



Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

PART 1

[^{F1}TOBACCO AND NICOTINE VAPOUR PRODUCTS ETC.]

CHAPTER 1

[^{F1}DISPLAY, SALE AND PURCHASE]

Display of tobacco products etc.

1 Prohibition of tobacco displays etc.

- (1) A person who in the course of business displays or causes to be displayed tobacco products or smoking related products in a place where tobacco products are offered for sale commits an offence.
- (2) A person does not commit an offence under subsection (1) if the display—
 - (a) is in a specialist tobacconist,
 - (b) does not include cigarettes or hand-rolling tobacco, and
 - (c) complies with any prescribed requirements.
- (3) A person does not commit an offence under subsection (1) if—
 - (a) the tobacco products or smoking related products are displayed in the course of a business involving the sale of tobacco products only to persons who carry on a tobacco business (or their employees), and
 - (b) the display complies with any prescribed requirements.
- (4) The Scottish Ministers may provide in regulations that no offence is committed under subsection (1) in relation to a display of tobacco products or smoking related products which complies with requirements specified in the regulations.

Changes to legislation: There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 1. (See end of Document for details)

- (5) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (6) For the purposes of subsection (1), a website is not a place.
- (7) In subsection (2), “specialist tobacconist” has the meaning given by section 6(2) of the Tobacco Advertising and Promotion Act 2002 (c.36).

Annotations:

Commencement Information

- I1** S. 1 in force at 6.4.2015 in so far as not already in force by [S.S.I. 2013/38, art. 2](#)
- I2** S. 1 in force at 26.2.2013 for specified purposes and for further specified purposes 29.4.2013 by [S.S.I. 2013/38, art. 2\(a\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 1.