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## EXPLANATORY NOTE

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

These Regulations make provision for exemptions in relation to specialist tobacconists from the prohibition of tobacco advertisements imposed by section 2 of the Tobacco Advertising and Promotion Act 2002 (“the Act”) and the prohibition of tobacco displays imposed by section 7A of the Act. Specialist tobacconists are shops that sell tobacco products by retail more than half of whose sales derive from the sale of cigars, snuff, pipe tobacco and smoking accessories.

Regulation 2 allows the publication of advertisements for tobacco products, other than cigarettes or hand-rolling tobacco, in specialist tobacconists provided that the advertisement is not visible from outside of the premises, and contains the required health warning and health information, in the required form.

Regulation 3 allows the display of tobacco products, including cigarettes and hand-rolling tobacco, in specialist tobacconists if the tobacco products are not visible from outside of the premises.

The Tobacco Advertising and Promotion (Specialist Tobacconists) Regulations 2004 are revoked by regulation 4.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Tobacco Programme, Department of Health, Room 712, Wellington House, 133-155 Waterloo Road, London SE1 8UG and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website ([www.opsi.gov.uk](http://www.opsi.gov.uk)).