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STATUTORY INSTRUMENTS

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**2010 No. 445**

**The Tobacco Advertising and Promotion  
(Display) (England) Regulations 2010**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Tobacco Advertising and Promotion Act 2002;

“area of storage unit” means the total area of the storage unit in which tobacco products and any other products are visible;

“bulk tobacconist” means a shop selling tobacco products (whether or not it also sells other products) whose sales of cigarettes or hand-rolling tobacco, measured in accordance with paragraph (2), comply with the following conditions—

- (a) at least 90% of its cigarette sales are in pre-packed quantities of 200 or more cigarettes in their original package, and the remainder in pre-packed quantities of 100 or more cigarettes in their original package; and
- (b) at least 90% of its hand-rolling tobacco sales are in pre-packed quantities with a weight of 250 grams or more in their original package, and the remainder in pre-packed quantities with a weight of 125 grams or more in their original package;

“original package” means the package in which the cigarettes or hand-rolling tobacco were supplied for the purpose of retail sale by the manufacturer or importer;

“package” means any box, carton or other container;

“premises” includes any place and any vehicle, vessel, hovercraft, stall or moveable structure;

“shop” means any premises where there is carried on a trade or business consisting wholly or mainly of the sale of goods;

“storage unit” means a gantry, cabinet or unit, tray, shelf or other product in which a tobacco product is held pending sale.

(2) The sales referred to in the definition of “bulk tobacconist” are to be measured by sale price—

- (a) during the most recent period of twelve months for which accounts are available; or
- (b) during the period for which the shop has been established, if it has not been established long enough for twelve months’ accounts to be available.