



Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

PART 1

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

CHAPTER 4

MISCELLANEOUS AND SUPPLEMENTARY

[^{F1}35A Meaning of “nicotine vapour product”

- (1) In this Part, a “nicotine vapour product” is—
- (a) a device which is intended to enable the inhalation of nicotine-containing vapour by an individual,
 - (b) a device which is intended to enable the inhalation of other vapour by an individual but is intended to resemble and be operated in a similar way to a device within paragraph (a),
 - (c) an item which is intended to form part of a device within paragraph (a) or (b),
 - (d) a substance which is intended to be vaporised by a device within paragraph (a) or (b) (and any item containing such a substance).
- (2) But the following are not nicotine vapour products—
- (a) a tobacco product,
 - (b) a smoking related product,
 - (c) a medicinal product (within the meaning of the Human Medicines Regulations 2012 (S.I. 2012/1916)),
 - (d) a medical device (within the meaning of the Medical Devices Regulations 2002 (S.I. 2002/618)).]

Changes to legislation: *There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 35A. (See end of Document for details)*

Textual Amendments

- F1** S. 35A inserted (6.2.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\)](#), [ss. 1, 36\(2\)](#); [S.S.I. 2017/12](#), [reg. 2](#), [sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 35A.