
STATUTORY INSTRUMENTS

2023 No. 606

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

Amendment of regulation 20

7.—(1) Regulation 20 (restriction on re-application) is amended as follows.

(2) After paragraph (1) insert—

“(1A) Subject to paragraph (1C), where an economic operator identifier code has been deactivated in accordance with regulation 18(2)(a), an application for a facility identifier code in respect of any facility that was linked to that economic operator identifier code must not be made by any person during the period of deactivation.

(1B) Subject to paragraph (1C), where a FID has been deactivated in accordance with regulation 18A, an application for a FID in respect of the same facility must not be made by any person during the period of deactivation.

(1C) Paragraphs (1A) and (1B) do not apply in a case where—

- (a) the ownership of the facility has changed since the deactivation occurred; and
- (b) the person who is the owner at the time of the application is not the person who is the subject of the deactivation notice .”.

(3) After paragraph (2) insert—

“(3) In cases where a person has acted contrary to the restrictions imposed by paragraphs (1A) or (1B) and obtained a facility identifier code, the Commissioners may exercise the discretion set out in Article 17(4) of the Commission Implementing Regulation without the conditions referred to in regulation 18 or, as the case may be, 18A, being met.”.