



Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

PART 1

TOBACCO PRODUCTS ETC.

CHAPTER 4

MISCELLANEOUS AND SUPPLEMENTARY

35 Interpretation of Part 1

(1) In this Part—

“area”—

(a) in relation to a council, means the local government area for which the council is constituted,

(b) in relation to a council officer, means the area of the council which authorised the officer,

“council” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39),

“council officer” means a duly authorised officer of a council,

“fixed penalty notice” is to be construed in accordance with section 27 and schedule 1,

“premises” includes any place and any vehicle, vessel, or moveable structure,

“prescribed” means prescribed in regulations made by the Scottish Ministers (and “prescribe” is to be construed accordingly),

“registered” and “unregistered” have the meaning given in section 10(2),

“tobacco business” means a business involving the sale of tobacco products by retail,

“tobacco product” means a product consisting wholly or partly of tobacco and intended to be smoked, sniffed, sucked or chewed,

“tobacco retailing banning order” has the meaning given in section 15(6).

Status: This is the original version (as it was originally enacted).

- (2) For the purposes of this Part, the following are smoking related products—
- cigarette papers
 - cigarette tubes
 - cigarette filters
 - apparatus for making cigarettes
 - cigarette holders
 - pipes for smoking tobacco products.
- (3) The Scottish Ministers may by order modify the list in subsection (2) as they consider appropriate.