
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 144

**The Tobacco Advertising and Promotion
(Point of Sale) (Scotland) Regulations 2004**

Interpretation

2. In these Regulations—

“A5 size” means the size of an area of any shape which is equal to the area of size A5 in the A series of paper sizes defined in BS EN ISO 216: 2001(1);

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

“advertisement” means a tobacco advertisement, except an advertisement which is not for cigarettes or hand-rolling tobacco which is in, or fixed to the outside of the premises of, a specialist tobacconist;

“gantry or display unit” means a gantry, display cabinet, tray or other product in which a tobacco product is held pending sale that is—

- (a) fixed to one place within fixed or movable premises; and
- (b) primarily used for the display of tobacco products to customers;

“group of companies” means a holding company and its subsidiaries within the meaning of section 736 (interpretation) of the Companies Act 1985(2);

“other feature” means a logo, trademark, symbol, motto, print, type face, colour or pattern of colour, picture, artwork, imagery, appearance, message or other indication that constitutes all or part of the recognisable identity of a product; and

“point of sale” has the meaning given to it in regulation 3.

(1) Copies of BS EN ISO 216: 2001 can be obtained from the British Standards Institute, 389 Chiswick High Road, London, W4 4AL

(2) 1985 c. 6. Section 736 was substituted by the Companies Act 1989 (c. 40), section 144.