



# Tobacco Advertising and Promotion Act 2002

## 2002 CHAPTER 36

### 19 Regulations

- (1) Powers<sup>[F1]</sup> of the Secretary of State, the Welsh Ministers and the Scottish Ministers ] to make regulations and orders under this Act are exercisable by statutory instrument.
- [F2(1A) Powers of the Department of Health, Social Services and Public Safety to make regulations under this Act are exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.]
- (2) Regulations, and orders under section 7, may make—
- different provision for different cases or circumstances, and
  - any supplementary, consequential or transitional provision which the appropriate Minister (or the Secretary of State) considers necessary or desirable.
- [F3(3) No statutory instrument containing an order under section 7 or regulations under sections 7C, 7D, 8, 9 or 11 is to be made—
- by the Secretary of State unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament;
  - by the Welsh Ministers unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales;
  - by the Scottish Ministers unless a draft of the instrument has been laid before and approved by a resolution of the Scottish Parliament.
- (4) In any other case, a statutory instrument containing regulations made under this Act—
- by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament;
  - by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales;
  - by the Scottish Ministers is subject to annulment in pursuance of a resolution of the Scottish Parliament.

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**Changes to legislation:** There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002, Section 19. (See end of Document for details)

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- (5) The Department of Health, Social Services and Public Safety may not make regulations under section 7C unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (6) In any other case, regulations made by the Department of Health, Social Services and Public Safety under this Act are to be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.]

#### Textual Amendments

- F1** Words in s. 19(1) inserted (12.11.2009 for specified purposes, 6.4.2012 for E. in so far as not already in force, 31.10.2012 for N.I. in so far as not already in force, 3.12.2012 for W. in so far as not already in force) by [Health Act 2009 \(c. 21\)](#), s. 40(1)(6)(c), [Sch. 4 para. 11\(2\)](#); [S.I. 2010/1068](#), art. 2(1A)(b)(iv) (as amended (9.5.2011) by [S.I. 2011/1255](#), art. 2(a)(b)); [S.R. 2012/389](#), art. 2(1)(b)(v); [S.I. 2012/1288](#), art. 2(2)(b)(iii)
- F2** [S. 19\(1A\)](#) inserted (12.11.2009 for specified purposes, 6.4.2012 for E. in so far as not already in force, 31.10.2012 for N.I. in so far as not already in force, 3.12.2012 for W. in so far as not already in force) by [Health Act 2009 \(c. 21\)](#), s. 40(1)(6)(c), [Sch. 4 para. 11\(3\)](#); [S.I. 2010/1068](#), art. 2(1A)(b)(iv) (as amended (9.5.2011) by [S.I. 2011/1255](#), art. 2(a)(b)); [S.R. 2012/389](#), art. 2(1)(b)(v); [S.I. 2012/1288](#), art. 2(2)(b)(iii)
- F3** [S. 19\(3\)-\(6\)](#) substituted for s. 19(3)-(5) (12.11.2009 for specified purposes, 6.4.2012 for E. in so far as not already in force, 31.10.2012 for N.I. in so far as not already in force, 3.12.2012 for W. in so far as not already in force) by [Health Act 2009 \(c. 21\)](#), s. 40(1)(6)(c), [Sch. 4 para. 11\(4\)](#); [S.I. 2010/1068](#), art. 2(1A)(b)(iv) (as amended (9.5.2011) by [S.I. 2011/1255](#), art. 2(a)(b)); [S.R. 2012/389](#), art. 2(1)(b)(v); [S.I. 2012/1288](#), art. 2(2)(b)(iii)

#### Commencement Information

- I1** S. 19 not in force at Royal Assent see s. 22(1)(2); s. 19 in force for certain purposes at 20.11.2002 and in force so far as not already in force at 11.2.2003 for E.W.N.I. and 12.2.2003 for S. by [S.I. 2002/2865](#), [art. 2\(1\)\(d\)\(1A\)](#) (as amended by [S.I. 2003/258](#), [art. 2\(2\)](#)) and [S.S.I. 2002/512](#), [art. 2\(1\)\(d\)\(1A\)](#) (as amended by [S.S.I. 2003/80](#), [art. 2\(2\)](#))
- I2** S. 19 in force at 11.2.2003 for E.W.N.I. so far as not already in force by [S.I. 2002/2865](#), [art. 2\(1A\)](#)
- I3** S. 19 in force at 12.2.2003 for S. so far as not already in force by [S.S.I. 2002/512](#), [art. 2\(1A\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002, Section 19.