

EXECUTIVE NOTE

THE TOBACCO AND PRIMARY MEDICAL SERVICES (SCOTLAND) ACT 2010 (COMMENCEMENT NO. 1, CONSEQUENTIAL AND SAVING PROVISIONS) (AMENDMENT) ORDER 2011

SSI 2011/131

The above instrument was made in exercise of the powers conferred by section 40(1) and (2) and 43(3) of the Tobacco and Primary Medical Services (Scotland) Act 2010.

Policy Objectives

This instrument provides for amendments to The Tobacco and Primary Medical Services (Scotland) Act 2010 (Commencement No.1, Consequential and Saving Provisions) Order 2011 which was made on 27 September 2010. Article 4 of the Order saves section 18 of the Children and Young Persons (Scotland) Act 1937 for a specified purpose. This instrument delays repeal of section 18(2) of the 1937 Act which is the existing power to seek a court order if a tobacco vending machine is being used by under 18s.

Consultation

The Tobacco and Primary Medical Services (Scotland) Act 2010 has a number of regulation-making powers. A consultation on five sets of draft regulations to be made under the Act began on 27 April 2010 and ran through until 20 July 2010. The Scottish Government received nearly 500 responses to the consultation from individuals and organisations.

Financial effects

A Regulatory Impact Assessment was carried out in relation to the tobacco sales registration scheme. It was deemed that there would be no additional burden on business as a result of these regulations. A copy of the RIA can be accessed at: <http://www.scotland.gov.uk/Publications/2009/02/27120518/0>

Public Health Division
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