

# Tobacco and Vapes Bill

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## RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including  
15 December 2025*

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*[Amendments marked ★ are new or have been altered]*

### After Clause 48

BARONESS HOEY

★ After Clause 48, insert the following new Clause—

#### **“Regulations made under Part 1: Windsor Framework**

- (1) Before making any regulations under this Part, the Secretary of State must—
  - (a) commission an independent legal opinion assessing—
    - (i) the extent to which the implementation of this Act in Northern Ireland complies with the Windsor Framework;
    - (ii) the likelihood of any increase in the illicit trade in tobacco products if regulations under this Act are made in relation to Northern Ireland otherwise than in England, Wales and Scotland;
  - (b) publish that legal opinion;
  - (c) consult any person they consider appropriate.
- (2) The Secretary of State may not make regulations under this Part unless the Secretary of State is satisfied that the legal opinion under subsection (1) demonstrates that the implementation of Part 3 of this Act (sale and distribution: Northern Ireland) is fully compliant with the Windsor Framework and consistent with the Tobacco Products Directive of the European Union (2014/40/EU).”

#### ***Member's explanatory statement***

*This amendment seeks to prevent the Secretary of State from making regulations about the sale and distribution of tobacco in England and Wales until they have considered and demonstrated that to do the same in Northern Ireland would be fully compatible with the Windsor Framework and the Tobacco Products Directive.*

**After Clause 87**

BARONESS HOEY

★ After Clause 87, insert the following new Clause –

**“Regulations made under Part 3: Windsor Framework**

- (1) Before making any regulations under this Part, the Secretary of State must –
  - (a) commission an independent legal opinion assessing –
    - (i) the extent to which the implementation of this Act in Northern Ireland complies with the Windsor Framework;
    - (ii) the likelihood of any increase in the illicit trade in tobacco products if regulations under this Act are made in relation to Northern Ireland otherwise than in England, Wales and Scotland;
  - (b) publish that legal opinion;
  - (c) consult any person they consider appropriate.
- (2) The Secretary of State may not make regulations under this Part unless the Secretary of State is satisfied that the legal opinion under subsection (1) demonstrates that the implementation of this Part is fully compliant with the Windsor Framework and consistent with the Tobacco Products Directive of the European Union (2014/40/EU).”

***Member's explanatory statement***

*This amendment seeks to prevent the Secretary of State from making regulations about the sale and distribution of tobacco in Northern Ireland until they have considered and demonstrated that this would be fully compatible with the Windsor Framework and the Tobacco Products Directive.*

**After Clause 157**

BARONESS HOEY

★ After Clause 157, insert the following new Clause –

**“Amendment of the European Union (Withdrawal) Act 2018**

In section 7A of the European Union (Withdrawal) Act 2018 (general implementation of remainder of withdrawal agreement), after subsection (4), insert –

- “(4A) This section does not apply in relation to Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC.””

***Member's explanatory statement***

*This amendment seeks to assert the primacy of the regulations made in this Bill which affect Northern Ireland in relation to the EU tobacco directive 2014/40/EU.*

**Clause 167**

BARONESS HOEY

★ Clause 167, page 120, line 13, leave out “(2) to (8).” and insert “(1A) to (8).”

(1A) Parts 1 to 3 may not come into force until the Secretary of State has commissioned and published the findings of an independent legal opinion showing that these parts are fully compatible with the Windsor Framework and consistent with the Tobacco Products Directive of the European Union (2014/40/EU).”

***Member's explanatory statement***

*This amendment seeks to prevent Parts 1 to 3 of the Bill coming into force until the Secretary of State has considered and demonstrated that this would be fully compatible with the Windsor Framework and the Tobacco Products Directive.*

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