



Notification Number: 2010/284/UK

The Tobacco and Primary Medical Services (Scotland) Act 2010 (Display of Tobacco and Prices) Regulations.

Date received : 06/05/2010
End of Standstill : 02/08/2010 (01/11/2010)
Issue of detailed opinion by : Greece, Portugal

Message

Message 001

Communication from the Commission - SG(2010) D/51167

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2010/0284/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201001167.EN)

1. Structured Information Line

MSG 001 IND 2010 0284 UK EN 06-05-2010 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Innovation & Enterprise Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

Scottish Government (SG), 1 Regent Road, Edinburgh, EH1 3DG



4. Notification Number

2010/0284/UK - X00M

5. Title

The Tobacco and Primary Medical Services (Scotland) Act 2010 (Display of Tobacco and Prices) Regulations.

6. Products Concerned

Tobacco and smoking related products.

7. Notification Under Another Act

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8. Main Content

8. Section 1 of the relevant primary legislation makes it an offence to display tobacco products or smoking related products in a place where tobacco products are also for sale. The legislation exempts from that ban certain displays in specialist tobacconists, as defined in the Tobacco Advertising and Promotion Act 2002. The primary legislation allows Scottish Ministers to prescribe circumstances in which other retail premises may display tobacco and smoking related products and allows Scottish Ministers to prescribe requirements for the display of prices for tobacco or smoking related products in places where tobacco products are also for sale.

These draft regulations allow three categories of display: requested display, incidental display and, only for bulk tobacconists and duty free shops, display within a tobacco area. "Requested display" is a display to a person following a particular request by that person to buy, or for information about, a tobacco or smoking related product. An area no greater than 120 square centimetres can be displayed when retrieving a product for a requested display. Incidental display is defined as a display to any person in relation to carrying out activities in the ordinary course of business. Activities are set out in the regulations and include such things as cleaning and stocktaking. Under the terms of these regulations retailers will be allowed to display price lists and price labels. Retailers will also be able to provide a price list available only on request. These regulations stipulate the size, format and content of such price lists. Only the price list available on request can display a picture of the products.

9. Brief Statement of Grounds

The policy aim of these regulations is to protect children and young people under 18 from the promotion of tobacco through the display of tobacco and smoking related products in places where tobacco is for sale, whilst minimising the impact on tobacco retailers.

10. Reference Documents - Basic Texts

References of the Basic Texts: Sections 1, 2 and 3 of the Tobacco and Primary Medical Services (Scotland) Act 2010. Section 6 of the Tobacco Advertising and Promotion Act 2002.

11. Invocation of the Emergency Procedure

No



12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Page 44 of attached consultation document on draft regulations

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

Catherine Day
General Secretary
European Commission

Contact point Directive 98/34
Fax: (32-2) 296 76 60
email: dir83-189-central@ec.europa.eu