
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 57 of the Finance Act 2019 introduced a new category of tobacco product chargeable with excise duty into the Tobacco Products Duty Act 1979 (c. 7), called tobacco for heating.

These Regulations contain amendments which are consequential on the introduction of tobacco for heating, relating to the wider excise regime.

The Excise Goods (Drawback) Regulations 1995 (S.I. 1995/1046) are amended to make tobacco for heating ineligible for drawback, when dispatched to the European Union (“EU”).

The Excise Goods (Holding, Movement and Duty Point) Regulations 2010 (S.I. 2010/593) are amended to make provision for this category of tobacco product to be distinguished from tobacco products which are excise goods for the purposes of EU law under Article 1(1) of Directive 2008/118/EC, in the same manner as for the existing category of chewing tobacco.

A Tax Information and Impact Note covering this instrument was published on 6th July 2018 alongside the draft Finance Bill clauses for 2018-19. It is available on the website at <https://www.gov.uk/government/collections/tax-information-and-impact-notes-tiins>. It remains an accurate summary of the impacts that apply to this instrument.