



# Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

## PART 1

### TOBACCO PRODUCTS ETC.

#### CHAPTER 2

##### REGISTER OF TOBACCO RETAILERS

###### *Changes to register*

### **13 Duty to notify certain changes**

- (1) A registered person must give the Scottish Ministers notice of—
  - (a) a change in the person's name or address,
  - (b) the fact that the person is no longer carrying on a tobacco business at an address noted in the person's entry in the Register.
- (2) A notice under subsection (1) must be given within 3 months of the date of the change to which it relates.

### **14 Changes to and removal from Register**

- (1) The Scottish Ministers may correct the Register (following notification under section 13 or otherwise) as they consider appropriate.
- (2) Where a tobacco retailing banning order is made against a registered person, the Scottish Ministers must amend the person's entry in the Register so as to remove references to the premises specified in the order.
- (3) The Scottish Ministers may remove a person's entry from the Register if—
  - (a) as a result of a correction or amendment under subsection (1) or (2), there are no premises noted in the person's entry in the Register, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) they are not satisfied that the person is carrying on a tobacco business.
- (4) Where the Scottish Ministers correct, amend or remove a person's entry in the Register under this section, they must—
- (a) as soon as reasonably practicable notify the person of the correction, amendment or, as the case may be, removal, and
  - (a) if it is appropriate to do so, issue at the same time to the person a revised certificate of registration.
- (5) The Scottish Ministers must reinstate a person's entry in the register if—
- (a) the entry was removed under subsection (3)(b), and
  - (b) the person notifies them no later than 28 days after notice of the removal is given under subsection (4)(a) that the person is still carrying on a tobacco business.
- (6) A notice under subsection (4)(a) may be given—
- (a) by delivering it to the person,
  - (b) by leaving it at the person's usual or last known address,
  - (c) by sending it by post to the person at that address.