

Cigarette Stick Health Warnings Bill [HL]

[AS BROUGHT FROM THE LORDS]

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[AS BROUGHT FROM THE LORDS]

A

BILL

TO

Require tobacco manufacturers to print health warnings on individual cigarette sticks and cigarette rolling papers.

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 Appearance of cigarette sticks and rolling papers

- (1) No person may produce or supply a cigarette stick or rolling paper for smoking unless it complies with this Act.
- (2) The only colour or shade permitted on or for the paper, casing, filter or other

material forming part of a cigarette (apart from the tobacco contained in it) is plain white with a matt finish.

- (3) No person may produce or supply a cigarette stick unless the stick carries one of the text warnings set out in the Schedule, subject to the following conditions—
- (a) that the text appears lengthways on the cigarette and covers the whole length of the cigarette, 10
- (b) that the text is printed in Helvetica type,
- (c) that the colour of the text is red,
- (d) that the text is in a normal, weighted, regular typeface, and
- (e) that the text is in a font size which ensures that the text occupies the greatest possible proportion of the surface area reserved for it. 15
- (4) The Secretary of State may by regulations made by statutory instrument amend or make provision about the conditions under subsection (3) or the text warnings specified in the Schedule. 20

2 Range and rotation of health warnings on cigarette sticks and rolling papers

- (1) A producer of a tobacco product for smoking (other than an importer) must select the warning used for the purposes of this Act— 5
- (a) from the set of warnings which is specified in the Schedule for the production year during which the pack is produced; and 10
- (b) so that each of the warnings appears on a specified proportion of the total number of packs under each brand name produced by that producer within that production year. 15
- (2) The Secretary of State may by regulations made by statutory instrument specify the proportion mentioned in subsection (1)(b).

3 Offences, defence, penalties and enforcement

- (1) A person is guilty of an offence if that person breaches a provision of section 1 or 2 of this Act. 5
- (2) In any proceedings for an offence under this Act brought against a person who produces or supplies cigarette sticks or rolling papers in breach of section 1 or 2 it is a defence that the person exercised all due diligence to avoid committing the offence. 10
- (3) A person guilty of an offence under this Act is liable—
- (a) on summary conviction—
- (i) in England and Wales to imprisonment for a term not exceeding three months, or a fine, or both, or 15
- (ii) in Scotland, to imprisonment for a term not exceeding twelve months, or a fine not exceeding level 5 on the standard scale, or both, or 20

- (b) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both.
- (4) It is the duty of each weights and measures authority in Great Britain to enforce this Act within their area. 5
- (5) For the purposes of subsection (4), the provisions of part 2, 4 and 5 (enforcement) of the Consumer Protection Act 1987 (“the 1987 Act”), except for sections 12, 13 and 27, are to apply to this Act as if— 10
- (a) this Act were safety regulations within the meaning of that Act; and
- (b) the persons on whom functions are conferred by this Act were enforcement authorities within the meaning of the 1987 Act. 15
- (6) The reference to six months in section 14(6) of the 1987 Act (imprisonment on summary conviction not to exceed six months), as that section has effect by virtue of subsection (4), is to be read in 20

its application to England and Wales as a reference to three months.

4 Parliamentary procedure

A statutory instrument containing regulations under this Act may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, both Houses of Parliament. 5

5 Commencement, extent and short title

- (1) This section comes into force on the day on which this Act is passed. 10
- (2) Sections 1 to 4 come into force six months after the day on which this Act is passed.
- (3) This Act extends to England and Wales and Scotland. 15
- (4) This Act may be cited as the Cigarette Stick Health Warnings Act 2022.

SCHEDULE

SECTION 1

LIST OF WARNINGS TO BE USED

- | | | |
|---|---|----|
| 1 | The following warnings are to be used in rotation in accordance with section 2. | |
| 2 | Version 1—

Your minutes of life lost
15 ... 10 ... 5
From each cigarette smoked | 5 |
| 3 | Version 2—

Smoking causes lung cancer
Smoking causes heart disease
Smoking causes emphysema | 10 |
| 4 | Version 3—

Smoking one pack per day
Costs over £3,000 a year
What could you buy instead? | 15 |
| 5 | Version 4—

Smoking stains your teeth
Smoking gives you bad breath
Smoking yellows your teeth | 20 |

- 6 Version 5—
- See your pharmacist to quit
 See your doctor to quit
 Search NHS Smokefree for advice
- 7 Version 6— 5
- You don't need me anymore
 You can stop now
 Search NHS Smokefree for advice
- 8 Version 7—
- Smoking harms your children 10
 Smoking affects your pets
 Smoking hurts your family
- 9 Version 8—
- Smoking kills half of users
 7 million people a year 15
 And reduces quality of life

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*Brought from the House of Lords
on 21st March 2022*

Ordered, by The House of Commons, to be
Printed, 21st March 2022.
