
STATUTORY INSTRUMENTS

2017 No. 409

**The Tobacco Products and Herbal Products
for Smoking (Fees) Regulations 2017**

Measurement and verification of emission levels from cigarettes: annual fee

2.—(1) An annual fee is payable in respect of each variant of a brand of cigarettes in relation to which the Secretary of State requires a sample, under regulation 14(4) of the 2016 Regulations, in the fee period.

[^{F1}(1A) But only one annual fee is payable in respect of a variant brand of cigarettes which—
(a) is manufactured for supply in both of the relevant areas, or
(b) is manufactured for supply otherwise than in the relevant areas.]

(2) The amount of the annual fee payable is £1,000, save where the number of samples of the variant which the Secretary of State has required in the fee period is 5 or less, in which case the amount of the annual fee payable is £167 multiplied by the number of such samples which the Secretary of State has required in the fee period.

(3) The annual fee is first payable on 1st March 2018 and thereafter is payable each year on 1st March.

(4) The annual fee is payable by the manufacturer of the variant of the brand of cigarettes and is payable to the Secretary of State.

(5) In this regulation—

“brand”, in relation to cigarettes, means cigarettes produced by a particular producer and known by a particular name;

“emission”, “ingredient”, “nicotine” and “tar” have the same meaning as in the 2016 Regulations;

“fee period” means the 12 month period preceding 1st March in each year, save where the annual fee is first payable, under paragraph (3), on 1st March 2018 in which case the fee period is 6th April 2017 to 28th February 2018;

“variant”, in relation to cigarettes, means a cigarette of one brand which is distinguishable from other cigarettes of the same brand by—

- (a) name;
- (b) ingredients in the cigarette;
- (c) the quantity of each ingredient in the cigarette; or
- (d) the tar, nicotine and carbon monoxide emission levels of the cigarette.

Textual Amendments

F1 [Reg. 2\(1A\)](#) inserted (31.12.2020) by [The Tobacco Products and Nicotine Inhaling Products \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1316\)](#), regs. 1(2), **7(3)**

Changes to legislation: *There are currently no known outstanding effects for the The Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017, Section 2. (See end of Document for details)*

Commencement Information

II Reg. 2 in force at 6.4.2017, see [reg. 1\(1\)](#)

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There are currently no known outstanding effects for the The Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017, Section 2.