



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 2

RETAILERS OF TOBACCO AND NICOTINE PRODUCTS

Register of retailers of tobacco and nicotine products

31 Application for entry in the register

- (1) An application may be made to the registration authority—
- (a) for a person to be registered in respect of the carrying on of a tobacco or nicotine business, or
 - (b) if the applicant is already a registered person—
 - (i) to add further premises to the person's entry in the register, or
 - (ii) in the case of premises consisting of a moveable structure, a stall, a tent or a vehicle, to add another local authority to the person's entry in the register.
- (2) An application under subsection (1) must—
- (a) state the applicant's name and address (for which see section 30(5));
 - (b) if the application is made under subsection (1)(a), state the address of each of the premises at which the applicant proposes to carry on a tobacco or nicotine business;
 - (c) if the application is made under subsection (1)(b)(i), state the address of each of the further premises at which the applicant proposes to carry on a tobacco or nicotine business;
 - (d) state whether the applicant proposes to sell—
 - (i) tobacco or cigarette papers,

Status: This is the original version (as it was originally enacted).

- (ii) nicotine products, or
 - (iii) any combination of those items,at the premises stated in accordance with paragraph (b) or (c);
 - (e) state whether the applicant proposes to carry on business in a way that involves the making of arrangements for tobacco, cigarette papers or nicotine products—
 - (i) to be delivered to premises in Wales, or
 - (ii) following a sale effected by telephone, the internet or other kind of electronic or other technology, to be collected from premises in Wales;
 - (f) in the case of premises consisting of a moveable structure, a stall, a tent or a vehicle—
 - (i) if the application is made under subsection (1)(a), state the name of each local authority in whose area the applicant proposes to carry on the tobacco or nicotine business, and
 - (ii) if the application is made under subsection (1)(b)(ii), state the name of each additional local authority in whose area the applicant proposes to carry on a tobacco or nicotine business.
- (3) Regulations may make provision—
- (a) about the form of an application under subsection (1) and the way in which it is to be made;
 - (b) about other information that is to be included in an application (including, in the case of an application by a person who proposes to carry on a tobacco or nicotine business as described in subsection (2)(e), information relating to the nature of the arrangements concerned);
 - (c) requiring payment of a fee to accompany an application under subsection (1) (a) or (1)(b)(i).
- (4) Before making regulations under this section, the Welsh Ministers must—
- (a) consider whether there are persons who appear to be representative of the interests of those likely to be affected by the regulations (“representative persons”), and
 - (b) carry out consultation with any representative persons whom the Welsh Ministers consider it appropriate to consult.
- (5) If the premises at which the applicant proposes to carry on a tobacco or nicotine business consist of a moveable structure, a stall, a tent or a vehicle, the address stated in the application in accordance with subsection (2)(a) is to be stated as the address of the premises for the purpose of subsection (2)(b) and (c).