

# Tobacco and Vapes Bill

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AMENDMENT  
TO BE MOVED  
ON REPORT

*[Supplementary to the Marshalled List]*

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**After Clause 92**

LORD UDNY-LISTER

After Clause 92, insert the following new Clause—

**“Prohibition on vapes with tanks exceeding 2.00ml or designed for additional tanks**

- (1) It is an offence to place on the market any vape which, when presented for retail sale, incorporates or is supplied with more than one tank, cartridge, or pod container.
- (2) It is an offence to place on the market any vape that contains a tank, cartridge, or pod container, designed to form part of the device, where the vaping liquid capacity of any individual tank, cartridge or pod container exceeds 2.00ml.
- (3) It is an offence to place on the market a vape that is designed to allow an additional tank, cartridge, or pod container to be attached, such that the total liquid capacity of all containers designed to form part of the device exceeds 2.00ml at any time.
- (4) In this section—
  - (a) “vape” has the same meaning as in section 111 of this Act,
  - (b) “tank, cartridge, or pod container” means any container designed to form part of the device and designed to hold vaping liquid,
  - (c) “attach” includes any mechanism where a refill container or additional tank is designed to be connected to, integrated with, or made functionally part of the device, and
  - (d) references to a tank, cartridge or pod container do not include a refill container supplied separately and not designed to form part of the device.
- (5) A person who commits an offence under this section is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates’ court, or a fine, or both;

- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine, or both.”

***Member's explanatory statement***

*This amendment prohibits the placing on the market of vaping devices designed to permit an effective liquid capacity exceeding 2.00 ml, including devices incorporating more than one tank, cartridge or pod container, any individual container exceeding 2.00 ml, or designs that allow additional containers to be attached so that the total capacity exceeds 2.00 ml at any time.*



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*25 February 2026*

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