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Bhoireannach
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Dear Clare,

Publication of 4-nation consultation response on Smoke Free Generation

I am pleased to announce that on the 29 January a response to the [4-nation consultation](#) was launched on proposals to tackle smoking across the UK and the growing issue of children and young people vaping, including the environmental impact of single-use vapes, was published on the UK Government website.

The consultation covered the following broad themes:

- Creating a smokefree generation;
- Tackling youth vaping; and
- Enforcement.

As you know we remain committed to a tobacco-free Scotland by 2034 and we welcomed the opportunity to take part in this UK-wide consultation on creating a smoke-free generation.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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Publication of the response was led by the Department for Health and Social Care (DHSC) in UK Government, however all Devolved Governments have contributed to its development.

The large majority of responses supported the proposals to create a smokefree generation. There was a strong response to the consultation from residents in Scotland, which represented 11 per cent of the 27,921 responses received.

Respondents were mostly in favour of the proposed measures to tackle youth vaping, particularly restricting point of sale displays and restricting packaging. Although there was a mix of views on how best to do this.

There was also support for extending these regulations to cover non-nicotine vapes as well as to other consumer nicotine products, such as nicotine pouches, to avoid loopholes and support stronger enforcement.

Respondents were strongly in favour of introducing a ban on the sale and supply of disposable vaping products.

The consultation response commits to legislating via a UK-wide Bill to change the age of sale legislation and to provide powers within the bill to legislate on vape flavours, display, packaging, and other measures.

The Bill will take measures to:

- change the age of sale for all tobacco products, cigarette papers and herbal smoking products whereby anyone born on or after 1 January 2009 will never legally be sold tobacco products alongside prohibiting proxy sales, and changing warning notices;
- introduce regulation making powers to restrict flavours, point of sale and packaging for vaping products (nicotine and non-nicotine) as well as other consumer nicotine products; and
- introduce new FPNs for England and Wales with a penalty of £100 where it is believed an offence has been committed in relation to age of sale and free distribution legislation for tobacco and vapes (nicotine and non-nicotine) and regulate to extend these provisions to other consumer nicotine products (these powers already exist in Scotland).

Separately, the UK Government, Scottish Government and Welsh Government intend to introduce legislation to ban the sale, supply and importation of disposable vapes. Northern Ireland officials acknowledge the issues raised during the consultation and will consider potential legislation in future.

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The Minister for Green Skills, Circular Economy and Biodiversity will bring forward Scottish regulations under the Environmental Protection Act 1990 to enact a ban, which will be considered by the Net Zero, Energy and Transport Committee.

We are working with the UK Government, Welsh Government and the Northern Ireland Executive to ensure as far as possible that recommendations are adopted in a consistent manner across the UK to ensure regulatory alignment.

I hope the Committee finds this information helpful and I will continue to update on progress as this work develops, including a statement to parliament on the detail of the legislation and next steps.

Yours sincerely,



Jenni Minto MSP

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