

Cancer Research UK briefing: Age of Sale Legislation, December 2024

Key points

- **Cancer Research UK wants to bring about a world where everybody can lead longer, better lives, free from the fear of cancer.**
- **Smoking is still the biggest cause of cancer in Scotland and is responsible for around 5,700 cases of cancer every year. (2015 data).**
- **Smoking tobacco is responsible for 160 cancer cases a day in the UK.**
- **Every day, 350 [18-25 years olds](#) start smoking in the UK.**
- **The proposed legislation to raise the age of sale is a critical step on the road to a smokefree UK. Raising the age of sale by one year every year could prevent young people from ever smoking.**
- **There is no safe way to use tobacco. Therefore, all tobacco products must be included in the legislation.**
- **We encourage all MSPs to call for, and vote in favour of, a Legislative Consent Motion to ensure that this life saving legislation is introduced in Scotland too.**

[Why Cancer Research UK supports legislation to raise the age of sale](#)

The UK Government introduced a new and improved version of the Tobacco and Vapes Bill on 5th November 2024. This Bill includes landmark legislation to raise the age of sale of tobacco by one year every year so that nobody born on or after 1 January 2009 will ever be legally sold tobacco.

The Second Reading of the Tobacco and Vapes Bill took place in the UK Parliament on 26th November 2024, when MPs voted 415 to 47 in favour of the Bill – a majority of 368.

We welcome the 4-nation approach and encourage the UK Government and devolved administrations to continue to work together to ensure that, as far as possible, these vital measures will be adopted in a consistent way. **It is important that nobody is left behind and that this age of sale of legislation is implemented across the UK.**

Raising the age of sale of tobacco offers a historic opportunity for each Parliament and Assembly to help prevent young people from suffering a lifetime of addiction, ill health and premature death. It could help create a smokefree generation – a crucial step on the road to a smokefree UK.

We encourage all MSPs to vote in favour of introducing this legislation in Scotland too.

The potential impact of this legislation can't be understated:

- **Smoking is still the biggest cause of cancer in Scotland and is responsible for around 5,700 cases of cancer every year in Scotland (2015 data).**
- Tobacco kills one person every 1 hour in Scotland.
- Most people who smoke start when they are young, and around **8 in 10 people** who smoke have tried to quit. Increasing the age that people can legally be sold tobacco products could help prevent people from ever taking up a deadly addiction.
- When used exactly as recommended by the manufacturer, tobacco is the one legal consumer product that will kill most users – **2 out of 3 people who smoke will die from smoking.**
- Smoking rates do not fall on their own – they come down with government action. 13% of those aged 16–24 currently smoke cigarettes, less than half the rate of their parents' generation at their age (34%) thanks to decades of Government action.

Public support for action

- The public supported the age of sale legislation when asked about it in a [consultation](#) for the first iteration of this Bill with **65.5%** supporting it in Scotland.

The impact of tobacco on the economy and the NHS

- Taking action against tobacco could help reduce pressure on the NHS and economy. In 2022 in the UK, the gross cost of smoking to public finances was £20.6 billion; of this, £2.2bn fell on the health service and £1.3bn on the social care system.

Why raise the age of sale of tobacco incrementally?

This specific model to raise the age of sale would mean that **nobody born on or after 1 January 2009 will ever be legally sold tobacco**. This could stop young people from ever developing a dangerous addiction that they may then struggle to overcome and reduce their risk of cancer in the future.

- The last **UK Government's modelling suggests that by 2075, between 48,000 and 115,000 cases of smoking-related diseases would be avoided.** Based on this, Cancer Research UK estimates that **up to 10 million fewer cigarettes will be smoked each day by 2040** if the age of sale legislation is implemented.

Raising the age of sale by one year every year, as opposed to a single leap to either 21 or 25, would help to create a smokefree UK and prevent future generations from ever taking up smoking.

- The previous rise – a leap from 16 to 18 – led to reductions in smoking, however, for some people it just pushed back the age at which they started. **Smoking is dangerous at any age. It is important we don't just delay initiation, but instead fully prevent people from taking it up in the first place.**
- **Action on Smoking and Health (ASH) reported that when the tobacco age of sale increased from 16 to 18 in 2007 it had no impact on black market sales.** An incremental rise makes this even less likely as it will be a gradual change.

The proposed legislation would not impact anyone who can legally be sold tobacco, including those who smoke.

- The 6 million adults who currently smoke in the UK need support to stop. **Cancer Research UK has been calling on each nation to invest in and prioritise services that help people quit** – such as stop smoking services and mass media campaigns.
- If the UK Government can't pay for this investment, they should introduce a 'polluter pays' smokefree fund – making the tobacco industry foot the bill, without letting them influence how the funds are spent. This should be distributed in a fair and proportionate way across all 4 UK nations.

[How will this be enforced?](#)

This legislation will not criminalise smoking, but rather it will punish retailers who sell tobacco to people below the legal age of sale. It will also criminalise proxy purchasing – the purchase on behalf of someone below legal age. Children and those covered by this legislation who buy tobacco will not be punished.

Enforcement is key for this law to have the greatest impact. This requires sufficient resourcing and funding for trading standards services.

We were pleased to see that Scotland has changed existing legislation which criminalised the purchase of tobacco, and that it is now aligned with the rest of the UK to criminalise the sale of the product. This means that no child (or underage person) will be punished for buying tobacco.

Why is it important all tobacco products are included in the legislation?

The proposed legislation will include all tobacco products, cigarette papers and herbal smoking products. This mirrors the existing age of sale legislation for tobacco.

There is no safe way to use tobacco. All products that contain tobacco, including heated, are harmful and can cause cancer. In order to achieve a smokefree UK, it's important that the legislation covers all tobacco products.

The issue of smoking goes beyond just cigarettes.

- A Cancer Research UK-funded [study](#) revealed that in the last decade, there has been a sharp rise in the use of non-cigarette smoked tobacco products, such as cigars, cigarillos, pipes and shisha, particularly amongst young people.

Why is it essential to ensure the legislation doesn't contain loopholes that the industry could exploit?

This legislation will build on decades of regulatory action that has helped reduce youth uptake by making smoking less appealing. However, it's important that this legislation does not repeat errors of the past, which allowed the industry to undermine tobacco legislation by exploiting legal loopholes.

Cancer Research UK is pleased to see that the new Bill closes some of these loopholes, including the free distribution of vaping or nicotine products.

The UK Government must ensure that the law is robust and that the legislation is free from loopholes that could enable the tobacco industry from watering down the Bill.

What about the new regulations around vaping and e-cigarettes?

Evidence so far shows that legal vapes are far less harmful than smoking and can help people quit smoking. Vapes provide a valuable opportunity to help people who smoke to stop, which can reduce their risk of cancer and other tobacco-related diseases.

They should continue to be available to people who use them to quit smoking. However, as vapes are a relatively new product, their long-term impacts are unknown, and they cannot be considered risk-free.

Cancer Research UK supports action being taken by the UK Government to reduce the likelihood of vapes falling into the hands of children. It is also important that through clamping down on youth vaping, the government does not also create unnecessary barriers for those trying to quit smoking.

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