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SCOTTISH STATUTORY INSTRUMENTS

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**2024 No. 1 (C. 1)**

**PUBLIC HEALTH**

**The Health (Tobacco, Nicotine etc. and Care) (Scotland)  
Act 2016 (Commencement No. 6) Regulations 2024**

<i>Made</i>	- - - -	<i>9th January 2024</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>11th January 2024</i>
<i>Coming into force</i>	- -	<i>31st January 2024</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 36(2) of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (Commencement No. 6) Regulations 2024 and come into force on 31 January 2024.

**Appointed day**

2. 31 January 2024 is the day appointed for the coming into force of section 17 (Advertising and brandsharing), section 18 (Free distribution and nominal pricing) and section 19 (Sponsorship) of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016.

St Andrew's House,  
Edinburgh  
9th January 2024

*JENNI MINTO*  
Authorised to sign by the Scottish Ministers

**Status:** This is the original version (as it was originally made).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 Regulations)*

These Regulations bring into force section 17 (Advertising and brandsharing), section 18 (Free distribution and nominal pricing) and section 19 (Sponsorship) of the Health (Tobacco, Nicotine etc. and Care (Scotland) Act 2016 (“the Act”), being the remaining provisions of the Act to be commenced.

Regulation 2 provides that the day appointed for these sections to come into force is 31 January 2024.

The Bill for the Act received Royal Assent on 6<sup>th</sup> April 2016. Sections 34, 35, 36 and 37 of the Act came into force the following day.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 have been brought into force by commencement regulations made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 1	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 2 for the purpose of making regulations	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 2 for all other purposes	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 3	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 4 for the purpose of making regulations	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 4 for all other purposes	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Sections 5 to 7	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 8 for the purpose of making regulations	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 8 for all other purposes	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(1) for the purpose of making regulations	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(1) for all other purposes	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(2), (3) and (4)	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 10 for the purpose of making regulations	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 10 for all other purposes	1 October 2017	<a href="#">S.S.I. 2017/12</a>
Section 11	1 October 2017	<a href="#">S.S.I. 2017/12</a>
Section 12	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 13	6 February 2017	<a href="#">S.S.I. 2017/12</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 14	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 15(1) and (2)	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 15(3), (4), (5), (6), (7) and (8)	1 October 2017	<a href="#">S.S.I. 2017/12</a>
Section 15(9), (10) and (11)	1 April 2017	<a href="#">S.S.I. 2017/12</a>
Section 16	6 February 2017	<a href="#">S.S.I. 2017/12</a>
Section 20 for the purpose of making regulations	2 March 2022	<a href="#">S.S.I. 2022/43</a>
Section 20 for all other purposes	5 September 2022	<a href="#">S.S.I. 2022/43</a>
Section 21 for the purpose of making regulations	1 October 2017	<a href="#">S.S.I. 2017/294</a>
Section 22 for the purpose of making regulations	1 October 2017	<a href="#">S.S.I. 2017/294</a>
Section 23 for the purpose of making regulations	1 October 2017	<a href="#">S.S.I. 2017/294</a>
Section 25(1) for the purpose of making regulations	1 October 2017	<a href="#">S.S.I. 2017/294</a>
Sections 21 to 25, for all other purposes	1 April 2018	<a href="#">S.S.I. 2018/56</a>
Sections 26 to 32	1 October 2017	<a href="#">S.S.I. 2017/294</a>
Section 33	19 March 2018	<a href="#">S.S.I. 2018/26</a>