WELSH STATUTORY INSTRUMENTS

2011 No. 2498 (W.271)

CHILDREN AND YOUNG PERSONS, WALES

The Protection from Tobacco (Sales from Vending Machines) (Wales) Regulations 2011

Made - - - -	*18 October 2011*
Coming into force - -	*1 February 2012*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 3A of the Children and Young Persons (Protection from Tobacco) Act 1991(**1**).

A draft of these Regulations was laid before, and approved by resolution of, the National Assembly for Wales in accordance with section 3A(7)(b) of that Act.

Title, commencement, and application

1.—(1) The title of these Regulations is the Protection from Tobacco (Sales from Vending Machines) (Wales) Regulations 2011 and they come into force on 1 February 2012.

(2) These Regulations apply in relation to Wales.

Prohibition of the sale of tobacco from vending machines

2.—(1) The sale of tobacco(**2**) from an automatic machine is prohibited.

(2) The person who controls, or is concerned with the management of, the premises where the automatic machine is located will be liable for a breach of paragraph (1)(**3**).

(3) In this regulation "premises" ("*mangre*") includes any place and any vehicle, vessel, hovercraft, stall or moveable structure.

(**1**) 1991 c. 23. Section 3A was inserted by the Health Act 2009 (c. 21), section 22. *See* section 3A(8) for the definition of "the appropriate national authority".

(**2**) "Tobacco" has the same meaning as in section 7 of the Children and Young Persons Act 1933 (c. 12).

(**3**) In accordance with section 3A(3) of the Children and Young Persons (Protection from Tobacco) Act 1991, such person will be guilty of an offence if the prohibition in regulation 2(1) is breached. Pursuant to section 3A(4) of that Act a person guilty of an offence under section 3A(3) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.