

2003 No. 77

**PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, NORTHERN IRELAND**

**The Tobacco Advertising and Promotion (Sponsorship)
Transitional Regulations 2003**

Made - - - - - 21st January 2003

Laid before Parliament 23rd January 2003

Coming into force 14th February 2003

The Secretary of State, in exercise of the powers conferred by sections 19(2) and 20 of the Tobacco Advertising and Promotion Act 2002(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Tobacco Advertising and Promotion (Sponsorship) Transitional Regulations 2003 and shall come into force on 14th February 2003.

(2) These Regulations extend to England, Wales and Northern Ireland.

Interpretation

2. In these Regulations:—

the “Act” means the Tobacco Advertising and Promotion Act 2002;

“exceptional global event” means an event or activity that takes place in at least two continents and three sovereign States.

Sponsorship

3.—(1) Subject to paragraph (2), section 10 of the Act shall not apply before 30th July 2003 to a sponsorship agreement which was in existence on 11th July 2001, including any agreement renewed since that date, provided that in the case of an agreement renewed since 11th July 2001, the amount spent on sponsorship pursuant to the agreement in any 12 month period does not exceed the amount spent in the 12 months ending on 11th July 2001.

(2) Section 10 of the Act shall not apply before 31st July 2005 to a sponsorship agreement which was in existence on 11th July 2001, including any agreement renewed since that date, which relates to an exceptional global event, provided that—

(a) the amount spent on sponsorship pursuant to the agreement in the 12 months ending on 11th July 2001 was to the value of at least £2.5 million; and

(b) after 29th July 2003,

(i) the amount spent on sponsorship pursuant to the agreement decreases at an annual rate of not less than 20 per cent compared to the previous year; and

(a) 2002 c.36. The powers are exercisable by the appropriate Minister, who is defined in section 21, in relation to England, Wales and Northern Ireland, as the Secretary of State.

- (ii) the total area of visible advertisements at any part of the exceptional global event taking place within the United Kingdom is reduced each year by not less than 20 per cent compared to the previous year.

Signed by authority of the Secretary of State for Health

21st January 2003

Hazel Blears
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for certain time limited exceptions to the prohibition of sponsorship in section 10 of the Tobacco Advertising and Promotion Act 2002.

Regulation 3(1) provides (subject to paragraph (2)) that section 10 shall not apply before 30th July 2003 to a sponsorship agreement in existence on 11th July 2001, or renewed since that date, subject to the specified limitations on expenditure not being exceeded.

Regulation 3(2) provides that section 10 shall not apply before 31st July 2005 to a sponsorship agreement relating to an exceptional global event in existence on 11th July 2001, or renewed since that date, subject to there being a decrease in the amount spent on that advertising and to the reduction of the area of visible tobacco advertisements year on year.

“Exceptional global event” is defined in regulation 2.

A Regulatory Impact Assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from the CVD & Cancer Prevention – Tobacco Policy Team, Room 705, Department of Health, Wellington House, 133–155 Waterloo Road, London SE1 8UG.

£1.50

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E0088 2/03 ON (MFK)