

*These notes relate to the Tobacco and Primary Medical Services
(Scotland) Act 2010 (asp 3) which received Royal Assent on 3 March 2010*

TOBACCO AND PRIMARY MEDICAL SERVICES (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT – OVERVIEW

Part 1 – Tobacco Products Etc.

Section 15 – Tobacco retailing banning orders

28. Under this section a court can by order ban a tobacco retailer from selling tobacco from specified premises if the retailer has received three or more enforcement actions relating to each of those premises, at least one of the enforcement actions is within the two months preceding the application made by the council and the conduct which gave rise to the enforcement actions all took place within a two year period. Enforcement actions can either be in the form of a fixed penalty notice or a conviction for an offence under Chapters 1 or 2 of the Act. The ban can be for a period up to 24 months. .