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## EXPLANATORY NOTE

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

This Order brings into force all of the provisions of the Tobacco Advertising and Promotion Act 2002 except for—

- (a) section 2 in relation to any tobacco advertisement which is, or is to be, published, printed, devised or distributed solely—
  - (i) for the promotion of a tobacco product in a place or on a website where tobacco products are offered for sale; or
  - (ii) in circumstances in which the tobacco advertisement uses the name, emblem or other feature of a tobacco product in connection with a product (other than a tobacco product) which has a function in addition to that of carrying advertising and the advertisement is not published in a newspaper, periodical or other electronic or paper publication or carried on a billboard, wall or other fixed or moveable surface which serves a function similar to that of a billboard; and
- (b) section 22 (which commenced on Royal Assent).

Article 2(1) appoints for the purposes of making regulations 20th November 2002 for sections 1, 4(3) and (4), 11(1) to (3), 19, 20 and 21.

Article 2(2) appoints 14th February 2003 for the purposes of sections 1 (in so far as not already in force), 3, 4 (in so far as not already in force), 5 to 8, and 10 and 12 to 18 and 21 (in so far as not already in force) and for certain purposes sections 2, 9 and 11.

Article 2(3) appoints 14th May 2003 for the remaining purposes of sections 2 (except as specified in paragraph 1 above) and section 9 (so far as not already in force).

There is no earlier commencement order.

This order does not apply to Scotland.