
STATUTORY INSTRUMENTS

2006 No. 2369

**Tobacco Advertising and Promotion Act
2002 etc. (Amendment) Regulations 2006**

Advertising by information society services

3. After section 3 (advertising: newspapers, periodicals etc) of the Act insert—

“Advertising: information society services

3A.—(1) This subsection applies where by means of an information society service, provided in the course of a business, a tobacco advertisement is published—

- (a) in the United Kingdom, or
- (b) in an EEA State other than the United Kingdom, by a service provider established in the United Kingdom.

(2) Where subsection (1) applies—

- (a) any proprietor of the information society service or any editor of the information contained in the information society service is guilty of an offence, and
- (b) any person who (directly or indirectly) procured the inclusion of the tobacco advertisement in the information contained in the information society service is guilty of an offence.”.