

The logo for the Scottish Grocers' Federation (SGF) consists of the letters 'SGF' in a bold, white, sans-serif font. The 'S' and 'G' are connected, and the 'F' is separate. The background of the entire page is a dark blue gradient with a glowing grid pattern of light blue lines that curves across the top and sides.

Scottish Grocers' Federation

**REGULATIONS FOR  
NICOTINE VAPING  
PRODUCTS AND TOBACCO  
COMPLIANCE IN SCOTLAND**

**RETAILER'S GUIDE**

**DECEMBER 2024**

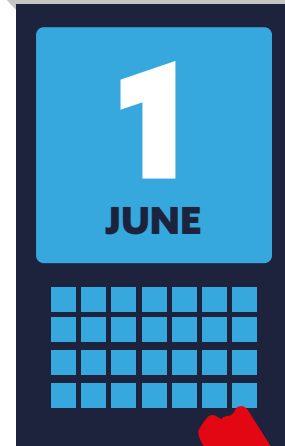
## SINGLE-USE VAPE BAN FROM 1ST JUNE 2025

In February 2025, the Scottish Government will publish regulations to ban the sale of disposable vapes in Scotland. In order to align with a similar ban being introduced for the other nations of the UK, the ban will now come into force from 1st June 2025.

The Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024 is the primary legislation used to introduce a ban on disposable vapes in Scotland, and this differs from the UK Tobacco and Vapes Bill which is currently being scrutinised by the UK Parliament.

From 1st June, it will be an offence for a person or business to supply, offer to supply, or have in their possession for supply, single-use vapes. Those found in breach will be subject to a summary conviction of up to 2 years or/and a fine.

**There will be no sell through period and all retailers and product must be fully compliant from 1st June 2025. (Any left-over stock must be discontinued and stored separately from items for sale, clearly marked as 'Not for Sale')**



### HOW TO IDENTIFY A DISPOSABLE VAPE?

**A single-use vape is a vape which is not designed or intended to be re-used and includes any vape which is:**

- (a) not refillable,
- (b) not rechargeable, or
- (c) not refillable and not rechargeable

**A vape is not refillable, unless it is designed to include:**

- (a) a single-use container which is separately available and can be replaced by an individual user in the normal course of use, or
- (b) a container which can be refilled by an individual user in the normal course of use

**A vape is not rechargeable if it is designed to contain:**

- (a) a battery which cannot be recharged, or
- (b) a coil which is not separately available (available for purchase by an individual user) and cannot be replaced by an individual user in the normal course of use, including any coil which is contained in a single-use cartridge or pod which is not separately available and cannot be replaced by an individual user in the normal course of use

### WHAT'S COMING?

In the coming months changes to the regulations on the sale of vape and tobacco products are expected to be introduced through the UK Government's Tobacco and Vape Bill. These changes may include, although are not limited to:

- A generational ban on the sale of tobacco products.
- Restrictions to the packaging, marketing, and in store display of vape products.
- Potential limitations to flavours and flavour names.

**The information on this page is accurate at the time of publication. However, as discussed above, there will be significant changes to the regulations on the sale of tobacco and vape product in Scotland throughout 2025/26. SGF recommends that you contact your local Trading Standards office to ensure full compliance with the law. SGF will keep members informed as the situation progresses.**

TIME OF PUBLICATION (December 24)

## USEFUL CONTACTS

### SCOTTISH GROCERS' FEDERATION

[www.sgfscot.co.uk/](http://www.sgfscot.co.uk/)

To email us visit: [www.sgfscot.co.uk/contact](http://www.sgfscot.co.uk/contact)

T: 0131 343 3300

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### LOCAL AUTHORITY TRADING STANDARDS

[www.gov.uk/find-local-trading-standards-office](http://www.gov.uk/find-local-trading-standards-office)

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### SCOTTISH GOVERNMENT TOBACCO CONTROL TEAM

[www.gov.scot/policies/smoking/](http://www.gov.scot/policies/smoking/)

E: [tobaccocontrolteam@gov.scot](mailto:tobaccocontrolteam@gov.scot)

T: 0131 244 2169

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### TOBACCO RETAILERS REGISTER

[www.tobaccoregisterscotland.org](http://www.tobaccoregisterscotland.org)

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### NO ID NO SALE

[www.noidnosale.com](http://www.noidnosale.com)

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**ELECTRONIC CIGARETTES - MEDICINES AND HEALTHCARE PRODUCTS REGULATORY AGENCY (MHRA)**  
[www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency](http://www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency)

E: [info@mhra.gsi.gov.uk](mailto:info@mhra.gsi.gov.uk)

T: 020 3080 6000

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### BUSINESS COMPANION (TRADING STANDARDS LAW - EXPLAINED)

[www.businesscompanion.info](http://www.businesscompanion.info)

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### REGULATIONS: WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

[www.gov.uk/guidance/regulations-waste-electrical-and-electronic-equipment](http://www.gov.uk/guidance/regulations-waste-electrical-and-electronic-equipment)

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For more useful Questions & Answers go to:

[www.tobaccoregisterscotland.org/frequently-asked-questions/](http://www.tobaccoregisterscotland.org/frequently-asked-questions/)  
[www.gov.scot/publications/age-verification-guidance/](http://www.gov.scot/publications/age-verification-guidance/)

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### *Society of Chief Officers of Trading Standards in Scotland*

[www.scotss.org](http://www.scotss.org)

E: [coordinator@scotss.org.uk](mailto:coordinator@scotss.org.uk)

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Disclaimer: The author and producers of this guide do not accept legal responsibility for actions taken by you in reliance on content. If you have any questions or concerns, then you should talk to your local Trading Standards officer. All information in this guide is correct at time of print.

## FOREWORD

By Dr. Pete Cheema OBE



Sale of Nicotine Vapour Products (NVPs) including e-cigarettes to under-18s and proxy purchase of NVPs on behalf of under-18s is prohibited in Scotland. Retailers who sell tobacco/NVPs must be registered and operate an Age Verification Policy.

Providing a full basket for customers is essential for convenience stores the length and breadth of Scotland. Retailers are at the heart of their communities, and many count their customers among their friends.

However, there are big changes coming down the road for retailers regarding the sale of vape and tobacco products. Including a full ban on the sale of single-use vapes from 1st June 2025.

We have therefore prepared this updated guide to our previous version published first in 2016 and then an updated version in 2023, so that retailers have a useful resource to help ensure they are familiar with and understand the key elements of the laws on the sale of tobacco products and e-cigarettes, which are currently in force.

Just like retailers across the country, the Scottish Grocers' Federation (SGF) is focused on responsible community retailing. Working with key stakeholders to promote this goal and highlighting the importance of adhering to legislative and regulatory requirements.

SGF is the leading trade association for the Scottish convenience store sector. Representing over 5,200 convenience stores in Scotland, which includes all the major symbol groups, co-ops, and convenience multiples in Scotland.

Throughout this guide, there is a particular focus on the responsibilities and actions which retailers must take to be compliant with legal requirements. We know that retailers will do everything they can to comply with these and continue their commitment to the responsible retailing of tobacco and NVPs.

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**SGF Chief Executive  
Dr Pete Cheema OBE**

It is essential that Scottish convenience retailers continue to be aware and are familiar with their legal responsibilities as vendors of Nicotine Vaping Products (NVP) and Tobacco products. This includes the importance of compliance, the consequences of non-compliance and where they can find out more information.

One of the principle aims of Scottish Grocers' Federation (SGF) is to promote responsible community retailing. Reinforcing the positive impact convenience stores make on the local areas which they serve. Retailers are trusted and respected, and at the heart of many communities. With nearly half of customers knowing the people running and working in their local shop.

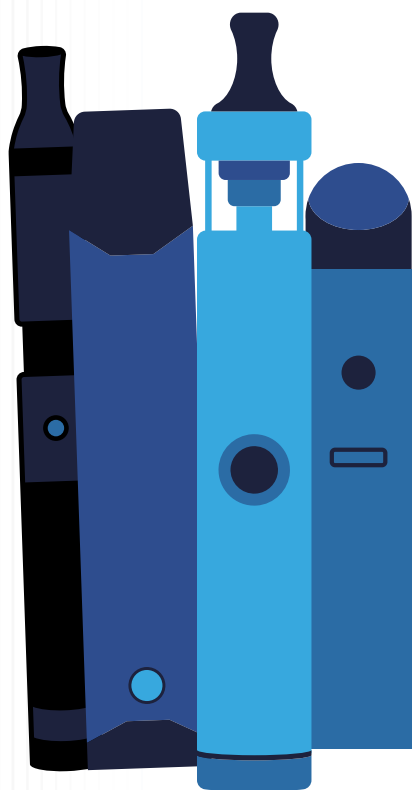
This guide is very much in line with that aim. It is intended to enable retailers to fully understand and be fully compliant with their legal responsibilities around the sale of tobacco and NVPs.



## THE LEGISLATION AND REGULATIONS TO BE AWARE OF

Retailers who sell tobacco or NVPs must ensure they are always compliant. Here are a few of the key rules which regulate that environment.

Nicotine Vapour Products are any type of device, or any part of a device used to enable the inhalation of nicotine-containing vapour or any other kind of device that resembles these characteristics. (See page 7 for a definition of an NVP).



NVP's "Vapes" are devices that heat a nicotine-containing e-liquid to generate an aerosol. This provides an experience that delivers nicotine without burning tobacco. Using an NVP is also known as "vaping", this includes E-cigarettes, E-cigars and E-shisha and other similar products such as flavoured non-nicotine vapour products.

The Tobacco and Related Products Regulations 2016 (TRPR 2016) brought in a number of requirements including restricting the capacity of tanks to 2ml, the volume of nicotine in containers to 10ml, the strength of nicotine in liquids to no more than 20mg/ml and banning certain ingredients including vitamins, colourings, caffeine and taurine.

The European Union Tobacco Products Directive (TPD) is the framework that sets minimum regulatory standards and processes for tobacco products, electronic cigarettes and herbal products for smoking in the European Union. The Directive was implemented into UK law through the Tobacco and Related Product Regulations 2016 (TRPR), and has not changed since the UK left the EU.

[www.legislation.gov.uk/uksi/2016/507/contents/made](http://www.legislation.gov.uk/uksi/2016/507/contents/made)

# WHAT IS AN NVP AND WHAT IS A COMPLIANT PRODUCT?

'Nicotine Vapour Products' (NVP) is the term introduced in Scotland through the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 to cover any type of device or any part of a device used to enable the inhalation of nicotine-containing vapour or any other kind of device that resembles these. This includes E-cigarettes, E-cigars and E-shisha but could include other similar products (designed for other vapour) such as flavoured non-nicotine vapour products or those yet to be invented.

NVPs also include any part of a device, or substance intended to be used with the device – such as e-liquids. All UK compliant products are listed on the Medicines and Healthcare products Regulatory Agency (MHRA) website at: <https://cms.mhra.gov.uk/ecig-new>



## PRODUCT REQUIREMENTS:

- **Maximum tank size (cartridge/pod): 2 ml**
- **Maximum refill container volume: 10 ml**
- **Maximum nicotine content: 20 mg/ml**
- **Must be manufactured using only ingredients of high purity**

## ONLY BUY FROM TRUSTED SOURCES AND PRODUCTS WITH MHRA APPROVAL

Retailers should only sell vaping products with published notifications on the UK Medicines and Healthcare products Regulatory Agency (MHRA) website (link above).

It is critical that retailers check that the products they stock are notified on the MHRA database before offering them for sale. If there is any discrepancy whatsoever, remove the items from sale and contact your local Trading Standards office at [www.gov.uk/find-local-trading-standards-office](http://www.gov.uk/find-local-trading-standards-office) immediately.

All non-compliant products must be withdrawn from sale immediately.

**For expert and general advice please access the Business Companion (trading standards law explained) at:**  
[www.businesscompanion.info/](http://www.businesscompanion.info/)

## RETAILER COMPLIANCE

It is an offence for retailers to sell non-compliant products and, in the case of e-cigarettes, this includes products that do not comply with the Tobacco and Related Products Regulations 2016, even if those products have been notified by the MHRA.



- **The Scottish Tobacco Register came into force in 2011. Anyone selling tobacco, NVPs or both tobacco and NVPs must be a registered retailer. Register your business and products at (see Page 10):**  
[www.tobaccoregisterscotland.org](http://www.tobaccoregisterscotland.org)



- **It is an offence to sell Tobacco products and Nicotine Vapor Products, such as vapes and e-cigarettes, to anyone under the age of 18. It is also illegal for customers to proxy purchase nicotine-based products on behalf of someone under the age of 18.**



- **Each pack must contain a health warning covering at least 30% of the surface area (both front and back). Please see official guidance from MHRA at the link below.**

**That warning must read:**

*THIS PRODUCT CONTAINS NICOTINE  
WHICH IS A HIGHLY ADDICTIVE SUBSTANCE*



- **Each pack must clearly state:**
  - The ingredients of the product/e-liquid containing nicotine
  - The nicotine content and delivery per dose (mg per cartridge)
  - The name and contact details for the manufacturer or brand
  - A batch number or code
  - Quality Assurance marks (CE, UKCA or both)
  - Disposal of electrical and electronic waste (Crossed out wheelie bin)

- **Product safety and health claims are also prohibited on the pack.**

**IT IS  
RECOMMENDED  
TO KEEP NVP  
PRODUCTS OUT  
OF THE REACH OF  
CHILDREN.**

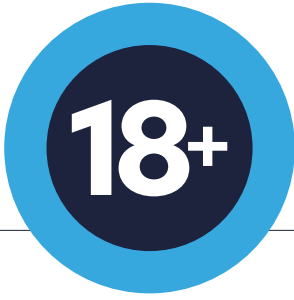
**Packaging must be child-resistant and contain health warnings.**

**All devices and liquids must be notified to the Medicines and Healthcare Products Regulatory Agency before they can be sold. In addition, restrictions were introduced around the marketing and promotion of vaping products.**

**See further instructions about packaging requirements at:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1062539/Advice\\_for\\_retailers\\_of\\_e-cigarettes\\_and\\_nicotine-containing\\_e-liquids.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1062539/Advice_for_retailers_of_e-cigarettes_and_nicotine-containing_e-liquids.pdf)





It is an offence to sell Tobacco products and Nicotine Vapor Products, such as vapes and e-cigarettes, to anyone under the age of 18. It is also illegal for customers to proxy purchase nicotine-based products on behalf of someone under the age of 18. Under contract law, sellers can refuse a sale of any product to any person offering to buy it.

### A RETAILER'S RESPONSIBILITIES:

- As a retailer, you must operate an age verification policy to check the age of anyone attempting to buy a tobacco product, cigarette papers or an NVP who appears to be under the age of 25.
- Establish a policy or course of action for your staff to adhere to, provide adequate training and keep a record of having done this.
- Statutory warning notices 'It is illegal to sell tobacco products to anyone under the age of 18' must be displayed in a prominent position at point of sale.

UNDER 25?

Please show ID when buying e-cigarettes

UNDER 25?

Please be prepared to show proof of age when buying e-cigarettes

Acceptable forms of ID



- Photographic driving licence
- Cards showing Pass hologram
- Passport



RASG

UNDER 25?

Please be prepared to show proof of age when buying e-cigarettes



The only documents that are legally permitted for proof of age are a passport, European photocard driving licence, Ministry of Defence Form 90 (Defence Identity Card), Photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram – such as Young Scot Card, EU identity card and Biometric Immigration Document.

If you allow a member of staff who is under the age of 18 to sell tobacco, cigarette papers or NVPs then you will be committing an offence UNLESS you as the owner or registered tobacco retailer of your shop or your shop manager has authorised that staff member to sell them, and you have kept a record of that authorisation.

It is also illegal for anyone to 'proxy purchase' a tobacco or NVP product on behalf of someone under the age of 18.

The steps a retailer should take to be age compliant (Similar precautions should be taken for online sales).

Retailers must ensure that staff understand:

- the age restrictions on the products for sale
- which forms of proof of age/ID are acceptable
- if in doubt of a person's age, they should ask for proof of age
- if the doubt remains, the sale should be refused

## STEP 1 CREATE A POLICY FOR STAFF TO FOLLOW

Establish a policy for your staff to stick to. It would be sensible to have written procedures/documents that sets out the process for age verification that your staff can refer to at any time.

## STEP 2 STAFF TRAINING

Regularly train all staff who are going to be selling tobacco, cigarette papers and NVPs to follow your age verification policy. Everyone should be made aware of their own duties and warned that you may be fined if they don't follow the policy.

Your staff should be encouraged to challenge and to refuse the sale if they have any doubts. It is good practise to record any sale refusals they make in a refusals register. You should train any new employees and carry our refresher training several times over the course of a year.

## STEP 3 CHALLENGE 25 - PROOF OF AGE

If a customer looks younger than 25 years old then ask to see identification to confirm their age. Be strict about acceptable ID which should only include the forms of identification listed above. If the customer does not have suitable ID, then refuse the sale.



Check the ID to ensure it is genuine, has not been tampered with and that the photo matches the person seeking to buy the product and that they are aged 18 or over. If a PASS card, check that the hologram is visible. If in doubt, then refuse the sale.

## STEP 4 DISPLAY CLEAR SIGNS FOR CUSTOMERS

A statutory warning notice worded 'It is illegal to sell tobacco products to anyone under the age of 18' must be displayed in a prominent position at point of sale. It also is advisable to include other posters warning customers about challenging their age throughout the area. Under 18s signage is not required for NVP sales only for tobacco - contact your local Trading Standards office for advice at: [www.gov.uk/find-local-trading-standards-office](http://www.gov.uk/find-local-trading-standards-office)

## STEP 5 RECORD KEEPING

Keeping records is an essential area of good practice that should not be forgotten. This should include records of:

- **Training your staff demonstrating compliance with the legal duty to operate an age verification policy.**
- **Maintaining a refusals register shows that the policy is being followed. The refusals register may also help you in any investigation by Trading Standards into under-age sales.**
- **It is a legal requirement to keep a record of any staff under the age of 18 you authorise to sell tobacco, cigarette papers or NVPs.**

Visit [www.gov.scot/publications/age-verification-guidance](http://www.gov.scot/publications/age-verification-guidance) for more information on Age Verification in Scotland

## **REGISTER NOW! A RETAILER'S RESPONSIBILITY TO REGISTER BEFORE SELLING TOBACCO OR VAPING PRODUCTS**

Any business that sells either or both tobacco and Nicotine Vapour Products must be registered. Registration is free.

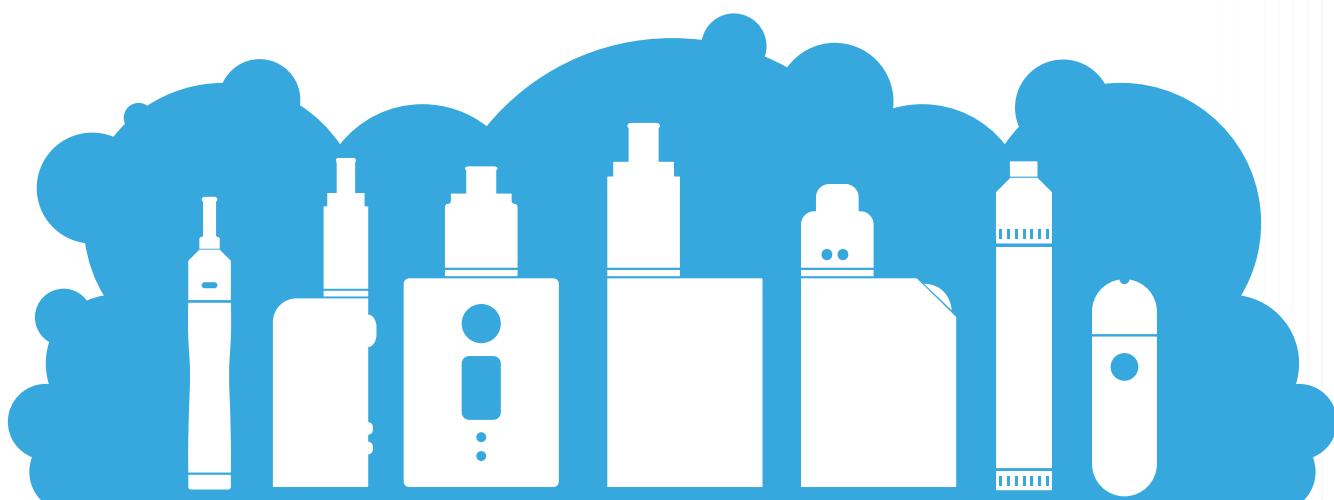
Even if you already have a certificate for the registration of your tobacco business at your shop, if you sell NVPs, you must apply to change your registration to record that you carry on both a tobacco and NVP business.

If you cease to sell either tobacco or NVPs from your shop, then you must notify the tobacco retail register of your changes within three months.

Registration can be completed either:

Online at: [www.tobaccoregisterscotland.org/register/](http://www.tobaccoregisterscotland.org/register/)

By Post: [www.tobaccoregisterscotland.org/about-the-register/register-by-paper/](http://www.tobaccoregisterscotland.org/about-the-register/register-by-paper/)



**This legislation only applies to persons carrying either a tobacco, nicotine vapour product or both.**

**“Tobacco Business” is defined in The Tobacco and Primary Medical Services (Scotland) Act 2010 to mean “a business involving the sale of tobacco products by retail”. If no part of your business involves retail trade then you do not require to be registered.**

**Nicotine Vapour Products Business defined in The Health (Tobacco, Nicotine, etc. and Care) (Scotland) Act 2016 means a business involving the sale of a nicotine vapour products by retail.**

REGISTER OF TOBACCO AND NICOTINE VAPOUR PRODUCT RETAILERS

**For more information about registering go to: [www.tobaccoregisterscotland.org/](http://www.tobaccoregisterscotland.org/)**

## POTENTIAL PENALTIES FOR NOT COMPLYING TO THE REGULATIONS

Retailers selling Tobacco or NVP products have a legal obligation to comply to the Health (Tobacco, Nicotine and Care (Scotland) Act Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 [www.legislation.gov.uk/asp/2016/14/contents/enacted](http://www.legislation.gov.uk/asp/2016/14/contents/enacted)



Failure to comply to the requirements of the regulations could result in various penalties, depending on which rules have been broken. These include:

- **Selling Tobacco or NVPs to someone under the age of 18 years may result in a fine of up to £2,500.**
- **Failing to operate a verification policy carries a fine of up to £500.**
- **Failing to complete the tobacco register could result in a fine of up to £20,000, and six months in prison.**
- **Proxy purchasing by buying or attempting to buy a nicotine vapour product on behalf of a person under the age of 18 is liable for a fine of up to £5,000.**
- **Allowing a member of staff under the age of 18 to sell a tobacco product, cigarette papers or an NVP without authorisation may result in a fine of up to £200.**

Trading Standards officers regularly carry out test purchasing of tobacco and NVP products across all sellers in Scotland.

**For more information and guidance go to: [www.gov.scot/publications/age-verification-guidance/](http://www.gov.scot/publications/age-verification-guidance/)**

## COMPLYING TO WEEE REGULATIONS FOR RETAILERS WHO SELL VAPE PRODUCTS

All retailers selling vape products must offer their customers a vape takeback service.

Previously, retailers selling vape products had access to the UK Distributor Takeback Scheme (DTS), exempting their businesses from the WEEE requirement to offer in-store takeback. This involved sellers paying a fee to cover their Waste Electrical and Electronic Equipment (WEEE) obligations.

From April 2024, however, vape products have been removed from the Distributor Takeback Scheme, meaning retailers now have a legal obligation to provide a recycling bin in their stores. Retailers must ensure all vapes are then correctly recycled by following the steps below.

### ALL DISTRIBUTORS MUST OFFER FREE TAKE BACK ON WEEE

#### VAPE BIN

Every retailer selling any volume of vape products must ensure they have a vape bin in store or at the place of sale in an accessible place for customers. Retailers are required to use signage and posters to ensure customers are aware they can recycle vape products in store. Vapes should not be put in general waste bins, as they can potentially be a fire or environmental hazard.

If you do not have a vape recycling bin, you can contact an approved recycler or WEEE compliance scheme to obtain one.

#### HOW TO RECYCLE CORRECTLY

Retailers can contact an approved recycler or WEEE compliance scheme to collect used vapes from your bin. The UK Government has a list of approved compliance schemes for WEEE. This is available at: <https://www.gov.uk/government/publications/waste-electrical-and-electronic-equipment-weee-public-registers>. For most locations it should be possible to have used vapes collected when needed, or on a recurring basis i.e. once a month.

You will receive a waste consignment notice from your waste collection provider that documents the returned vapes are being taken away to be recycled responsibly.

#### RECORDING

Retailers must keep records of all electrical and electronic waste that you collect and dispose of. You can use a template to keep these records. Please include the number of units collected through takeback. There is no need to distinguish between different types of vape products (i.e. brands), only the total number of units returned to your store and passed onto the vape collection service provider. You are required to keep these records for at least 4 years. If a customer tries to return an illicit vape to your store you can refuse to accept it.

#### COMPLIANCE

The Office for Product safety and standards provides enforcement services on behalf of DEFRA. They are required to check compliance with vape retailers to ensure they have a process for taking back used vapes. Sellers who fail to comply can be prosecuted and receive an unlimited fine. Although enforcement agencies may issue a warning letter prior to enforcement action, fines or prosecutions.

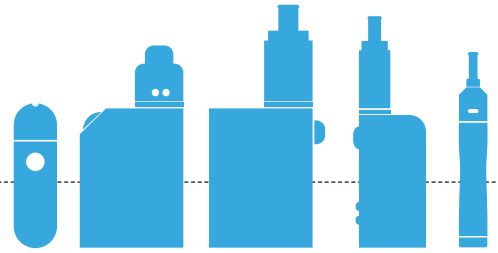
Contact the OPSS if you have any questions on compliance at:

[OPSS.enquiries@beis.gov.uk](mailto:OPSS.enquiries@beis.gov.uk)

For more useful Questions & Answers go to:

[www.tobaccoregisterscotland.org/frequently-asked-questions/](http://www.tobaccoregisterscotland.org/frequently-asked-questions/)

and [www.gov.scot/publications/age-verification-guidance/](http://www.gov.scot/publications/age-verification-guidance/)

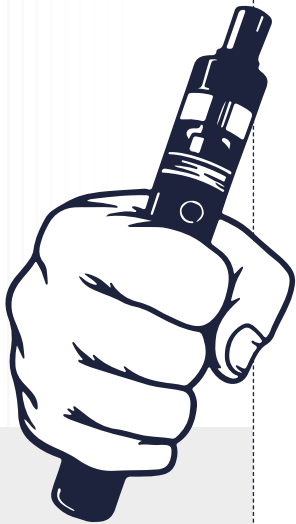


### WHAT IS AN NVP?

An NVP or 'Nicotine Vapour Product' is any type of device or any part of a device used to enable the inhalation of nicotine-containing vapour such as an e-cigarette, e-cigar, e-shisha or e-liquid but also includes any other kind of device that resembles these or those designed for the delivery of other types of vapour such as flavoured (non-nicotine) liquid.

### WHAT DO I DO IF I FIND NVPs THAT ARE NOT COMPLIANT?

Remove the product from sale immediately. Talk directly to the manufacturer or your wholesale supplier about the products if you have any concerns about them not complying with the regulations and contact your local trading standards team who are responsible for enforcement of the new laws.



### ARE NVPs SMOKING RELATED PRODUCTS?

No, smoking related products are defined as cigarette papers, cigarette tubes, cigarette filters, apparatus for making cigarettes, cigarette holders and pipes for smoking tobacco products. They do not include NVPs.

### WHAT IS AN AGE VERIFICATION POLICY?

An age verification policy is the agreed steps that have been put in place by a retailer to ensure that any customer attempting to buy these products who appears to be under 25 is asked for proof of age. Retailers should keep a record of the steps they have agreed to take and should make sure that all staff are familiar with those.



### WHAT DO I DO IF I THINK SOMEONE IS USING A FALSE IDENTIFICATION WHEN CHALLENGED ABOUT THEIR AGE?

If in doubt about a customer's ID then ask for another form of identification and/or politely refuse the sale. You should keep a record of a refusal in your refusals register and if the customer persistently seeks to use illegitimate or fake ID then you should take advice from trading standards and if necessary, the police.



## WHAT DO I NEED TO DO IF I START SELLING NVPs?

Registration is Free. If you already sell tobacco, then you should update your account on the Tobacco Register. If you don't already sell tobacco, you should make a new online or paper application to register your NVP business at your shop on the tobacco register. Both forms and details can be found at [www.tobaccoregisterscotland.org](http://www.tobaccoregisterscotland.org)

## WHAT DO I NEED TO DO IF I STOP SELLING NVPs?

You should notify the tobacco retail register about the change of circumstances using the Retailer's Change Request Form at [www.tobaccoregisterscotland.org](http://www.tobaccoregisterscotland.org)

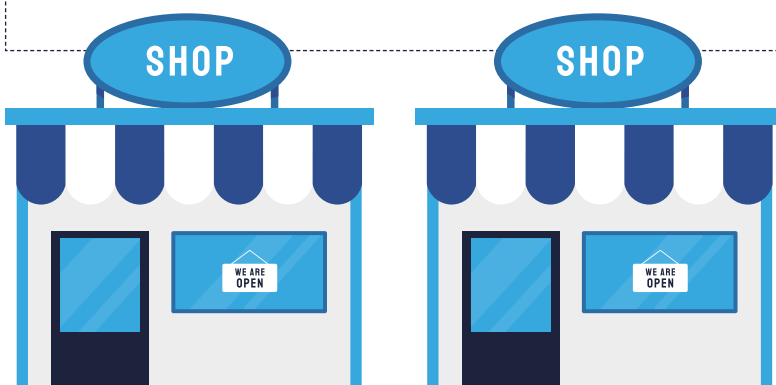
## DOES THE AGE VERIFICATION POLICY ALSO APPLY TO SMOKING RELATED PRODUCTS?

The legal requirement to have an age verification policy does apply to cigarette papers, which are a 'smoking related product' but it does not apply to other smoking related products (defined as cigarette tubes, cigarette filters, apparatus for making cigarettes, cigarette holders and pipes). However, remember that cigarette lighter refills and butane may only be sold to customers aged 18 or older.



## I OWN MULTIPLE RETAIL PREMISES, DO I NEED TO COMPLETE INDIVIDUAL FORMS FOR EACH PROPERTY?

Yes, if you are registering manually, however if you are registering online the system has the facility to enable you just to complete one form and add additional premises in by following the instructions.



## WHAT IS THE MINIMUM AGE FOR THE AGE VERIFICATION POLICY?

The minimum age for your age verification policy is 25 so that if someone appears to be under the age of 25 then steps should be taken to establish their age. However, you may choose to set the minimum age higher. So for example you may choose to set your policy to say that if someone appears to be under 30 years old then they should be asked for identification.

# AGE VERIFICATION POLICY AND STAFF ACKNOWLEDGMENT (TO BE KEPT WITH STAFF RECORDS)

(An Age-Verification Policy is a legal requirement from 1st April 2017 and here we have combined it with the staff acknowledgment form which is recommended to evidence training)

Name of Staff :	Example: Joe Smith
Date of Birth:	29.11.99
Is Staff under the age of 18?	Yes / No
Name and Address of 'Shop':	Smiths News, 45 Argyll Street, Glasgow
Name of the responsible person registered as the tobacco and/or NVP retailer for the above Shop on the Scottish Tobacco Register or name of the Shop Manager permitted to authorise sales if staff is under 18	Your name and/or the name of the registered retailer or list managers of the Shop who can authorise sales

The sale of tobacco, cigarette papers and nicotine vapour products (NVPs) to anyone under the age of 18 is an offence in accordance with the Tobacco and Primary Medical Services (Scotland) Act 2010 (as amended).

The above named Store operates this age verification policy as a legal requirement so that steps are taken to establish the age of a person attempting to buy a tobacco product, cigarette papers or NVP.

If it appears to staff selling those products that the customer may be under the age of 25 years old (or older if your company policy is to set the age limit higher), the customer will be asked their age. Where the staff member requires assurance of this, the staff member should ask the customer for proof of age.

**At this Store, the following documents are acceptable proof of age forms of identification:**

Passport, European photocard driving licence, Ministry of Defence Form 90 (Defence Identity Card), Photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram - such as Young Scot Card, EU identity card and Biometric Immigration Document.

If the customer does not show you the correct form of ID or the data on the ID does not prove the date of birth or identification of the customer, or the document appears fraudulent then you must refuse the sale. If you are in doubt then ask another member of staff to assist you with the verification but if this is not possible then you must refuse the sale.

If any tobacco products, cigarette papers or NVPs are sold to persons under the age of 18 then this is an offence which may result in you and/or the responsible person named above facing a fine of £2,500 or more and/or a term of imprisonment.

**If you are under 18 years old** then you must be authorised by the responsible person registered as a tobacco/ NVP retailer or the manager of the Shop (as named above) to sell tobacco, cigarette papers or NVPs. This authorisation must be recorded in the Tobacco Sales Authorisation Record. If you sell tobacco products, cigarette papers or NVPs without such authorisation then it is the registered tobacco retailer/ manager/ employer who has committed the offence and not you.

**STAFF DECLARATION:**

***I have read and understood this age verification policy and agree to comply with it.***

Signed \_\_\_\_\_

Date \_\_\_\_\_

**TRAINING RECORD**

Training and Policy Reviewed (Date of Review)	Training Leader	Signed by Staff

For official guidance and a Scottish Government produced form, go to: Selling Tobacco and/or Nicotine Vapour Products Age Verification at [www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/03/age-verification-guidance/documents/00515512-pdf/00515512-pdf/govscot%3Adocument/00515512.pdf](http://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/03/age-verification-guidance/documents/00515512-pdf/00515512-pdf/govscot%3Adocument/00515512.pdf)



## REFUSALS REGISTER (Tobacco, Cigarette Paper and NVPs)

Shop Name and Address:

Date of Refusal	Time of Refusal	Name of Staff	Name of customer/ description	Type of ID presented	Reason for refusal	Other comments	Staff Signature
Example 17 May 2017	10.30 am	Joe Smith	Name unknown Male, 6ft, dark brown hair	Driving License	Age on card appeared to be changed in pen	Customer could not produce other ID when questioned	JS

## TOBACCO, CIGARETTE PAPERS, NVPs SALES AUTHORISATION RECORD

(to authorise sales of tobacco products, cigarette papers and NVPs by staff aged under 18)  
NB this template can form part of your Age-Verification Policy

Shop Name and Address:

Staff Name	Staff Date of Birth	Date when Staff Member turns 18 years old	Date of Authorisation to sell Tobacco, Cigarette Papers and NVPs	Authorised by (Initials and Print)
Example - Joe Smith	Example 29.11.99	Example 29.11.17	26 March 2017	Your name as the registered tobacco retailer or the Store manager
Example - Rose Jones	Example 3.6.99	Example 3.6.17	26 March 2017	Your name as the registered tobacco retailer or the Store manager

# UNDER 25?

Please be prepared to  
show proof of age when  
buying e-cigarettes

## Acceptable forms of ID



- Photographic driving licence
- Cards showing Pass hologram
- Passport



# UNDER 25?

Please show ID  
when buying  
e-cigarettes

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# UNDER 25?

Please be prepared to show proof of age  
when buying e-cigarettes

## Acceptable forms of ID



- Photographic driving licence
- Cards showing Pass hologram
- Passport



RASG

Retail of Alcohol  
Standards  
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To access these assets and more online please go to  
[www.sgfcot.co.uk/advice/challenge-25-posters-and-resources-e-cigarettes](http://www.sgfcot.co.uk/advice/challenge-25-posters-and-resources-e-cigarettes)

For more details on this guide, please contact Jamie at  
[jamiem@sgfscot.co.uk](mailto:jamiem@sgfscot.co.uk)

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