

Status: This version of this provision is prospective.

Changes to legislation: Public Health (Wales) Act 2017, Section 38 is up to date with all changes known to be in force on or before 15 July 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 2

RETAILERS OF TOBACCO AND NICOTINE PRODUCTS

Offences

PROSPECTIVE

38 Offences

- (1) A person who carries on a tobacco or nicotine business at premises in Wales without being registered commits an offence.
- (2) A registered person who carries on a tobacco or nicotine business at premises in Wales other than premises stated in the person's entry in the register commits an offence.
- (3) Subsection (2) does not apply in the case of a tobacco or nicotine business carried on at premises consisting of a moveable structure, a stall, a tent or a vehicle.
- (4) A registered person who carries on a tobacco or nicotine business at premises consisting of a moveable structure, a stall, a tent or a vehicle in the area of a local authority other than one stated in the person's entry in the register commits an offence.
- (5) A registered person who fails, without reasonable excuse, to comply with section 33 (duty to notify certain changes) commits an offence.
- (6) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine.

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(7) A person guilty of an offence under subsection (2), (4) or (5) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)