

2011 No. 132

PUBLIC HEALTH

**The Sale of Tobacco (Display of Warning Statements)
(Scotland) Regulations 2011**

Made - - - - - *21st February 2011*

Laid before the Scottish Parliament *23rd February 2011*

Coming into force - - - *1st April 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 8(5) and 11(2)(d)(a) of the Tobacco and Primary Medical Services (Scotland) Act 2010(b) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Sale of Tobacco (Display of Warning Statements) (Scotland) Regulations 2011 and come into force on 1st April 2011.

Display of warning statements - dimensions of notice and size of statement

2.—(1) The following are prescribed for the purposes of section 8(5) of the Tobacco and Primary Medical Services (Scotland) Act 2010.

(2) The dimensions of the notice are not less than 297 millimetres by 420 millimetres.

(3) The statement to be displayed on the notice is of a size such that no character is less than 36 millimetres high.

Amendment of the Protection from Tobacco (Display of Warning Statements) Regulations 1992

3. In the Protection from Tobacco (Display of Warning Statements) Regulations 1992(c) omit regulation 2.

(a) “Prescribed” is defined in section 35 of the Tobacco and Primary Medical Services (Scotland) Act 2010 to mean prescribed in regulations made by the Scottish Ministers.
(b) 2010 asp 3.
(c) S.I. 1992/3228.

Amendment of the Sale of Tobacco (Register of Tobacco Retailers) Regulations 2010

4. In regulation 3(d) of the Sale of Tobacco (Register of Tobacco Retailers) Regulations 2010(a) omit “or a trade tobacconist”.

St Andrew’s House,
Edinburgh
21st February 2011

S. ROBISON
Authorised to sign by the Scottish Ministers

(a) S.S.I. 2010/407.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the dimensions of the notice and the size of the warning statement on the notice which, under section 8(1) of the Tobacco and Primary Medical Services (Scotland) Act 2010, must be displayed in any premises where a tobacco business is carried on (regulation 2).

The Protection from Tobacco (Display of Warning Statements) Regulations 1992 (“the 1992 Regulations”) are amended to omit regulation 2 (regulation 3). Regulation 2 of the 1992 Regulations prescribes the dimensions and size of statement in relation to notices in retail premises which is provided for in these Regulations. The 1992 Regulations remain in place to prescribe dimensions and size of statement in relation to notices on vending machines.

These Regulations (with the exception of regulation 4) were notified in draft to the European Commission in accordance with Directive 98/34/EC of the European Parliament and of the Council (Official Journal No. L 204, 21.7.98, p.37), as amended by Directive 98/48/EC of the same institutions (Official Journal No. L 217, 5.8.98, p.18), which lays down a procedure for the provision of information in the field of technical standards and regulations.

Regulation 4 amends the Sale of Tobacco (Register of Tobacco Retailers) Regulation 2010 to remove a redundant reference to trade tobacconist in regulation 3(d).

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