
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose requirements in relation to the display of prices of tobacco products in a place in England in the course of a business.

Regulation 1 provides that these Regulations shall come into force on 1st October 2011 for large shops and on 1st October 2013 for all other purposes.

Regulation 3 defines the meaning of ‘place’ for the purposes of section 7C of the Tobacco Advertising and Promotion Act 2002 (displays: prices of tobacco products). It is defined as meaning premises in England where tobacco products are offered for sale in the course of a business, other than premises which are accessible only by persons engaged in, or employed by, the tobacco trade and which do not display the prices of tobacco products in a way that is visible from the outside of the premises.

Regulation 4 provides that the display of prices of tobacco products in a place in England must comply with the requirements specified in the Regulations. Regulation 5 lays down general requirements which must be met by all such displays. Regulations 6 to 8 lay down additional requirements to be met in relation to particular means of displaying such prices. Indications of the selling price of tobacco products are also regulated by the Price Marking Order 2004 ([S.I. 2004/102](#)).

Prices may be displayed in one or more of the following ways: by way of price lists, which meet the requirements of regulation 6; by price lists available on request, which meet the requirements of regulation 7; and, by labels on storage units, which meet the requirements of regulation 8.

Regulation 9 limits the application of these Regulations to specialist tobacconists and bulk tobacconists (as defined in regulation 2). The Regulations only place requirements on the display of prices of tobacco products by such businesses where such a display would be visible from the outside of their premises.

A draft of these Regulations has been notified to the European Commission as a technical standard, pursuant to Directive [98/34/EC](#) of the European Parliament and the Council (OJ No L204, 21.7.98, p37) laying down a procedure for the provision of information in the field of technical standards and regulations, as amended.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Tobacco Programme, Department of Health, Room 712, Wellington House, 133-155 Waterloo Road, London SE1 8UG and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk).