

Electronic Cigarettes (Regulation) Bill

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Make provision for the regulation of the sale and use of electronic cigarettes; to exempt electronic cigarettes from UK law derived from the Tobacco Products Directive; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Electronic cigarettes: deregulation

- (1) The Tobacco and Related Products Regulations 2016 (S.I. 2016/507) are amended as follows.
- (2) Part 6 (electronic cigarettes) is revoked.
- (3) Part 7 (electronic cigarette advertising) is revoked. 5
- (4) In the title of regulation 47 omit “and electronic cigarettes etc.”.
- (5) In paragraph (8) of regulation 47 (cross-border distance sales of tobacco products and electronic cigarettes etc.), after “tobacco product” omit “, an electronic cigarette or a refill container”.
- (6) In regulation 48 (offences), omit subparagraphs (d) and (e). 10

2 Power to make consequential and further provisions

- (1) Any regulations or enactment (in addition to the Regulations amended by section 1) which place restrictions on the matters specified in subsection (2) in relation to electronic cigarettes or refill containers shall cease to have effect.
- (2) The matters mentioned in this subsection are the— 15
 - (a) size,
 - (b) capacity,
 - (c) content, or
 - (d) packaging,
of electronic cigarettes or refill containers. 20

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- (3) The Secretary of State may by regulations make further provision in consequence of the provisions of section 1 and subsection (1) of this section.
- (4) Regulations under this section are to be made by statutory instrument.
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament. 5
- (6) For the purpose of this section –
- “electronic cigarette” means a product that –
- (a) can be used for the consumption of nicotine-containing vapour via a mouth piece, or any component of that product, including a cartridge, a tank and the device without cartridge or tank (regardless of whether the product is disposable or refillable by means of a refill container and a tank, or rechargeable with single use cartridges), and 10
- (b) is not a medicinal product or medical device;
- “refill container” means a receptacle that – 15
- (a) contains a nicotine-containing liquid, which can be used to refill an electronic cigarette, and
- (b) is not a medicinal product or medical device.

3 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland. 20
- (2) This Act comes into force on 30 March 2021.
- (3) This Act may be cited as the Electronic Cigarettes (Regulation) Act 2020.

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*Presented by Mr Christopher Chope
supported by
Mr Peter Bone and Philip Davies.*

*Ordered, by The House of Commons,
to be Printed, 10th February 2020.*

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