd yn cael eu rheoleiddio gan Orchymyn Marcio Prisiau 2004.

Regulation 4 provides that the display of prices of tobacco products in a place in Wales must comply with the requirements specified in the Regulations. Regulation 5 lays down general requirements which must be met by all such displays. Regulations 6 to 8 lay down additional requirements to be met in relation to particular means of displaying such prices. Indications of the selling price of tobacco products are also regulated by the Price Marking Order 2004.

Gall prisiau gael eu harddangos drwy un neu fwy o'r ffyrdd canlynol: drwy restrau prisiau, sy'n bodloni gofynion rheoliad 6; drwy restrau prisiau sydd ar gael ar gais, ac sy'n bodloni gofynion rheoliad 7; a, thrwy labeli ar unedau storio, sy'n bodloni gofynion rheoliad 8.

Prices may be displayed in one or more of the following ways: by way of price lists, which meet the requirements of regulation 6; by price lists available on request, which meet the requirements of regulation 7; and, by labels on storage units, which meet the requirements of regulation 8.

Mae rheoliad 9 yn cyfyngu ar gymhwyso'r Rheoliadau hyn i werthwyr tybaco arbenigol a swmpwerthwyr tybaco (fel y'u diffinnir yn rheoliad 2). Mae'r Rheoliadau ond yn gosod gofynion ar arddangos prisiau cynhyrchion tybaco gan y cyfryw fusnesau lle y byddai arddangosiad o'r fath yn weladwy o'r tu allan i'w mangroedd.

Mae'r Comisiwn Ewropeaidd wedi ei hysbysu am ddrafft o'r Rheoliadau hyn fel safon dechnegol, yn unol â Chyfarwyddeb 98/34/EC Senedd Ewrop a'r Cyngor (OJ Rhif L204, 21.7.1998, t.37), sy'n gosod gweithdrefn ar gyfer darparu gwybodaeth ym maes safonau a rheoliadau technegol, fel y'i diwygiwyd.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o'r costau a'r buddiannau tebygol o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth y Gangen Cwrs Bywyd, yr Is-adran Gwella Iechyd, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Regulation 9 limits the application of these Regulations to specialist tobacconists and bulk tobacconists (as defined in regulation 2). The Regulations only place requirements on the display of prices of tobacco products by such businesses where such a display would be visible from the outside of their premises.

A draft of these Regulations has been notified to the European Commission as a technical standard pursuant to Directive 98/34/EC of the European Parliament and the Council (OJ No L204, 21.7.1998, p.37), laying down a procedure for the provision of information in the field of technical standards and regulations, as amended.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Life Course Branch, Health Improvement Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

**2012 Rhif 1911 (Cy.233)**

**IECHYD Y CYHOEDD,  
CYMRU**

**Rheoliadau Hysbysebu a  
Hyrwyddo Tybaco (Arddangos  
Prisiau) (Cymru) 2012**

*Gwnaed* 18 Gorffennaf 2012  
*Yn dod i rym yn unol â rheoliad 1(1)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 7C a 19(2) o Ddeddf Hysbysebu a Hyrwyddo Tybaco 2002(1) a chan adran 26(3) o Ddeddf yr Iaith Gymraeg 1993(2), yn gwneud y Rheoliadau a ganlyn.

Gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 19(3)(b)(3) o Ddeddf Hysbysebu a Hyrwyddo Tybaco 2002 ac fe'i cymeradwywyd drwy benderfyniad gan Gynulliad Cenedlaethol Cymru.

**Enwi, cychwyn, cymhwyso a dehongli**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Hysbysebu a Hyrwyddo Tybaco (Arddangos Prisiau) (Cymru) 2012 a deuant i rym—

- (a) at ddibenion siopau mawr, ar 3 Rhagfyr 2012;  
a
- (b) at bob diben arall, ar 6 Ebrill 2015.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) At ddibenion y rheoliad hwn—

ystyr "arwynebedd perthnasol y llawr" ("*relevant floor area*"), mewn perthynas â siop, yw arwynebedd mewnol y llawr o gymaint o'r siop ag

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(1) 2002 p.36. Mewnosodwyd adran 7C i Ddeddf Hysbysebu a Hyrwyddo Tybaco 2002 gan adran 21 o Ddeddf Iechyd 2009 (p.21).

(2) 1993 p.38.

(3) Amnewidiwyd adran 19(3)(b) gan adran 24 o Ddeddf Iechyd 2009 a pharagraff 11(1) a (4) o Atodlen 4 iddi.

**2012 No. 1911 (W.233)**

**PUBLIC HEALTH,  
WALES**

**The Tobacco Advertising and  
Promotion (Display of Prices)  
(Wales) Regulations 2012**

*Made* 18 July 2012  
*Coming into force in accordance with  
regulation 1(1)*

The Welsh Ministers, in exercise of the powers conferred by sections 7C and 19(2) of the Tobacco Advertising and Promotion Act 2002(1) and section 26(3) of the Welsh Language Act 1993(2), make the following Regulations.

A draft of these Regulations was laid before the National Assembly for Wales in accordance with section 19(3)(b)(3) of the Tobacco Advertising and Promotion Act 2002 and approved by a resolution of the National Assembly for Wales.

**Title, commencement, application and  
interpretation**

1.—(1) The title of these Regulations is The Tobacco Advertising and Promotion (Display of Prices) (Wales) Regulations 2012 and they come into force—

- (a) for the purposes of large shops, on 3 December 2012; and
- (b) for all other purposes, on 6 April 2015.

(2) These Regulations apply in relation to Wales.

(3) For the purposes of this regulation—

"large shop" ("*siop fawr*") means a shop which has a relevant floor area exceeding 280 square metres; and

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(1) 2002 c.36. Section 7C was inserted into the Tobacco Advertising and Promotion Act 2002 by section 21 of the Health Act 2009 (c.21).

(2) 1993 c.38.

(3) Section 19(3)(b) was substituted by section 24 of and Schedule 4 paragraph 11(1) and (4) to, the Health Act 2009.

sy'n cynnwys, neu sy'n rhan o adeilad ond gan eithrio unrhyw ran o'r siop nad yw'n cael ei defnyddio ar gyfer gwasanaethu cwsmeriaid mewn cysylltiad â gwerthu nwyddau nac ar gyfer arddangos nwyddau; ac

ystyr "siop fawr" ("*large shop*") yw siop lle y mae arwynebedd perthnasol y llawr yn fwy na 280 o fetrau sgwâr.

## Dehongli

### 2.—(1) Yn y Rheoliadau hyn—

ystyr "y Ddeddf" ("*the Act*") yw Deddf Hysbysebu a Hyrwyddo Tybaco 2002;

mae "mangre" ("*premises*") yn cynnwys unrhyw le ac unrhyw gerbyd, llestr, hofrenfad, stondin neu adeiledd symudol;

ystyr "nodwedd arall" ("*other feature*") yw logo, nod masnach, symbol, arwyddair, teip, lliw neu batrwm lliw, llun, celfwaith, delweddau, ymddangosiad, neges neu unrhyw ddangosiad arall sy'n ffurfio'r cyfan neu ran o hunaniaeth adnabyddadwy cynnyrch, ond nad yw'n cynnwys cod bar neu rif stoc;

ystyr "pecyn" ("*package*") yw unrhyw flwch, carton neu gynhwysydd arall;

ystyr "pecyn gwreiddiol" ("*original package*") yw'r pecyn y cyflenwyd y sigarêts neu'r tybaco rholio â llaw ynddo at ddibenion manwerthu gan y gweithgynhyrchwr neu'r mewnforiwr ac mae "wedi ei becynnu ar gyfer ei werthu" ("*packaged for sale*") i'w ddehongli yn unol â hynny;

ystyr "rhestr brisiau" ("*price list*") yw rhestr o brisiau'r cynhyrchion tybaco sydd fel arfer yn cael eu cynnig i'w gwerthu yn y lle y mae rhestr o'r fath yn cael ei harddangos neu ei rhoi ar gael;

ystyr "siop" ("*shop*") yw unrhyw fangre lle y cynhelir masnach neu fusnes sy'n cynnwys, yn gyfan gwbl neu'n bennaf, gwerthu nwyddau;

ystyr "swmpwerthwr tybaco" ("*bulk tobacconist*") yw siop sy'n gwerthu cynhyrchion tybaco (p'un a yw'n gwerthu cynhyrchion eraill neu beidio) o ran o'r siop ("y man tybaco") ("*the tobacco area*") lle nad yw'r cynhyrchion tybaco yn weladwy o'r tu allan i'r man hwnnw ac y mae ei gwerthiannau sigarêts neu dybaco rholio â llaw, a fesurir yn unol â pharagraff (2), yn cydymffurfio â'r amodau canlynol—

- (a) bod o leiaf 90% o'i gwerthiannau sigarêts yn rhai mewn sypiau wedi eu rhagbecynnu o 200 o sigarêts neu fwy yn eu pecyn gwreiddiol, a bod y gweddill mewn sypiau wedi eu rhagbecynnu o 100 o sigarêts neu fwy yn eu pecyn gwreiddiol; a
- (b) bod o leiaf 90% o'i gwerthiannau tybaco

"relevant floor area" ("*arwynebedd perthnasol y llawr*"), in relation to a shop, means the internal floor area of so much of the shop as consists of or is comprised in a building but excluding any part of the shop which is used neither for the serving of customers in connection with the sale of goods nor for the display of goods.

## Interpretation

### 2.—(1) In these Regulations—

"the Act" ("*y Ddeddf*") means the Tobacco Advertising and Promotion Act 2002;

"bulk tobacconist" ("*swmpwerthwr tybaco*") means a shop selling tobacco products (whether or not it also sells other products) from a part of the shop ("the tobacco area") ("*y man tybaco*") from which tobacco products are not visible outside such area and whose sales of cigarettes or hand rolling tobacco, measured in accordance with paragraph (2), meet the following conditions—

- (a) at least 90% of its cigarette sales are in pre-packed quantities of 200 or more cigarettes in their original package, and the remainder in pre-packed quantities of 100 or more cigarettes in their original package; and
- (b) at least 90% of its hand-rolling tobacco sales are in pre-packed quantities with a weight of 250 grams or more in their original package, and the remainder in pre-packed quantities with a weight of 125 grams or more in their original package;

"original package" ("*pecyn gwreiddiol*") means the package in which the cigarettes or hand-rolling tobacco were supplied for the purpose of retail sale by the manufacturer or importer and "packaged for sale" ("*wedi ei becynnu ar gyfer ei werthu*") is to be construed accordingly;

"other feature" ("*nodwedd arall*") means a logo, trademark, symbol, motto, type-face, colour or pattern of colour, picture, artwork, imagery, appearance, message or other indication that constitutes all or part of the recognisable identity of a product, but does not include a bar code or stock number;

"package" ("*pecyn*") means any box, carton, or other container;

"premises" ("*mangre*") includes any place and any vehicle, vessel, hovercraft, stall or moveable structure;

"price list" ("*rhestr brisiau*") means a list of the prices of tobacco products normally offered for sale in the place where such list is displayed or made available;

rholio â llaw yn rhai mewn sypiau wedi eu rhagbecynnu sy'n pwyso 250 gram neu fwy yn eu pecyn gwreiddiol, a bod y gweddill mewn sypiau wedi eu rhagbecynnu sy'n pwyso 125 gram neu fwy yn eu pecyn gwreiddiol;

ystyr "uned storio" ("*storage unit*") yw gantri, cabinet neu uned, hambwrdd, silff neu unrhyw gynnyrch arall lle y cedwir cynnyrch tybaco tra'n aros am ei werthu.

(2) Mae'r gwerthiannau y cyfeirir atynt yn y diffiniad o "swmpwerthwr tybaco" i'w mesur yn ôl y pris gwerthu—

- (a) yn ystod y cyfnod mwyaf diweddar o ddeuddeg mis y mae cyfrifon ar gael ar ei gyfer; neu
- (b) yn ystod y cyfnod ers sefydlu'r siop, os nad yw wedi ei sefydlu'n ddigon hir i'r cyfrifon ar gyfer deuddeg mis fod ar gael.

### Ystyr "lle"

3. At ddibenion adran 7C o'r Ddeddf, ystyr "lle" ("*place*") yw mangre yng Nghymru lle y mae cynhyrchion tybaco yn cael eu cynnig i'w gwerthu wrth gynnal busnes, ac eithrio mangre—

- (a) sydd ond yn hygyrch i bersonau sy'n ymhel â busnes sy'n rhan o'r fasnach dybaco neu sy'n cael eu cyflogi gan fusnes o'r fath; a
- (b) lle nad yw prisiau'r cynhyrchion tybaco yn weladwy o'r tu allan i'r fangre.

### Arddangos prisiau cynhyrchion tybaco

4.—(1) Mae'r gofynion a bennir isod yn gymwys at ddibenion adran 7C o'r Ddeddf.

(2) Yn ddarostyngedig i reoliad 9, bydd arddangosiad o brisiau cynhyrchion tybaco mewn lle—

- (a) ym mhob achos, yn cydymffurfio â'r gofynion cyffredinol a bennir yn rheoliad 5, a
- (b) yn cydymffurfio â'r gofynion a bennir yn—
  - (i) rheoliad 6 (mewn perthynas â rhestrau prisiau),
  - (ii) rheoliad 7 (mewn perthynas â rhestrau prisiau sydd ar gael ar gais), neu
  - (iii) rheoliad 8 (mewn perthynas ag arddangos prisiau ar unedau storio).

(3) Pan fo arddangosiad o brisiau cynhyrchion tybaco mewn lle hefyd yn gyfystyr â hysbyseb at ddibenion y Ddeddf, mae i'w drin, os yw'n cydymffurfio â gofynion y Rheoliadau hyn, fel arddangosiad o brisiau ac nid fel hysbyseb at ddibenion tramgwyddau o dan y Ddeddf.

"shop" ("*siop*") means any premises where there is carried on a trade or business consisting wholly or mainly of the sale of goods;

"storage unit" ("*uned storio*") means a gantri, cabinet or unit, tray, shelf or other product in which a tobacco product is held pending sale.

(2) The sales referred to in the definition of "bulk tobacconist" are to be measured by sale price—

- (a) during the most recent period of twelve months for which accounts are available; or
- (b) during the period for which the shop has been established, if it has not been established long enough for twelve months' accounts to be available.

### Meaning of "place"

3. For the purposes of section 7C of the Act, "place" ("*lle*") means premises in Wales where tobacco products are offered for sale in the course of a business, other than premises—

- (a) which are accessible only to persons who are engaged in, or employed by, a business which is part of the tobacco trade; and
- (b) from which the prices of tobacco products are not visible from the outside of the premises.

### Display of prices of tobacco products

4.—(1) The requirements specified below apply for the purposes of section 7C of the Act.

(2) Subject to regulation 9, a display of prices of tobacco products in a place will—

- (a) in all cases, comply with the general requirements specified in regulation 5, and
- (b) comply with the requirements specified in—
  - (i) regulation 6 (in relation to price lists),
  - (ii) regulation 7 (in relation to price lists available on request), or
  - (iii) regulation 8 (in relation to the display of prices on storage units).

(3) Where a display of prices of tobacco products in a place also amounts to an advertisement for the purposes of the Act, if it complies with the requirements of these Regulations it is to be treated as a display of prices and not as an advertisement for the purposes of offences under the Act.



## Gofynion cyffredinol ar gyfer arddangos prisiau cynhyrchion tybaco

5. Mae'r gofynion o ran arddangosiad o brisiau cynhyrchion tybaco fel a ganlyn—

- (a) ei fod yn cael ei gyfyngu i'r wybodaeth ganlynol mewn perthynas â chynhyrchion tybaco—
  - (i) enw brand y cynnyrch,
  - (ii) pan fônt wedi eu rhagbecynnu, nifer yr unedau yn y pecyn neu, pan fônt yn cael eu gwerthu yn ôl pwysau, pwysau net y cynnyrch,
  - (iii) o ran sigârs yn unig, gwlad y tarddiad a'r dimensiynau,
  - (iv) o ran tybaco pib yn unig, y toriad a'r math o dybaco a ddefnyddir, a
  - (v) pris y cynnyrch<sup>(1)</sup>;
- (b) ei fod yn cael ei brintio—
  - (i) mewn teip Helvetica du plaen ar gefndir gwyn,
  - (ii) mewn teip sydd o faint sy'n gyson drwy'r testun cyfan, a
  - (iii) mewn teip â llythrennau bach ac eithrio bod llythyren gyntaf gair yn cael bod mewn teip â phriflythyren; ac
- (c) ac eithrio fel y darperir fel arall gan reoliad 7(1)(e), bod rhaid iddo beidio â chynnwys unrhyw nodwedd arall.

## Rhestrau prisiau

6.—(1) Y gofynion yw—

- (a) bod yr arddangosiad o brisiau cynhyrchion tybaco ar ffurf rhestr brisiau; a
- (b) bod y rhestr brisiau—
  - (i) yn dwyn y teitl dwyieithog "Rhestr o brisiau cynhyrchion tybaco / Tobacco products price list", a
  - (ii) yn cael cynnwys is-benawdau dwyieithog ar gyfer "sigarêts / cigarettes", "tybaco rholio â llaw / hand-rolling tobacco", "sigârs / cigars", "tybaco pib / pipe tobaccos", a "cynhyrchion tybaco eraill / other tobacco products",
  - (iii) yn un nad yw'n cynnwys prisiau unrhyw gynhyrchion eraill;
  - (iv) wedi ei geirio â nodau nad ydynt yn uwch na 7 milimetr,
  - (v) heb ymyl na ffrâm,
  - (vi) heb fod yn fwy na 1250 o gentimetrau sgwâr ei faint, a

(1) Mae dangos pris gwerthu pob cynnyrch, gan gynnwys cynhyrchion tybaco, yn cael ei reoleiddio gan Orchymyn Marcio Prisiau 2004 (O.S. 2004/102).

## General requirements for the display of prices of tobacco products

5. The requirements are that a display of prices of tobacco products—

- (a) will be limited to the following information in relation to tobacco products—
  - (i) the brand name of the product,
  - (ii) where pre-packed, the number of units in the package or, where sold by weight, the net weight of the product,
  - (iii) in relation only to cigars, the country of origin and dimensions,
  - (iv) in relation only to pipe tobaccos, the cut and type of tobacco used, and
  - (v) the price of the product<sup>(1)</sup>;
- (b) will be printed—
  - (i) in black Helvetica plain type on a white background,
  - (ii) in type which has a consistent size throughout the text, and
  - (iii) in lower case type, except that the first letter of a word may be in upper case type; and
- (c) except as otherwise provided by regulation 7(1)(e), must not contain any other feature.

## Price lists

6.—(1) The requirements are—

- (a) that the display of prices of tobacco products is in the form of a price list; and
- (b) that the price list—
  - (i) has the bilingual title "Rhestr o brisiau cynhyrchion tybaco / Tobacco products price list", and
  - (ii) may include bilingual sub-headings for "sigarêts / cigarettes", "tybaco rholio â llaw / hand-rolling tobacco", "sigârs / cigars", "tybaco pib / pipe tobaccos", and "cynhyrchion tybaco eraill / other tobacco products",
  - (iii) does not include the prices of any other products,
  - (iv) is worded with characters which are no higher than 7 millimetres,
  - (v) has no border or frame,
  - (vi) does not exceed 1250 square centimetres in size, and

(1) The indication of the selling price of all products, including tobacco products, is regulated by the Price Marking Order 2004 (S.I. 2004/102).

(vii) wedi ei gyfyngu o ran nifer yn unol â pharagraff (2).

(2) Mae'r rhestr brisiau i'w chyfyngu o ran nifer i un rhestr brisiau ar gyfer pob man ar wahân lle y mae cynhyrchion tybaco yn cael eu lleoli a lle y gellir talu amdanynt.

### **Rhestrau prisiau: ar gael ar gais yn unig**

7.—(1) Y gofynion yw—

- (a) bod yr arddangosiad o brisiau cynhyrchion tybaco ar ffurf rhestr brisiau sy'n cael ei rhoi ar gael i unigolyn 18 oed neu drosodd yn dilyn cais penodol gan yr unigolyn am wybodaeth am y cynhyrchion tybaco sydd ar werth yn y lle y mae'r cais hwnnw'n cael ei wneud;
- (b) bod pob cam rhesymol yn cael ei gymryd i sicrhau bod yr unigolyn sy'n gwneud cais o'r fath yn 18 oed neu drosodd cyn bod arddangosiad o'r fath yn cael ei wneud;
- (c) bod yr arddangosiad yn parhau am gyfnod nad yw'n hwy na'r amser y mae ei angen i'r unigolyn gael yr wybodaeth yr oedd yn chwilio amdani;
- (d) bod maint y geiriau ar y rhestr brisiau yn golygu nad oes unrhyw nod yn fwy na 4 milimetr ei uchder;
- (e) mai'r unig nodwedd arall sy'n cael ei arddangos yw llun o'r union gynnyrch tybaco, fel y cafodd ei becynnu ar gyfer ei werthu, lle nad yw maint llun o'r fath yn fwy na 50 o gentimetrau sgwâr; ac
- (f) bod y rhestr brisiau yn cael ei chyfyngu o ran nifer i—
  - (i) un rhestr brisiau ar gyfer pob man ar wahân lle y mae cynhyrchion tybaco yn cael eu lleoli a lle y gellir talu amdanynt, neu
  - (ii) pan fo mwy nag un til mewn unrhyw leoliad o'r fath, un rhestr brisiau ar gyfer pob til o'r fath.

(2) At ddibenion paragraff (1)(b), mae person yn cael ei drin fel un sydd wedi cymryd pob cam rhesymol i gadarnhau bod yr unigolyn yn 18 oed neu drosodd, os yw'r naill neu'r llall o'r canlynol yn wir—

- (a) na fyddai wedi bod yn rhesymol i neb amau o olwg yr unigolyn fod yr unigolyn o dan 18 oed; neu
- (b) bod y person wedi gofyn i'r unigolyn am dystiolaeth ynglŷn â'i oedran ac y byddai'r dystiolaeth wedi argyhoeddi person rhesymol.

### **Unedau storio**

8. Y gofynion yw—

- (a) bod pris y cynnyrch tybaco yn cael ei arddangos ar uned storio lle y cedwir y

(vii) is limited in number in accordance with paragraph (2).

(2) The price list is to be limited in number to one price list for each separate area where tobacco products are both located and can be paid for.

### **Price lists: available only on request**

7.—(1) The requirements are—

- (a) that the display of prices of tobacco products is in the form of a price list which is made available to an individual aged 18 or over following a particular request by the individual for information about tobacco products for sale in the place where such request takes place;
- (b) that all reasonable steps are taken to ensure that the individual making such a request is aged 18 or over before such a display takes place;
- (c) that the display lasts for no longer than is needed for the individual to obtain the information sought by that individual;
- (d) that the size of the wording on the price list is such that no character is greater than 4 millimetres high;
- (e) that the only other feature displayed is a picture of the actual tobacco product, as packaged for sale, where the size of such picture does not exceed 50 square centimetres; and
- (f) that the price list shall be limited in number to—
  - (i) one price list for each separate area where tobacco products are both located and can be paid for, or
  - (ii) where there is more than one till at any such location, one price list for each such till.

(2) For the purposes of paragraph (1)(b), a person is treated as having taken all reasonable steps to establish that the individual is aged 18 or over if either—

- (a) from the individual's appearance nobody could reasonably have suspected that the individual was aged under 18; or
- (b) the person asked the individual for evidence of the individual's age and the evidence would have convinced a reasonable person.

### **Storage units**

8. The requirements are—

- (a) that the price of the tobacco product is displayed on a storage unit where that

cynnyrch penodol hwnnw tra'n aros am ei werthu;

- (b) bod arddangosiad o'r fath—
  - (i) wedi ei eirio â nodau nad ydynt yn uwch na 4 milimetr; a
  - (ii) heb fod yn fwy na 9 centimetr sgwâr ei faint; ac
- (c) wedi ei gyfyngu o ran nifer i un arddangosiad ar gyfer pob lleoliad ar wahân mewn uned storio lle y cedwir cynnyrch tybaco penodol.

### **Gwerthwyr tybaco arbenigol a swmpwerthwyr tybaco**

9.—(1) Ac eithrio fel y darperir ym mharagraffau (2) a (3), nid yw'r Rheoliadau hyn y gymwys i werthwyr tybaco arbenigol(1) na swmpwerthwyr tybaco.

(2) Rhaid i arddangosiad o brisiau cynhyrchion tybaco sydd yn weladwy—

- (a) o'r tu allan i fangre gwerthwr tybaco arbenigol, neu
- (b) o'r tu allan i fan tybaco swmpwerthwr tybaco,

gydymffurfio â gofynion paragraff (3).

(3) Y gofynion o ran arddangosiad o'r fath yw—

- (a) bod rhaid iddo gydymffurfio â'r gofynion cyffredinol a bennwyd yn rheoliad 5,
- (b) bod rhaid iddo gydymffurfio â gofynion rheoliad 6(1)(a) a (b)(i) i (vi), ac
- (c) yn cael ei gyfyngu o ran nifer i un arddangosiad ar gyfer pob mangre.

particular product is kept pending sale;

- (b) that such display—
  - (i) is worded with characters which are no higher than 4 millimetres, and
  - (ii) does not exceed 9 square centimetres in size; and
- (c) is limited in number to one display for each separate location in a storage unit where a particular tobacco product is held.

### **Specialist and bulk tobacconists**

9.—(1) Except as provided in paragraphs (2) and (3), these Regulations do not apply to specialist tobacconists(1) or bulk tobacconists.

(2) A display of prices of tobacco products which is visible from—

- (a) the outside of the premises of a specialist tobacconist, or
- (b) the outside of the tobacco area of a bulk tobacconist,

must comply with the requirements of paragraph (3).

(3) The requirements are that such a display—

- (a) must comply with the general requirements specified in regulation 5,
- (b) must comply with the requirements of regulation 6(1)(a) and (b)(i) to (vi), and
- (c) is limited in number to one display for each premises.

*Lesley Griffiths*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru

The Minister for Health and Social Services, one of the  
Welsh Ministers

18 Gorffennaf 2012

18 July 2012

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(1) *Gweler* adran 6(2) a (3) o'r Ddeddf i gael y diffiniad o "specialist tobacconist".

(1) *See* section 6(2) and (3) of the Act for a definition of "specialist tobacconist".









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**IECHYD Y CYHOEDD,  
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Rheoliadau Hysbysebu a  
Hyrwyddo Tybaco (Arddangos  
Prisiau) (Cymru) 2012

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WELSH STATUTORY  
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**2012 No. 1911 (W.233)**

**PUBLIC HEALTH,  
WALES**

The Tobacco Advertising and  
Promotion (Display of Prices)  
(Wales) Regulations 2012