



# Tobacco and Primary Medical Services (Scotland) Act 2010

## 2010 asp 3

### PART 1

[<sup>F1</sup>TOBACCO AND NICOTINE VAPOUR PRODUCTS ETC.]

### CHAPTER 1

[<sup>F1</sup>DISPLAY, SALE AND PURCHASE]

*[<sup>F1</sup>Sale and purchase of tobacco and nicotine vapour products]*

#### [<sup>F1</sup>4D] Defence of due diligence for certain offences

- (1) It is a defence for a person charged with an offence to which this section applies to prove that the person (or any employee or agent of the person) took all reasonable precautions and exercised all due diligence to prevent the offence being committed.
- (2) This section applies to an offence under any of the following provisions of this Act—
  - (a) section 4(1),
  - (b) section 4A(1),
  - (c) section 4C(1).]

#### Textual Amendments

**F1** S. 4D inserted (1.4.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\)](#), ss. 5, 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 4D.