

*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 4 – Sale of tobacco products to persons under 18

16. This section restates (with modifications as outlined in paragraph 17) the offence in section 18 of the Children and Young Persons (Scotland) Act 1937 of selling tobacco products to under 18s.
17. A retailer will have a defence to any offence under this section if he/she believed that the customer was over 18 and had taken reasonable steps to establish a customer's age by being shown acceptable proof of identification. Acceptable proof of identification includes a passport or a driving licence. Ministers may also prescribe other documents (e.g. the Young Scot National Entitlement Card) as acceptable ID.