

# RETAILER FACTSHEET

## Single Point of Sale

**The *Public Health (Tobacco) Act 2008* restricts the sale of tobacco products, non-tobacco smoking products, smoking accessories, e-cigarettes and e-cigarette accessories to a single point of sale.**

When this factsheet refers to tobacco and e-cigarette products it means all tobacco products, non-tobacco smoking products, smoking accessories, e-cigarettes and e-cigarette accessories.

Smoking accessories include cigarette papers, pipes, cigarette holders, hookahs, water pipes or any other smoking implement.

### **What do tobacco or e-cigarette retailers have to do to comply with the single point of sale?**

Retailers are restricted to selling all tobacco and e-cigarette products from a single point of sale in each retail outlet. This means that these products can only be sold from one cash register at a time in each retail outlet (although it does not mean that the same cash register must be used all the time).

### **Is a service desk the same as a single point of sale?**

No. A service desk with more than one cash register is more than one point of sale. A single point of sale means a single cash register.

### **What if the point of sale register is broken?**

If the point of sale cash register is broken or requires maintenance, another register can be used. Signage required under the legislation should be placed near the new point of sale register for tobacco and e-cigarette products.

### **What about vending machines and selling from licensed premises?**

Tobacco and e-cigarette vending machines are not a point of sale. This means that licensed premises may sell tobacco and e-cigarette products from only one cash register but may also sell tobacco and e-cigarette products from one vending machine. Tobacco or e-cigarette vending machines can only be placed in a bar or gaming machine area of a hotel, club or casino restricted to over 18s. For information about tobacco or e-cigarette vending machine requirements see the [Retailer Factsheet – Tobacco or e-cigarette vending machines](#).

## Can a hotel proprietor sell tobacco, smoking or e-cigarette products from the hotel and from the bottle shop?

There are a variety of ways in which premises retailing tobacco and e-cigarette products may be configured. All retailers of tobacco, smoking or e-cigarette products need to refer to relevant provisions of the Act, including section 10, to determine how best to apply the requirement for a single point of sale in their specific premises and operating environment to ensure compliance with the legislation.

However, as general information only, premises which may have a shared roof or wall or are located within the same building but which otherwise operate independently would be likely to be considered separate premises for the point of sale requirement.

Operating independently would include the following characteristics:

- ✓ different entry and exit points;
- ✓ different staff; and
- ✓ different service areas that do not sell each other's products.

These situations may include both a hotel and a bottle shop on the same premises, or a supermarket and a bottle shop on the same premises.

## Can retailers display signs to show customers where to go to buy tobacco products?

Retailers can put up signs to inform customers of the cash register that is being used for tobacco sales as long as:

- ✓ they sell products other than tobacco products, non-tobacco smoking products or smoking accessories, and
- ✓ the shop or retail outlet has more than one cash register

The sign must conform to the following requirements:

- ✓ wording of "Tobacco sold at this cash register only"
- ✓ black lettering on a white background and be no larger in size than 60 point type, and
- ✓ the total sign size is no larger than 21cm high X 30 cm wide (A4)

Retailers can make their own signs as long as they meet the requirements set out in the ***Public Health (Tobacco) Regulation 2016***.

## Can retailers put up more than one "Tobacco sold at this cash register only" sign?

Retailers may put up more than one of these signs (for example to help customers to know where to queue) but alongside each sign the retailer must also display a sign of the form prescribed in Form 1, Schedule 1 of the *Public Health (Tobacco) Regulation 2016 (Smoking Kills Call the Quitline 137 848 or 13 QUIT)*.

For more information about signage requirements see the ***Retailer Fact sheet - How to display compulsory warning signs***.

## How does NSW Health monitor compliance with the requirement?

Breaches of the requirement for a single point of sale are an offence. NSW Health Authorised Inspectors undertake routine compliance activities in retail

outlets, such as checking signage and product display for tobacco and e-cigarette products. Authorised Inspectors will check that tobacco retailers have a single point of sale by inspecting the point of sale arrangements.

If retailers display the sign, 'Tobacco sold at this cash register only', then Authorised Inspectors will check that the sign is compliant with the size, wording and format requirements outlined in the Regulation and that any additional signs are accompanied by the 'Smoking Kills Call the Quitline' sign, as required by the Regulation.

Authorised Inspectors will also follow up complaints from members of the public about suspected breaches of the single point of sale requirement.

## Where are signs available from?

Signs are provided free of charge to retailers when they register for a free Tobacco Retailer Notification via Service NSW at [www.service.nsw.gov.au](http://www.service.nsw.gov.au).

Signs can be ordered by emailing [popresources@doh.health.nsw.gov.au](mailto:popresources@doh.health.nsw.gov.au) or calling **1300 655 957**

## Further information

For further information about tobacco control, please access the NSW Health website and Tobacco Retailer online training: [www.health.nsw.gov.au/tobacco](http://www.health.nsw.gov.au/tobacco) or call the Tobacco Information Line on **1800 357 412**.

The Tobacco Information Line can be accessed by non-English speaking persons via the Translating and Interpreting Service (TIS) on **13 14 50**.