
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the third commencement order made by the Welsh Ministers under the Health Act 2009 (“the Act”).

This Order brings into force in Wales provisions of sections 20 and 21 of the Act, which make amendments to earlier legislation in relation to tobacco.

It also brings into force in Wales provisions of Schedule 4 to the Act (which makes minor and consequential amendments in relation to tobacco). These minor and consequential amendments include the provisions that are being brought into force on 1 June 2012 which allow Welsh Ministers to take over proceedings which are in respect of an offence committed in Wales and instituted in England and Wales by another person under any provision of the Tobacco Advertising and Promotion Act 2002 or any regulations made under it.

Provisions relating to the display of prices of tobacco products are commenced, to the extent that they are not already in force, on 3 December 2012 for the purposes of large shops (as defined) and for all other purposes on 6 April 2015.

Provisions relating to the prohibition of tobacco displays and to the related exclusions and defence are commenced, to the extent that they are not already in force, on 3 December 2012 for the purposes of large shops other than bulk tobacconists (as defined) and specialist tobacconists (as defined in section 6 of the Tobacco Advertising and Promotion Act 2002) and on 6 April 2015 for all other purposes.

Provisions relating to the exclusion for specialist tobacconists from the prohibition of advertising are commenced on 6 April 2015.