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SCOTTISH STATUTORY INSTRUMENTS

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**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<sup>(1)</sup>;

“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<sup>(2)</sup>;

“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.

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

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