



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 3

### TOBACCO AND NICOTINE PRODUCTS

#### CHAPTER 2

##### RETAILERS OF TOBACCO AND NICOTINE PRODUCTS

###### *Register of retailers of tobacco and nicotine products*

#### **30 Duty to maintain register of retailers of tobacco and nicotine products**

- (1) The registration authority must maintain a register of persons carrying on a tobacco or nicotine business at premises in Wales (“the register”).
- (2) The registration authority for this purpose is a person specified as such in regulations.
- (3) For the purposes of this Chapter “tobacco or nicotine business” means a business involving the sale by retail of tobacco or cigarette papers or nicotine products.
- (4) Each entry in the register in respect of a person carrying on a tobacco or nicotine business in Wales must state—
  - (a) the person’s name and address;
  - (b) the address of each of the premises at which a tobacco or nicotine business is carried on by that person;
  - (c) whether the person is selling—
    - (i) tobacco or cigarette papers,
    - (ii) nicotine products, or
    - (iii) any combination of those items,at those premises;

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*Status: This is the original version (as it was originally enacted).*

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- (d) in the case of premises consisting of a moveable structure, a stall, a tent or a vehicle, the name of each local authority in whose area the business is carried on.
- (5) For the purpose of subsection (4)(a), a person's name and address is—
  - (a) in the case of an individual—
    - (i) the individual's name and, if different, the individual's trading name, and
    - (ii) the address of the individual's usual place of residence;
  - (b) in the case of a company—
    - (i) its name and, if different, its trading name, and
    - (ii) the address of its registered office;
  - (c) in the case of a partnership other than a limited liability partnership—
    - (i) the name of each partner and, if different, the partnership's trading name, and
    - (ii) the address of each partner's usual place of residence;
  - (d) in the case of a limited liability partnership—
    - (i) its registered name and, if different, its trading name, and
    - (ii) the address of its registered office.
- (6) The register may include any other information that is information of a description required, by regulations under section 31(3)(b), to be included in an application for registration.
- (7) For the purposes of this Chapter—
  - (a) a person is registered if the person's name is entered in the register, and other related expressions are to be construed accordingly;
  - (b) references to a person's entry in the register are to the entry relating to that person in the register.
- (8) Regulations under subsection (2) may specify the Welsh Ministers as the registration authority.
- (9) In the case of premises consisting of a moveable structure, a stall, a tent or a vehicle, the address to be entered in the register in accordance with subsection (4)(a) is to be treated as the address of the premises for the purpose of subsection (4)(b).