

Health, Social Care and Sport Committee
Tuesday, 21 May 2024
16th Meeting, 2024 (Session 6)

Tobacco and Vapes Bill LCM – Evidence from stakeholders

Note by the clerk

Background

1. At today's meeting, the Committee will be holding an evidence session with stakeholders ahead of the Committee's formal consideration of the Tobacco and Vapes Bill Legislative Consent Memorandum (LCM) in June.
2. The oral evidence session will be in the form of two panels of witnesses, the first comprising:
 - Dr Pete Cheema, Chief Executive, Scottish Grocers' Federation;
 - John Dunne, Director General, UK Vaping Industry Association;and the second comprising:
 - Sheila Duffy, Chief Executive, ASH Scotland
 - Dr Garth Reid, Consultant, Public Health Scotland
3. The Committee has been designated as the lead committee for [consideration of the LCM](#). The memorandum was lodged by Neil Gray, Cabinet Secretary for NHS Recovery, Health and Social Care, under Rule 9B.3.1(a) of the Parliament's standing orders, and is supported by Jenni Minto, Minister for Public Health and Women's Health. The Tobacco and Vapes Bill was introduced in the House of Commons on 20 March 2024. The Bill can be found on the [UK Parliament website](#).
4. The explanatory note states that the Bill seeks to create the first smokefree generation and reduce youth vaping. In order to do so, it will introduce measures which seek to stop people from starting smoking, as well as stopping vaping products from being targeted at children.
5. The core measures of the Bill will:
 - From 1 January 2027 make it an offence to sell tobacco products to anyone born on or after 1 January 2009;
 - Provide powers to reduce the appeal and availability of vapes (nicotine and non-nicotine) to children;

- Strengthen enforcement activity to support implementation of the above measures (England and Wales only).
- 6. The Bill seeks to apply broadly equivalent measures UK-wide, building on existing legislative frameworks that apply across the UK. To close regulatory loopholes and protect against future harms of nicotine addiction, the Bill will also enable relevant existing measures regulating vapes to be expanded to a wider range of nicotine products and amend various product definitions to ensure consistent application of the law across the different UK jurisdictions.
- 7. To inform the Bill, a four nations consultation on [Creating a Smoke Free Generation and Tackling Youth Vaping](#) was held in 2023. The consultation built on recommendations from the independent Khan review in 2022, which set out a set of recommendations to tackle smoking rates and youth vaping in the UK.
- 8. The consultation received nearly 28,000 responses from individuals and organisations across the UK. The joint government response was published on [29 January 2024](#).
- 9. The Health, Social Care and Sport Committee recently held an evidence session on the public health impact of vaping at its [meeting on 14 November 2023](#).

Today's meeting

- 10. At today's meeting, Members will have an opportunity to put questions to stakeholders on the potential impact of the Bill in Scotland.

Clerks to the Committee
16 May 2024