




This factsheet will help to clarify the law around cigarettes, tobacco, and nicotine vapour products (NVPs), such as e-cigarettes / vapes.

<p>1.</p>	<p>It is illegal to sell cigarettes or NVPs to anyone under the age of 18</p> <p>The minimum age when it is legal to sell someone cigarettes or NVPs is 18 years. And it's not just these products; the law covers all tobacco products, including cigarettes, cigars, rolling tobacco and pipes as well as rolling papers, e-cigarettes, e-liquids and any separate part of an e-cigarette.</p> <p>Trading Standards use under-age volunteers to carry out covert test purchasing in shops to check that they are complying with the law. Trading Standards are always looking for volunteers to help with this. If you are interested, apply at: https://www.highland.gov.uk/agerestrictedsales</p>
<p>2.</p>	<p>It is illegal for anyone under 18 to buy or attempt to buy cigarettes</p> <p>A person under the age of 18 who buys or attempts to buy a tobacco product or cigarette papers commits an offence and may face an on the spot fine of £50 (Fixed Penalty Notice). If you don't pay the fine you could be taken to court and face a criminal record. A criminal record could affect your ability to travel abroad.</p>
<p>3.</p>	<p>It is illegal for anyone 18 or over to buy cigarettes or NVPs on behalf of anyone under 18</p> <p>A person aged 18 or over who buys or attempts to buy a tobacco product, cigarette papers or NVP on behalf of a person under the age of 18 commits an offence and may face an on the spot fine of £200.</p> <p>Buying on behalf of someone underage is called a proxy purchase. ASH Scotland launched the #notafavour campaign to encourage people not to supply young people with tobacco.</p> <div data-bbox="879 1339 1393 1559" style="border: 1px solid blue; border-radius: 15px; padding: 5px;">  <p>#notafavour</p> <p>The campaign to reduce the illegal supply of tobacco to under-18's</p> <p>An on-going campaign in support of a generation free from tobacco</p>  </div>
<p>4.</p>	<p>It is illegal to sell cigarettes from a self-service vending machine</p> <p>Self-service vending machines used for selling cigarettes are banned from use. Self-service means the customer can use it themselves, however they may still be found behind counters for staff only to operate.</p>
<p>5.</p>	<p>It is illegal to smoke in public places</p> <p>It is illegal to smoke in most indoor places other than private homes. This includes restaurants, bars, hotels, theatres, sports centres, shopping centres, public transport, schools, hospitals and all clubs. The law also covers almost all workplaces, including lorries and vans.</p>

Tobacco and the law factsheet

6.	<p>It is illegal to display cigarettes in shops</p> <p>Retail premises are required to cover up their display of all tobacco and smoking related products including cigarettes, cigars, rolling tobacco and pipes as well as rolling papers.</p>
7.	<p>It is illegal to sell fake cigarettes</p> <p>Fake cigarettes or ‘counterfeit cigarettes’ are cheap copies that look like well-known brands. It is known that some of the criminals involved in making and selling fake tobacco products are part of organised crime and linked to other types of crime such as human trafficking, gun possession, drug supply, money laundering and benefits fraud.</p>
8.	<p>It is illegal for an under 18 to refuse a police officer’s request to hand over cigarettes in a public place</p> <p>A police officer can confiscate cigarettes from a person in a public place if they think that person is under 18. If that person doesn’t co-operate with the police and refuses to hand over the items or refuses to provide the officer with their name and address if requested, they are committing an offence. If they are over 16 they may be arrested and/or face a fine of £50.</p>
9.	<p>It is illegal to take cigarettes out of their original sealed packaging to sell them individually</p> <p>Cigarettes can only be sold pre-packed in their original package, which must contain at least 20 cigarettes. Cigarettes cannot be sold individually.</p>
10.	<p>It is illegal to sell cigarettes that are not in standardised packaging</p> <p>All cigarettes and hand rolling tobacco must be sold in standardised packaging. The packet must be a drab dark brown colour and have a number of health warnings on the dangers of tobacco on the packaging, just like this:</p> 

Highland Council and NHS Highland are signatories to Scotland’s Charter for a Smoke Free Generation. This resource supports principle 4: every child has the right to effective education that equips them to make informed positive choices on tobacco and health.

