



2014 CHAPTER 4

Register of tobacco retailers

Application for registration

- 2.—(1) A person may apply to the registration authority—
- (a) to be registered; or
 - (b) to add further premises to the person's entry in the Register.
- (2) An application under subsection (1) must—
- (a) state the name and address of the applicant;
 - (b) where it is an application under subsection (1)(a), state the address of each of the premises at which the applicant proposes to carry on a tobacco business;
 - (c) where it is an application under subsection (1)(b), state the address of each of the further premises at which the applicant proposes to carry on a tobacco business;
 - (d) be made in such form and manner as may be prescribed;
 - (e) contain such other information as may be prescribed.
- (3) The registration authority must grant an application under subsection (1) unless—
- (a) it does not comply with subsection (2);
 - (b) the applicant has, within the period of 5 years ending with the day on which the application is made, been convicted of an offence under section 170 or 170B of the Customs and Excise Management Act 1979 in relation to tobacco and been sentenced for that offence to a custodial sentence (whether suspended or not); or

- (c) at the time the application is made or being considered by the registration authority—
 - (i) a restricted premises order has effect in respect of any premises specified in the application; or
 - (ii) a restricted sale order has effect in respect of the applicant.
- (4) The registration authority must give notice to the applicant of its decision within a period of 28 days beginning on the day on which the application is made.
- (5) On granting an application under subsection (1)(a) the registration authority must enter the following information in the Register—
 - (a) the name and address of the applicant;
 - (b) the address of each of the premises at which the applicant proposes to carry on a tobacco business;
 - (c) any other information which the Department may direct the authority to include.
- (6) On granting an application under subsection (1)(b) the registration authority must amend the applicant's entry in the Register so as to include—
 - (a) the address of each of the further premises at which the applicant proposes to carry on a tobacco business;
 - (b) any other information which the Department may direct the authority to include.
- (7) Regulations may provide for the charging of fees in connection with making an application under subsection (1).
- (8) In this section “applicant” means a person who makes an application under subsection (1).