

Tobacco and Vapes Bill

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

[Supplementary to the Fourth Marshalled List]

Amendment
No.

Clause 84

LORD JOHNSON OF LAINSTON

135A★ Clause 84, page 46, line 30, at end insert—

“4AA Transitional provision for specialist tobacconists

- (1) Notwithstanding section 4A(1) or (2), a person carrying on business as a “specialist tobacconist” immediately before the day on which this Act is passed shall be treated as holding a personal licence and a premises licence under section 4A in respect of those premises.
- (2) A licence treated as granted under subsection (1)—
 - (a) shall have effect as if granted under regulations made under section 4A(4),
 - (b) shall continue in force until revoked or surrendered, and
 - (c) may be renewed or varied in accordance with those regulations.
- (3) For the purposes of this section, “specialist tobacconist” means a shop selling tobacco products by retail (whether or not it also sells other things) more than half of whose sales on the premises in question derive from the sale of cigars, snuff, pipe tobacco and smoking accessories.
- (4) For the purposes of determining whether a shop is a specialist tobacconist, the sales are to be measured by sale price—
 - (a) during the most recent period of 12 months for which accounts are available, or
 - (b) during the period for which the shop has been established, if it has not been established long enough for 12 months’ accounts to be available.
- (5) Regulations made under section 4A(4) of this Act or Schedule 11 of the Tobacco and Vapes Act 2025 may not make provision that would—

- (a) prevent the grant or continuation of a licence treated as granted under subsection (1), or
 - (b) restrict such licences by reference to any limitation on the number or geographical distribution of retail licences within an area.
- (6) The Department may by regulations make further transitional or saving provisions for the purpose of giving effect to this section.”

Member's explanatory statement

This amendment, and others in the name of Lord Johnson of Lainston, would ensure that existing specialist tobacconists in Northern Ireland are automatically granted a retail licence under the new licensing scheme. Its effect is to grandfather such businesses into the regime and exempt them from any future limits on the number or geographical distribution of retail licences.

Schedule 11

LORD JOHNSON OF LAINSTON

136A★ Schedule 11, page 150, line 33, at the end insert –

“but any such provision shall not apply to a person treated as holding a licence under section 4AA.”

Member's explanatory statement

This amendment, and others in the name of Lord Johnson of Lainston, would ensure that existing specialist tobacconists in Northern Ireland are automatically granted a retail licence under the new licensing scheme. Its effect is to grandfather such businesses into the regime and exempt them from any future limits on the number or geographical distribution of retail licences.

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10 November 2025
