



Cancer Research UK briefing: Tobacco and Vapes Bill Amendments (Clauses covered: 1-27 and Schedule 1)

Key points

- Cancer Research UK does not support Amendments 1-15 to raise the age of sale to 21 or 25.
 - We support raising the age of sale so that nobody born on or after 1 January 2009 can be legally sold tobacco, to help create the first ever smokefree generation.
- CRUK supports Amendment 20 to increase the fixed penalty notice amount.

Amendments 1-15

These amendments seek to alter the Bill to make it an offence to sell tobacco products, herbal smoking products and cigarette papers to a person under the age of 21, rather than, as the Bill currently stipulates, to people born on or after 1 January 2009.

CRUK's recommendation:

Cancer Research UK is opposed to these amendments and believes that the Tobacco and Vapes Bill Committee should not weaken the Bill's position on raising the age of sale of tobacco.

The Committee should not support these amendments. Raising the age of sale incrementally so that nobody born on or after 1 January 2009 can be legally sold tobacco products could help to create a smokefree generation and is an important step on the road to a smokefree UK.

Tobacco addiction is often developed at an early age, with almost 9 in 10 people who smoke [reporting](#) that they took up smoking before the age of 21. That's why raising the age of sale and preventing young people from ever starting smoking is critical to a smokefree future. After bold policy moves in the late 2000s, when the government raised the age of sale from 16 to 18, and smoking in enclosed public places was banned, smoking rates [declined](#). However, for some people, it just delayed the initiation of smoking.

. Smoking is dangerous at any age, and it's important we don't just delay the age someone starts to smoke, but instead fully prevent people from taking it up in the first place. This Bill's current policy to raise the age of sale of tobacco by one year every year (so that nobody born on or after 1 January 2009 will be legally sold

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tobacco) would help to create the first ever smokefree generation. This could prevent future generations from ever taking up smoking.

With sufficient enforcement, we are also confident that raising the age of sale to create a smokefree generation would not worsen the illicit trade. Action on Smoking and Health (ASH) reported that when the age of sale of tobacco 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.

Amendment 20

This amendment seeks to increase the fixed penalty notice amount from £100 to £200 for one of these offences: selling tobacco to underage people; purchasing tobacco on behalf of other; selling vaping products to under-18s; or freely distributing vaping products to under-18s.

CRUK's recommendation:

Cancer Research UK supports increasing the fixed penalty notice amount. The Committee should support this amendment to ensure that the Bill is properly enforced.

Fixed penalty notices should be issued for breaches of the proposed tobacco and vapes legislation. This would allow Trading Standards staff to take action against those who break the law and could reduce the current challenges of taking forward prosecutions. Strong enforcement of this legislation would help to ensure the Bill's effectiveness.

Increasing the amount that a retailer is fined could make the fixed penalty notice a more meaningful deterrent, potentially ensuring stronger adherence to the law. Enforcement agencies such as Trading Standards would be best placed to advise on the exact amount of the fine.

For full details on CRUK's position on the Age of Sale legislation see here:

[Age of Sale briefing March 2024.docx](#)