
STATUTORY INSTRUMENTS

2006 No. 2369

**CONSUMER PROTECTION
ELECTRONIC COMMUNICATIONS**

**Tobacco Advertising and Promotion Act
2002 etc. (Amendment) Regulations 2006**

Made - - - - *24th August 2006*
Laid before Parliament *7th September 2006*
Coming into force - - *28th September 2006*

The Secretary of State for Health makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1).

The Secretary of State has been designated(2) for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures relating to the direct or indirect promotion of tobacco products and in relation to information society services.

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- (1) [1972 c.68](#). By virtue of the amendment to section 1(2) of the European Communities Act 1972 by section 1 of the European Economic Area Act [1993 \(c.51\)](#), regulations may be made under section 2(2) of the European Communities Act to implement obligations of the United Kingdom created or arising by or under the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (Cm 2073) and the Protocol adjusting the Agreement signed at Brussels on 17th March 1993 (Cm 2183).
- (2) *See* [SI 1999/654](#) and [SI 2001/2555](#). In relation to measures in these Regulations relating to the direct or indirect promotion of tobacco products, the power of the Secretary of State under section 2(2) of the European Communities Act 1972 is exercisable in relation to Scotland by virtue of section 57(1) of the Scotland Act [1998 \(c.46\)](#).