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STATUTORY INSTRUMENTS

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**2016 No. 507**

**The Tobacco and Related Products Regulations 2016**

**PART 7**

Electronic cigarette advertising

**Amendment of section 319 of and Schedule 11A to the Communications Act 2003 (product placement of electronic cigarettes on television)**

**45.**—(1) Section 319 of the Communications Act 2003 <sup>M1</sup> (OFCOM's standards code) is amended as follows—

- (a) at the beginning of subsection (9) insert “ Subject to subsection (10), ”;
- (b) after subsection (9) insert—

“(10) So far as relating to product placement falling within paragraph 4(ba) of Schedule 11A (electronic cigarettes and electronic cigarette refill containers), subsection (2)(fa) applies only in relation to programmes the production of which begins after 19th May 2016.”.

(2) In Schedule 11A (Restrictions on Product Placement)—

- (a) at the end of paragraph 4(b) omit “or”;
- (b) after paragraph 4(b) insert—
  - (i) “(ba) of electronic cigarettes or electronic cigarette refill containers; or”;
- (c) in paragraph 6(2)(a) omit “electronic or smokeless cigarettes, ”;
- (d) in paragraph 9 after the definition of “connected” insert—
  - ““electronic cigarette” has the meaning given in section 368R;
  - “electronic cigarette refill container” has the meaning given in section 368R;”.

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**Marginal Citations**

**M1** 2003 c.21. Relevant amendments were made by [S.I. 2010/831](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Tobacco and Related Products Regulations 2016, Section 45.