



# Tobacco Advertising and Promotion Act 2002

## 2002 CHAPTER 36

### 8 Displays

(1) A person who in the course of a business displays or causes to be displayed tobacco products or their prices [<sup>F1</sup>in a place or] on a website where tobacco products are offered for sale is guilty of an offence if the display does not comply with such requirements (if any) as may be specified by the appropriate Minister in regulations.

[<sup>F2</sup>(1A) A service provider established in Scotland is guilty of an offence if, in the course of providing information society services, the provider does anything in an EEA State other than the United Kingdom which, if done in Scotland, would constitute an offence under subsection (1). ]

[<sup>F3</sup>(2) Nothing in subsection (1) makes it an offence for a service provider established outside the United Kingdom to do anything in the course of providing information society services.]

(3) [<sup>F4</sup> The regulations may, in particular, provide for the meaning of “ place ” in subsection (1). ]

(4) The regulations must make provision for a display which also amounts to an advertisement to be treated for the purpose of offences under this Act—

- (a) as an advertisement and not as a display, or
- (b) as a display and not as an advertisement.

#### Textual Amendments

- F1** Words in s. 8(1) repealed (S.) (3.3.2010) by [Tobacco and Primary Medical Services \(Scotland\) Act 2010 \(asp 3\)](#), s. 43(2), [Sch. 2 para. 4\(a\)](#)
- F2** S. 8(1A) inserted (12.1.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(7)(b), [Sch. 4 para. 4\(3\)](#) (with [Sch. 4 para. 4\(6\)](#))
- F3** S. 8(2) substituted (12.1.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(7)(b), [Sch. 4 para. 4\(4\)](#)

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*Status: Point in time view as at 03/03/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002, Section 8. (See end of Document for details)*

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- F4** S. 8(3) repealed (S.) (3.3.2010) by [Tobacco and Primary Medical Services \(Scotland\) Act 2010 \(asp 3\)](#), s. 43(2), [Sch. 2 para. 4\(b\)](#)

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**Commencement Information**

- I1** S. 8 wholly in force at 14.2.2003; s. 8 not in force at Royal Assent see s. 22(1)(2); s. 8 wholly in force at 14.2.2003 by [S.I. 2002/2865, art. 2\(2\)\(e\)](#); [S.S.I. 2002/512, art. 2\(2\)\(e\)](#)

**Status:**

Point in time view as at 03/03/2010. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002, Section 8.