
STATUTORY INSTRUMENTS

2023 No. 606

The Tobacco Products (Traceability and Security Features) (Amendment) Regulations 2023

Insertion of regulation 18A

6. After regulation 18 insert—

“Circumstances in which facility identifier codes may be deactivated

18A.—(1) The Commissioners may exercise the discretion set out in Article 17(4) of the Commission implementing regulation in cases to which this regulation applies.

(2) This regulation applies in a case where—

- (a) the condition in regulation 18(2)(a) is met;
- (b) the economic operator identifier code which is liable to deactivation in accordance with regulation 18 is linked to more than one facility; and
- (c) the Commissioners consider it appropriate to deactivate the FID of the facility in which the contravention occurred instead of deactivating the economic operator identifier code.

(3) Where a FID is to be deactivated in accordance with this regulation, regulation 18 applies to that deactivation as if it were the deactivation of an economic operator identifier code, and for this purpose paragraphs (1) and (3) of that regulation are to be read as if for “Article 15(4)” there were substituted “Article 17(4)”.

(4) Where a FID is deactivated in accordance with this regulation, the economic operator identifier code must not be deactivated in respect of the same contravention.”.