
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 106

**The Tobacco and Primary Medical Services (Scotland) Act 2010
(Incidental Provision and Commencement No. 4) Order 2013**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Tobacco and Primary Medical Services (Scotland) Act 2010 (Incidental Provision and Commencement No. 4) Order 2013 and except for article 4 comes into force on the day after the day on which it is made.

(2) In article 4—

- (a) paragraphs (a) and (b) come into force on 29th April 2013; and
- (b) paragraph (c) comes into force on 6th April 2015.

(3) In this Order “the 2010 Act” means the Tobacco and Primary Medical Services (Scotland) Act 2010.

Amendment of the Tobacco and Primary Medical Services (Scotland) Act 2010

2.—(1) The 2010 Act is amended as follows.

- (2) Section 9 is repealed.
- (3) After section 8 insert—

“9 Prohibition of vending machines for the sale of tobacco products

(1) A person who has the management or control of premises on which a vending machine is available for use commits an offence.

(2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) In this section “vending machine” means an automatic machine for the sale of tobacco products (regardless of whether the machine also sells other products).”.

Appointed day

3. The day appointed for the coming into force of section 9 of the 2010 Act is 29th April 2013.

Revocations

4. The following are revoked—

- (a) articles 3 and 4 of the Tobacco and Primary Medical Services (Scotland) Act 2010 (Commencement No. 1, Consequential and Saving Provisions) Order 2010(1);

(1) [S.S.I. 2010/345](#), article 4 (which saves section 18 of the Children and Young Persons (Scotland) Act 1937 for certain purposes) was amended by the Tobacco and Primary Medical Services (Scotland) Act 2010 (Commencement No. 1, Consequential and Saving Provisions) Amendment Order 2011 ([S.S.I. 2011/131](#)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the Tobacco and Primary Medical Services (Scotland) Act 2010 (Commencement No. 1, Consequential and Saving Provisions) Amendment Order 2011⁽²⁾; and
- (c) the Tobacco and Primary Medical Services (Scotland) Act 2010 (Ancillary Provisions) Order 2010⁽³⁾.

St Andrew's House,
Edinburgh
19th March 2013

MICHAEL MATHESON
Authorised to sign by the Scottish Ministers

⁽²⁾ S.S.I.2011/131.
⁽³⁾ S.S.I.2010/77.