



Notification Number: 2012/64/UK

The Sale of Tobacco (Display of Tobacco Products and Prices) (Scotland) Regulations 2012

Date received : 01/02/2012

End of Standstill : 02/05/2012

Message

Message 001

Communication from the Commission - SG(2012) D/5251

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 : 2012/0064/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία 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: 201200251.EN)

1. Structured Information Line

MSG 001 IND 2012 0064 UK EN 01-02-2012 UK NOTIF

2. Member State

UK

3. Department Responsible

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

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

3. Originating Department

The Scottish Government



4. Notification Number

2012/0064/UK - B00

5. Title

The Sale of Tobacco (Display of Tobacco Products and Prices) (Scotland) Regulations 2012

6. Products Concerned

These draft regulations concern the display in the course of business of tobacco products and smoking related products in places where tobacco products are offered for sale. They also regulate the display of prices of such products.

"Tobacco product" is defined in the Tobacco and primary Medical services (Scotland) Act 2010 ("the primary legislation") to mean - a product consisting wholly or partly of tobacco and intended to be smoked, sniffed, sucked or chewed.

"Smoking related product" is defined in the primary legislation to mean - cigarette papers, cigarette tubes, cigarette filters, apparatus for making cigarettes, cigarette holders, pipes for smoking tobacco products.

7. Notification Under Another Act

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8. Main Content

The regulations will be made in exercise of the powers conferred by sections 1(2)(c), 1(4), 2, 3(1), 3(2), 3(5) and 40(2) of the the primary legislation. The Act bans the display of tobacco products or smoking related products in places where tobacco products are for sale with the exception of trade and specialist tobacconists.

These regulations update an earlier version of the regulations which were notified in 2010 - reference number 2010/284/UK.

The regulations set out further detail of the tobacco display ban under the Tobacco and Primary Medical Services (Scotland) Act 2010. The regulations allow for a maximum area of 1,000 sq cm of a tobacco storage unit to be displayed during the course of a 'requested display' to allow for the sale of tobacco products and during the course of an 'incidental display' to allow for activities such as stocktaking during the ordinary course of business. The regulations also set out requirements for specialist tobacconists, bulk tobacconists and duty free premises who have a partial exemption from the ban. The regulations also set out requirements for the display of prices of tobacco products on price labels and lists.

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: Attached as background context are:
The Tobacco and Primary Medical Services (Scotland) Act 2010.
2010/0284/UK which these regulations will replace.



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

An Impact Assessment was prepared in support of the Act. A Partial Impact Assessment for the regulations was also prepared for the consultation on the regulations. This will now be finalised in line with the final regulations and placed in the Scottish Parliament Information Centre.

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

No - The draft has no significant impact on international trade

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