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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 113 (C. 5)**

**CONSUMER PROTECTION**

**The Tobacco Advertising and Promotion Act 2002  
(Commencement No. 5) (Scotland) Order 2003**

*Made - - - - 24th February 2003*

The Scottish Ministers in exercise of the powers conferred on them by section 22(1) of the Tobacco Advertising and Promotion Act 2002<sup>(1)</sup> and all other powers enabling them in that behalf, hereby make the following Order:

**Citation, interpretation and extent**

1.—(1) This Order may be cited as the Tobacco Advertising and Promotion Act 2002 (Commencement No. 5) (Scotland) Order 2003.

(2) In this Order “section” means a section of the Tobacco Advertising and Promotion Act 2002.

(3) This Order extends to Scotland only.

**Appointed day**

2. 25th February 2003 is the appointed day for the coming into force of—

- (a) section 4(3) and (4);
- (b) section 11(1) to (3); and
- (c) section 20,

so far as not already in force.

St Andrew’s House, Edinburgh  
24th February 2003

*MARY MULLIGAN*  
Authorised to sign by the Scottish Ministers

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(1) 2002 c. 36; “appropriate Minister” is defined in section 21.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order, which extends to Scotland only, brings into force sections 4(3) and (4), 11(1) to (3) and 20 of the Tobacco Advertising and Promotion Act 2002 so far as not already in force.

An equivalent commencement order for England, Wales and Northern Ireland is intended to be made.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The provisions of the Tobacco Advertising and Promotion Act 2002 have been brought into force by the Tobacco Advertising and Promotion Act 2002 (Commencement) (Scotland) Order 2002 ([S.S.I. 2002/512 \(C. 26\)](#)), the Tobacco Advertising and Promotion Act 2002 (Commencement No. 4) (Scotland) (Amendment and Transitional Provisions) Order 2003 ([S.S.I. 2003/80 \(C. 3\)](#)) and this Order, except—

- (a) section 2 in relation to any tobacco advertisement which is, or is to be, published, printed, devised or distributed solely for the promotion of a tobacco product in a place or on a website where tobacco products are offered for sale;
- (b) sections 2, 3, 9 and 10 where the transitional provisions relating to brandsharing apply; and
- (c) section 22, which commenced on Royal Assent.