

*These notes relate to the Tobacco and Primary Medical Services  
(Scotland) Act 2010 (asp 3) which received Royal Assent on 3 March 2010*

# **TOBACCO AND PRIMARY MEDICAL SERVICES (SCOTLAND) ACT 2010**

---

## **EXPLANATORY NOTES**

### **THE ACT – OVERVIEW**

#### **Part 1 – Tobacco Products Etc.**

#### ***Section 33 – Presumption as to contents of container***

46. This section raises a presumption in prosecutions for displaying tobacco products (and smoking related products) or for selling tobacco to under-18s that the contents of a container conform to the packaging. The presumption can be rebutted by the accused or other party in a trial.