

VIRGIN ISLANDS
TOBACCO PRODUCTS CONTROL (AMENDMENT)
REGULATIONS, 2025

ARRANGEMENT OF REGULATIONS

REGULATION

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VIRGIN ISLANDS
STATUTORY INSTRUMENT 2025 NO. 56
TOBACCO PRODUCTS CONTROL ACT, 2006
(No. 18 of 2006)

Tobacco Products Control (Amendment) Regulations, 2025

[Gazetted 19th June, 2025]

The Minister, in exercise of the powers conferred by section 11 of the Tobacco Products Control Act, 2006, No. 18 of 2006, makes these Regulations.

Citation and commencement

1. These Regulations may be cited as the Tobacco Products Control (Amendment) Regulations, 2025 and shall be deemed to come into force on the date on which the Tobacco Products Control (Amendment) Act, 2025, Act No. 10 of 2025 comes into force.

Regulation 2 amended

2. The Tobacco Products and Control Regulations, 2007, S.I. No. 33 of 2007, (hereinafter referred to as the “principal Regulations”) is amended in regulation 2 as follows:

(a) by inserting after the definition of “person” the following definition:

““principal display panel” means the front, back and sides of a package or such other area that is most likely to be examined, displayed or seen under normal conditions of sale or use;”;

(b) by deleting the definition of “work place” and substituting the following definition:

““work place” means the inside of any place, building, structure, vehicle or conveyance or any part of them that is covered by a roof where employees work or frequent during the course of their employment whether or not they are acting in the course of their employment at the time, but does not include a place that is primarily a private dwelling.”.

Regulation 3 amended

3. The principal Regulations is amended in regulation 3(1) as follows:

(a) in the opening chapeau, by inserting after the word “who” the words “manufactures, packages,”; and

- (b) in paragraph (a) by inserting after the words “on the” the words “principal display panel of the”.

Insertion of regulation 3A

4. The principal Regulations is amended by inserting after regulation 3 the following:

“Information to be contained on the package

3A. A person who manufactures, packages, sells or imports a tobacco product shall ensure that there is displayed on the principal display panel of the package,

- (a) the proper name of the product;
- (b) a correct statement of the net weight and contents of the package;
- (c) the name and address of the manufacturer or distributor of the product;
- (d) the batch number and the date on which the product was manufactured;
- (e) a statement as to the product’s toxic emissions; and
- (f) the required health warning in accordance with regulation 4.”.

Regulation 4 revoked and substituted

5. The principal Regulations is amended by revoking regulation 4 and substituting the following:

“Graphic Health Warning

4. (1) A person who manufactures, packages, sells or imports tobacco products shall ensure that a graphic health warning in English is depicted on the principal display panel of every package and in accordance with the graphic health warning set out in Schedule 1A.

(2) The graphic health warning on the package shall

- (a) be printed in a rectangular format;
- (b) cover at least 60% of the principal display panel;
- (c) not be obscured by any outer packaging or by any other means; and
- (d) not be placed on the outer removable packaging.

(3) A person who sells a tobacco product shall, at the place where the tobacco product is sold, conspicuously display to the public the graphic health warning set out in Schedule 2.”.

Insertion of regulation 4A

6. The principal Regulations is amended by inserting after regulation 4 the following:

“Rotation requirement of Graphic Health Warning

4A. A person who manufactures, packages, sells or imports a tobacco product shall ensure that the graphic health warning required to be displayed on the principal display panel of the package is changed every six months, rotating an image from among the images set out in Set A and Set B respectively, set out in Schedule 1A.”.

Regulation 7 revoked and substituted

7. The principal Regulations is amended by revoking regulation 7 and substituting the following:

“Requirement to produce identification

7. (1) A person who sells a tobacco product shall require every person who requests to purchase a tobacco product to produce an official government identification document bearing a photograph and indicating the age of the person as evidence of proof of that person’s age for purposes of selling a tobacco product to the person.

(2) A tobacco product seller who

(a) does not require an identification document; or

(b) accepts a method of identification other than that stated under subregulation (1),

commits an offence and is liable to a fine of \$500.”.

Regulation 10 amended

8. The principal Regulations is amended in regulation 10 as follows:

(a) in subregulation (1)(a) by deleting the words “smoking is prohibited in at least seventy-five percent of the rooms in the hotel” and substituting the words “smoking is prohibited in the rooms in the hotel”;

(b) in subregulation (1)(b) by deleting the words “designated as a non-smoking room”; and

(c) by deleting subregulations (2), (3) and (4).

Regulation 11 amended

9. The principal Regulations is amended in regulation 11 by renumbering subregulations (4) and (5) as subregulations (3) and (4) respectively.

Insertion of Schedule 1A

10. The principal Regulations is amended by inserting immediately after Schedule 1 the following Schedule:

“SCHEDULE 1A

(Regulation 4(1))

**GRAPHIC HEALTH WARNINGS FOR USE ON PACKAGES
OF SMOKED TOBACCO PRODUCTS**

A.1 Set A graphic health warnings

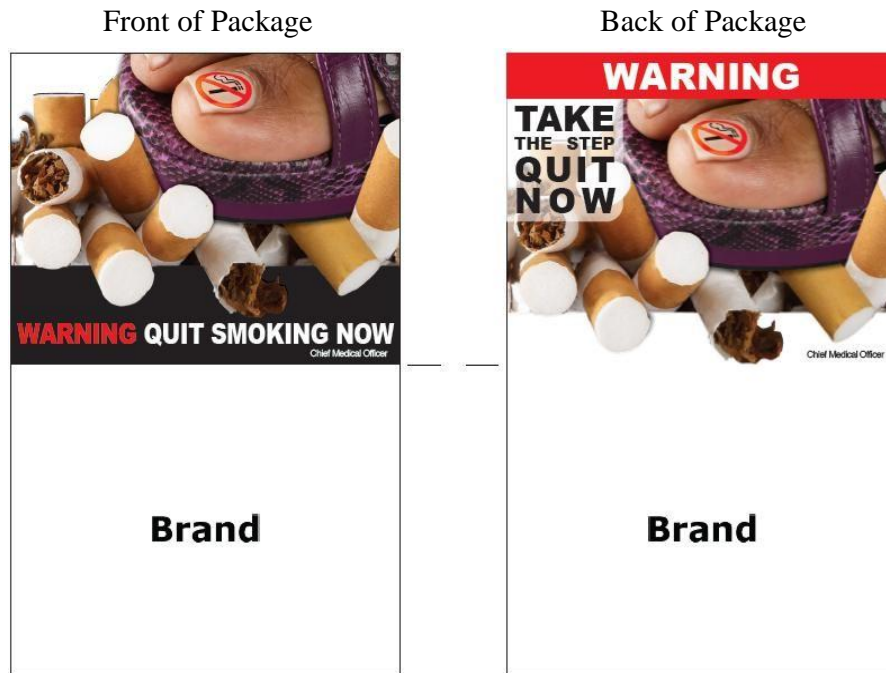


Figure A.1 – Set A graphic health warning 1

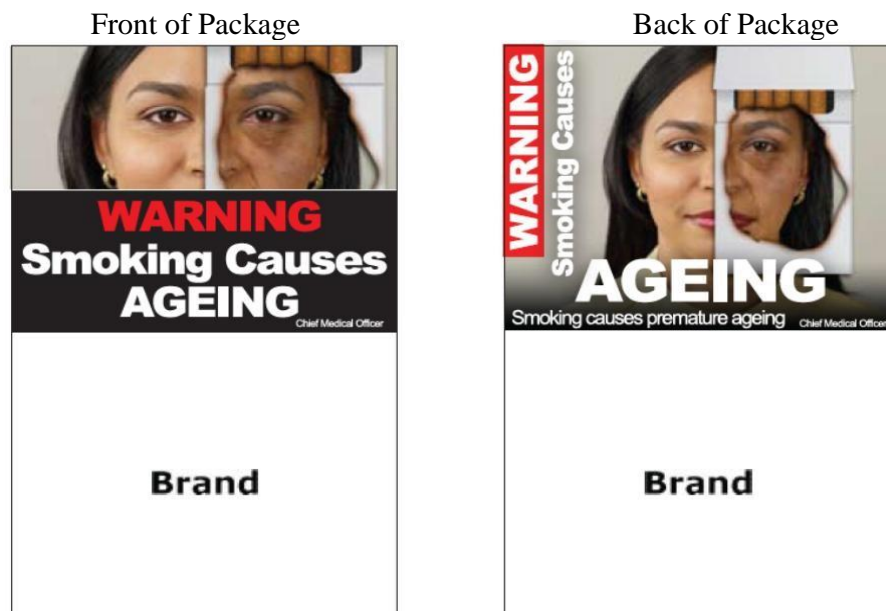


Figure A.2 – Set A graphic health warning 2

Front of Package



Back of Package

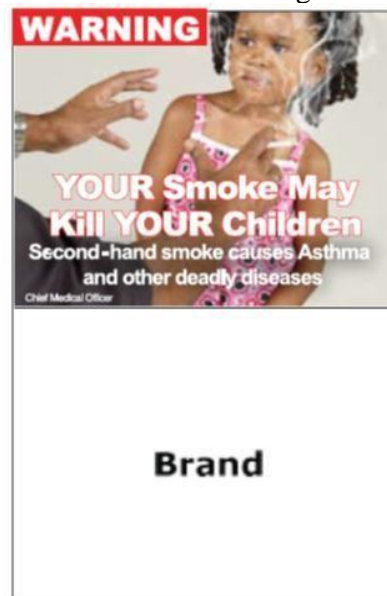


Figure A.3 – Set A graphic health warning 3

Front of Package



Back of Package



Figure A.4 – Set A graphic health warning 4

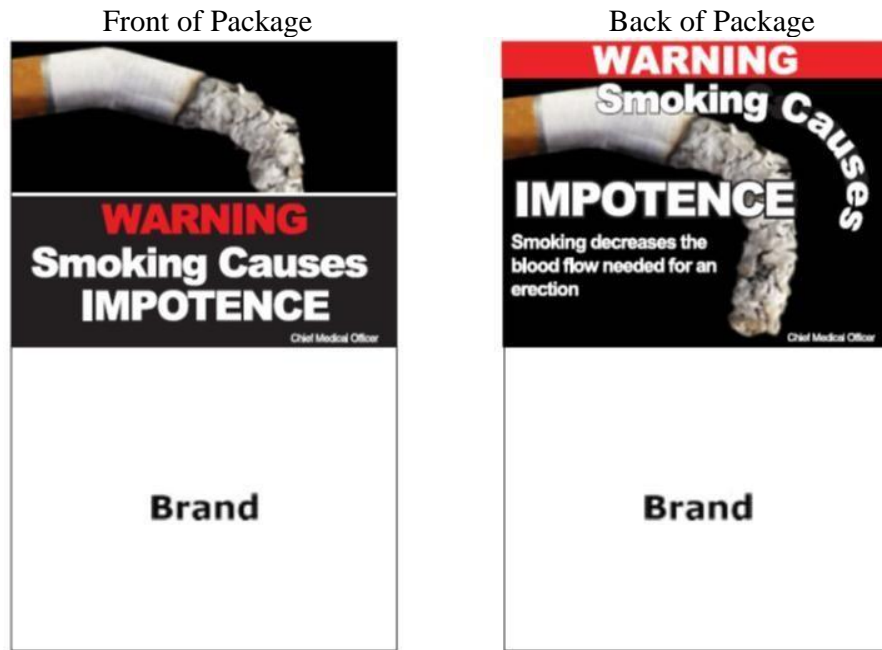


Figure A.5 – Set A graphic health warning 5

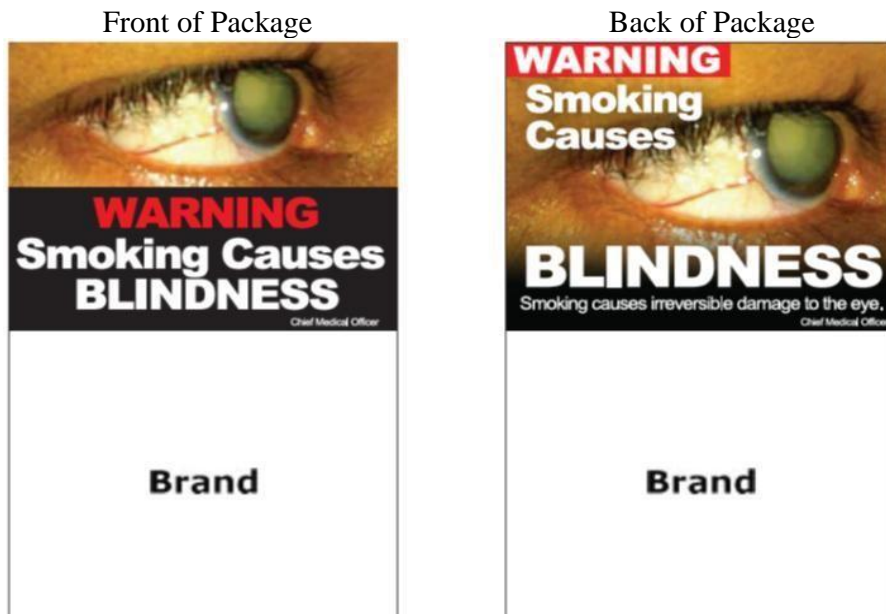


Figure A. 6– Set A graphic health warning 6

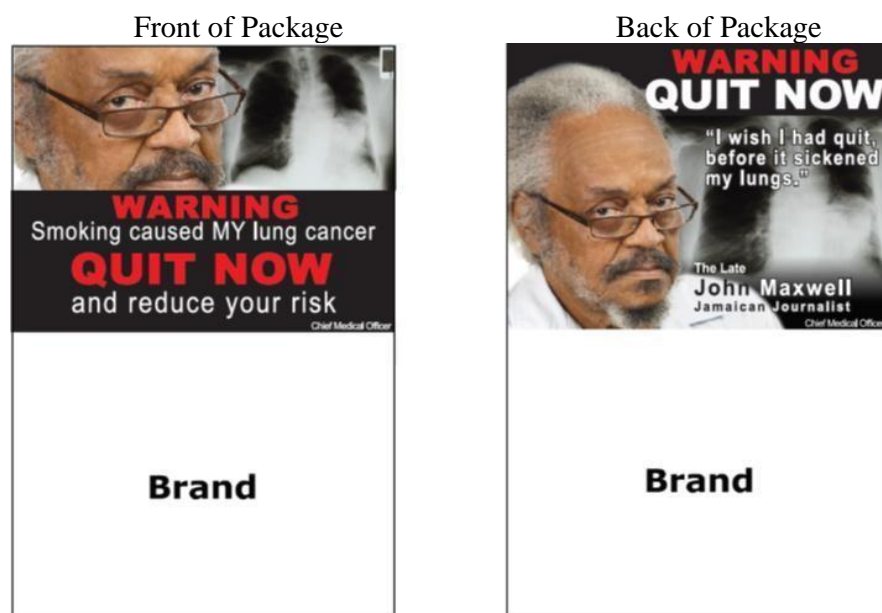


Figure A. 7– Set A graphic health warning 7



Figure A. 8– Set A graphic health warning 8

A.2 Set B graphic health warnings



Figure A.9 – Set B graphic health warning 1



Figure A.10 – Set B graphic health warning 2



Figure A.11 – Set B graphic health warning 3

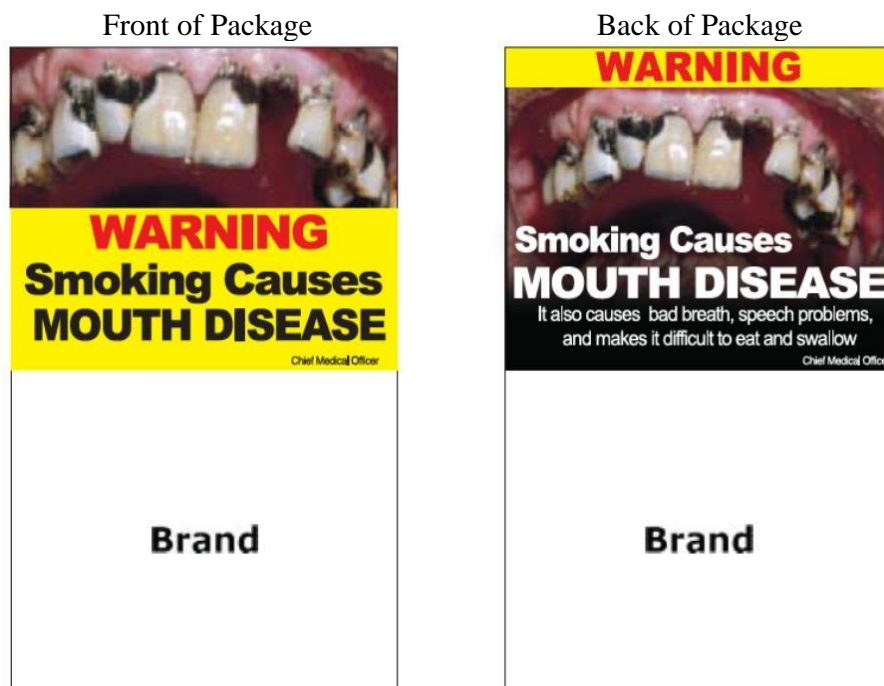


Figure A.12 – Set B graphic health warning 4

Front of Package



Back of Package

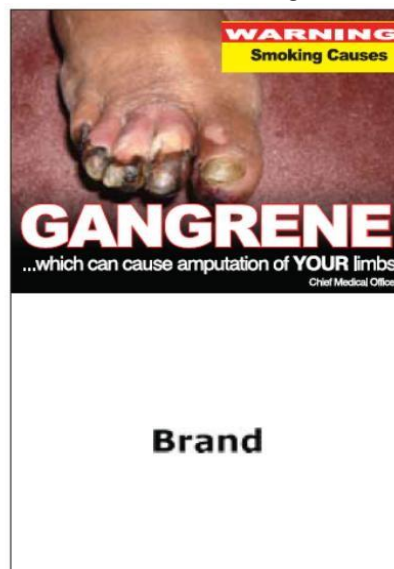


Figure A.13 – Set B graphic health warning 5

Front of Package



Back of Package



Figure A.14 – Set B graphic health warning 6

Front of Package

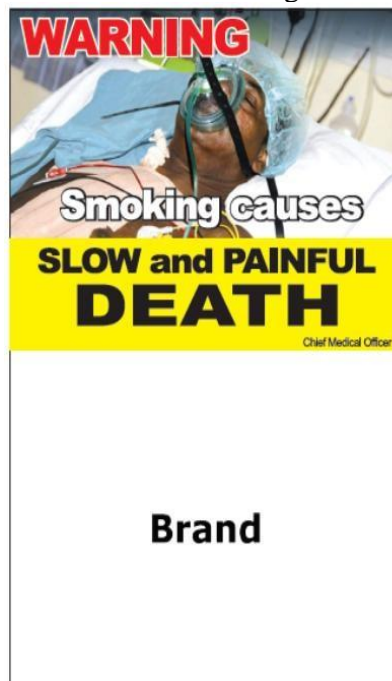


Back of Package



Figure A.15 – Set B graphic health warning 7

Front of Package



Back of Package



Figure A.16 – Set B graphic health warning 8

**GRAPHIC HEALTH WARNINGS FOR USE ON PACKAGES OF
SMOKELESS TOBACCO PRODUCTS**

B.1 Set A graphic health warnings



Figure B.1 – Set A graphic health warning 1



Figure B.2 – Set A graphic health warning 2

Front of Package



Back of Package



Figure B.3 – Set A graphic health warning 3

Front of Package



Back of Package

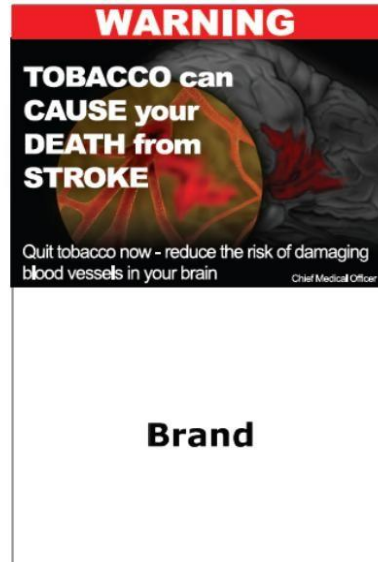


Figure B.4 – Set A graphic health warning 4

B.2 Set B graphic health warnings



Figure B.5 – Set B graphic health warning 1



Figure B.6 – Set B graphic health warning 2



Figure B.7 – Set B graphic health warning 3

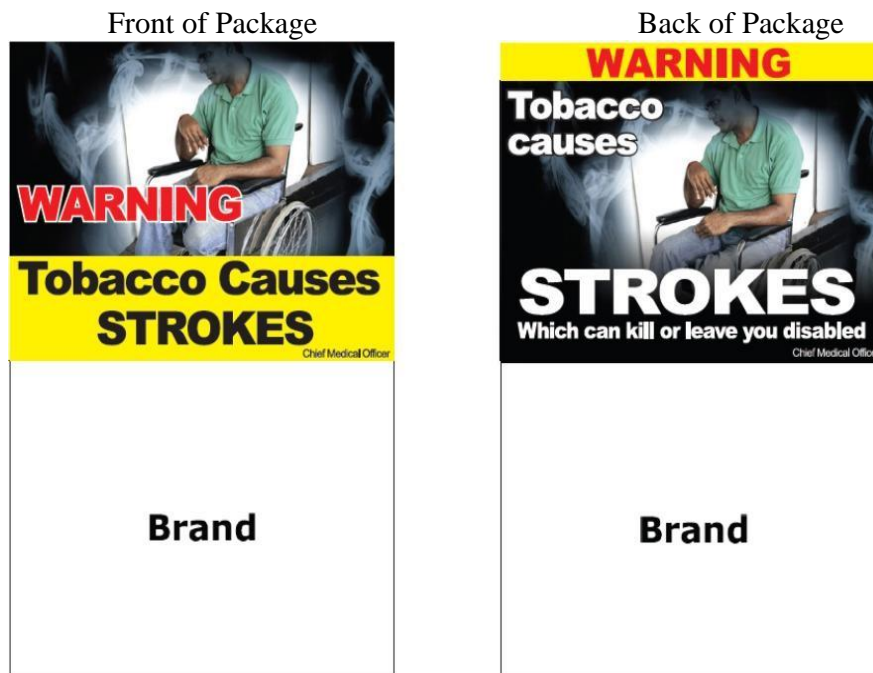


Figure B.8 – Set B graphic health warning 4

GRAPHIC HEALTH WARNINGS FOR USE ON CARTONS OF SMOKED TOBACCO

E.1 Set A graphic health warnings



Figure E.1 – Set A graphic health warning 1

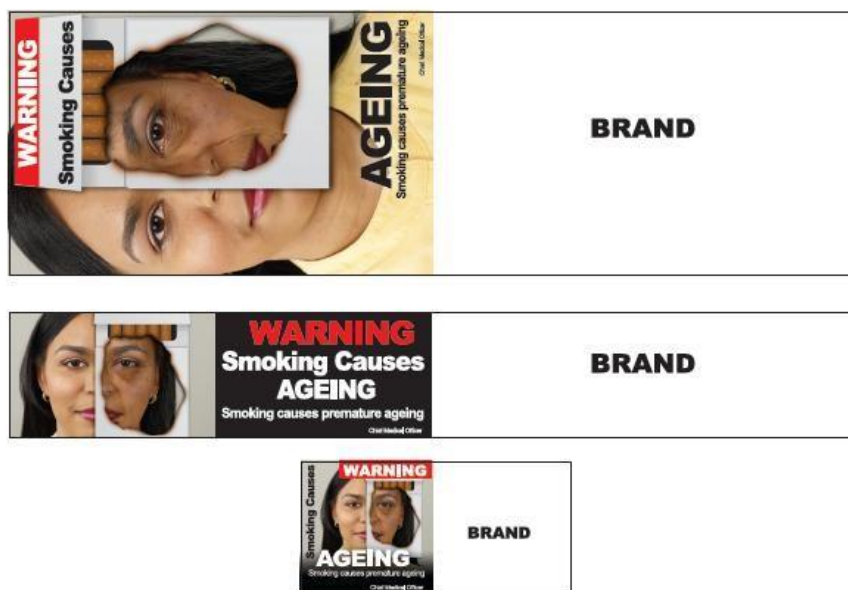


Figure E.2 – Set A graphic health warning 2



Figure E.3 – Set A graphic health warning 3



Figure E.4 – Set A graphic health warning 4



Figure E.5 – Set A graphic health warning 5



Figure E.6 – Set A graphic health warning 6

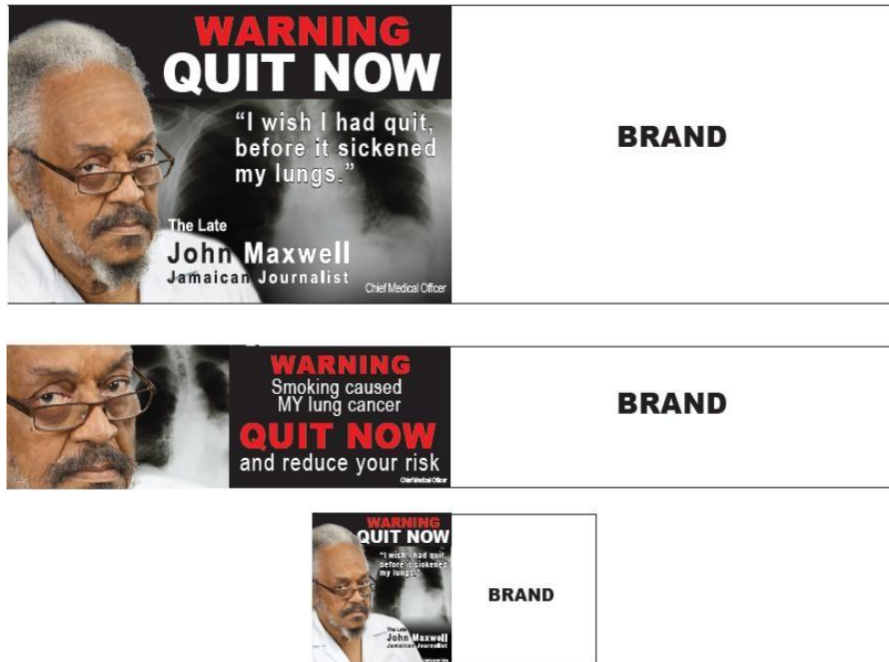


Figure E.7 – Set A graphic health warning 7



Figure E.8 – Set A graphic health warning 8

E.2 Set B graphic health warnings

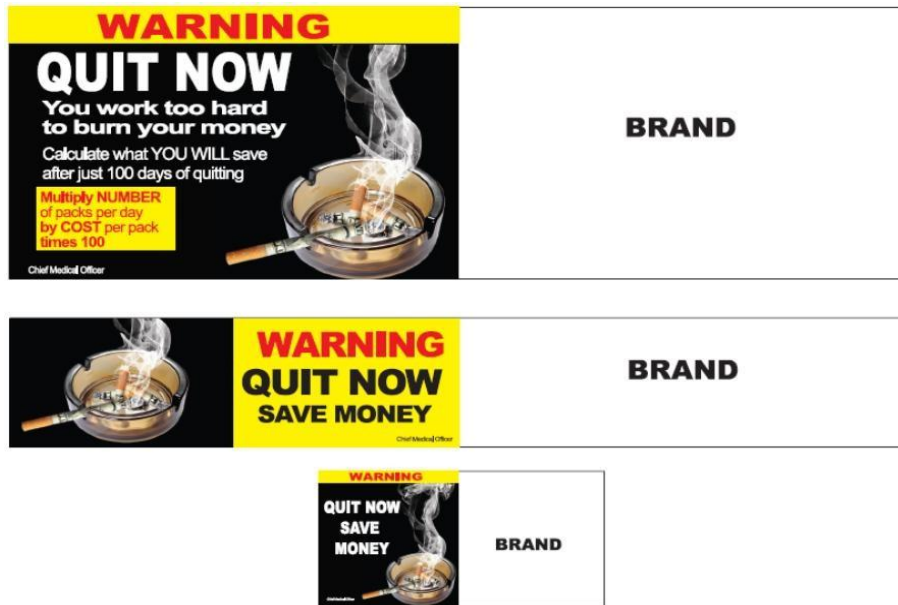


Figure E.9 – Set B graphic health warning 1



Figure E.10 – Set B graphic health warning 2



Figure E.11 – Set B graphic health warning 3



Figure E.12 – Set B graphic health warning 4

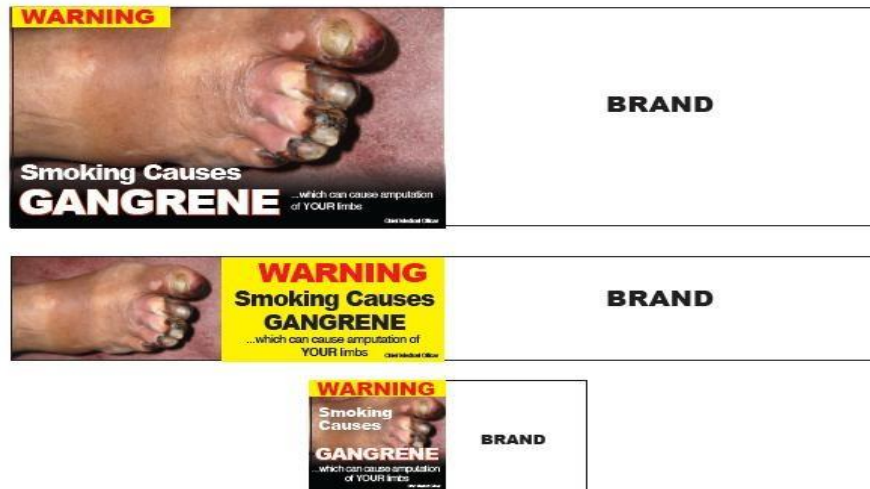


Figure E.13 – Set B graphic health warning 5

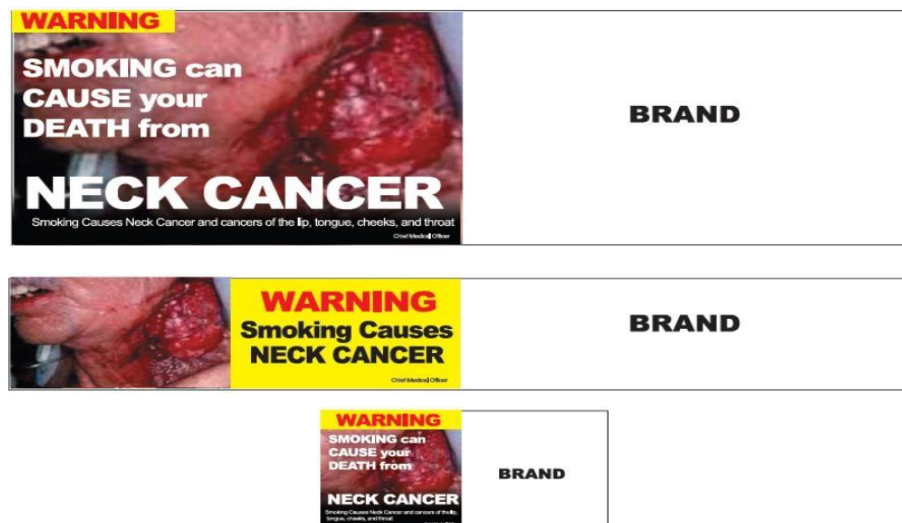


Figure E.14 – Set B graphic health warning 6



Figure E.15 – Set B graphic health warning 7



Figure E.16 – Set B graphic health warning 8”.

Schedule 2 amended

11. The principal Regulations is amended in Schedule 2 by deleting the words “(Regulation 4(2))” and substituting the words “(Regulation 4(3))”.

Schedule 4 revoked and substituted

12. The principal Regulations is amended by revoking Schedule 4 and substituting the following Schedule:

“SCHEDULE 4

(Regulation 11)

PENALTIES FOR OFFENCES COMMITTED UNDER THE ACT

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
3	Manufacturing, packaging, selling or importing a tobacco product, without the information required under subsections (1) and (2) on the package.	\$500.00	
4(1)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element otherwise than as provided under the Act.	\$500.00	
4(2)(a)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element in a manner to deceive or mislead a consumer or purchaser concerning its character, properties, toxicity, composition, merit or safety.	\$500.00	
4(2)(b)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element that does not display in the prescribed form or manner, the information required under section 3.	\$500.00	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
4(2)(c)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element through means of promotion that can be viewed from outdoors.	\$150.00	
4(2)(d)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element by utilising any item other than a tobacco product, or any physical establishment or vehicle of any kind, which bears the brand name (alone or in conjunction with any other word), trade-mark, trade distinguishing guise, logo, graphics arrangement, design, slogan, symbol, motto, selling message, or recognisable colour or pattern of colours, of any brand of tobacco product, or which bears any other indicia of product identification identical or similar to, or identifiable with those used with or those used for, any brand of tobacco product.	\$75.00	

4(2)(e)	Promoting or causing to be promoted, a tobacco product or a tobacco related brand element by utilising for the purpose of promoting any athletic, musical, artistic or any other social or cultural event, the brand name (alone or in conjunction with any other word), trade-mark, trade distinguishing guise, logo, graphics arrangement, design, slogan, symbol, motto, selling message, recognisable colour or pattern of colours, of any brand of tobacco product or any other indicia of product identification identical or similar to, or identifiable with those used with or those used for, any brand of tobacco product.	\$500.00	
4(4)	Offering or providing direct or indirect consideration for the purchase of a tobacco product, including a gift to a purchaser or a third party, bonus, premium, cash rebate or right to participate in a game, lottery or contest, or distribute a tobacco product without monetary consideration, or in consideration of the purchase of a product or service or the performance of a service.	\$150.00	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
5(1)	Selling or offering to sell a tobacco product to a person who is under 18 years of age.	\$500.00	
5(3)	Selling or offering to sell a tobacco product which is not packaged, and if packaged, in a package which does not contain the prescribed quantity or number of units.	\$150.00	
5(4)	Selling or offering to sell tobacco or a tobacco product in a place other than the prescribed place.	\$150.00	
5(5)	Selling or offering to sell a tobacco product or a tobacco brand element that is visibly seen by the general public at the point of sale.	\$250.00	
5(6)	Selling or offering to sell a tobacco product by means of a display that permits a person to handle the tobacco product before paying for it.	\$250.00	
5(7)	Selling or offering to sell a tobacco product through a vending machine, the mail, or through the internet.	\$250.00	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
5(8)	Selling or offering to sell a tobacco product at retail without signs bearing the health warning and other information, posted at the location where the retail is being undertaken, in accordance with the Act and Regulations.	\$250.00	
5(9)	Displaying an unapproved sign with respect to the legal age to purchase a tobacco or a tobacco related product at a place or premises where tobacco or tobacco related products are being sold.	\$250.00	
7	Smoking tobacco, holding a lighted tobacco or using tobacco products in: <p>(a) a public place; or</p> <p>(b) within 50 feet from the entrance, exit or open window of offices and office buildings, including public areas, corridors, lounges, eating areas, reception areas, elevators, escalators, foyers, stairways, restrooms, amenity areas, laundry rooms and individual offices; health institutions; educational</p>		\$150.00

	institutions; any premises in which children are cared for, for a fee; any means of transportation used for commercial, public or professional purposes and used by more than one person; public transportation terminals; retail establishments, including shopping malls; cinemas; concert halls; sports facilities; restaurants, bars, nightclubs and discotheques; pool and bingo halls; publicly owned facilities rented out for events; any other facilities, including beaches, accessible to the public; and any other facilities that employ paid personnel.		
8	An occupier of a public place failing to place in a prominent place, the prescribed signs that clearly indicate smoke-free zones.	\$500.00	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
8A	An occupier of a public place permitting smoking tobacco, holding a lighted tobacco or using tobacco products: (a) in that public place; or (b) within 50 feet of the entrance, exit or open window of that place, if the extended space is in the control of the occupier.	\$300.00 for the first offence. \$500.00 for the second offence. \$750.00 for the third offence; \$1,000.00 for any subsequent offence.	
8B	Smoking in a motor vehicle while a person who is under 18 years of age is present.		\$500.00
9(3)	Denying, obstructing or hindering a Tobacco Control Officer in the exercise of the powers of a Tobacco Control Officer under paragraphs (a), (b), (c) and (d).	\$250.00	\$100.00
9(4)	1. Refusing to return seized tobacco products which are found after seizure to meet the requirements of the Act and Regulations; and 2. Refusing to confiscate and destroy or subject to some other disposal as ordered by a court, a tobacco product found to be non-compliant with the Act and Regulations.		\$250.00

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Section	Offence	Penalty (Businesses)	Penalty (individual)
9(7)	<ol style="list-style-type: none"> 1. Hindering a Tobacco Control Officer in the performance of the duties of a Tobacco Control Officer; 2. Misleading a Tobacco Control Officer by concealment or false statements; and 3. Refusing to provide a Tobacco Control Officer with information or a document to which the Tobacco Control officer is entitled under the Act or Regulations. 	\$250.00	\$100.00”.

Made by the Minister this 19th day of June, 2025.

(Sgd.) Vincent Wheatley,
Minister for Health and Social Development.