

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Tobacco Advertising and Promotion Act 2002 etc. (Amendment) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## STATUTORY INSTRUMENTS

# 2006 No. 2369

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

PROSPECTIVE

### Advertising by information society services

3. After section 3 (advertising: newspapers, periodicals etc) of the Act insert—

#### “Advertising: information society services

3A.—(1) This subsection applies where by means of an information society service, provided in the course of a business, a tobacco advertisement is published—

- (a) in the United Kingdom, or
- (b) in an EEA State other than the United Kingdom, by a service provider established in the United Kingdom.

(2) Where subsection (1) applies—

- (a) any proprietor of the information society service or any editor of the information contained in the information society service is guilty of an offence, and
- (b) any person who (directly or indirectly) procured the inclusion of the tobacco advertisement in the information contained in the information society service is guilty of an offence.”.

#### Commencement Information

**11** Reg. 3 in force at 28.9.2006, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- reg. 3 coming into force by [S.I. 2006/2369](#) reg. 1(1)