



Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

PART 1

[^{F1}TOBACCO AND NICOTINE VAPOUR PRODUCTS ETC.]

CHAPTER 2

[^{F1}REGISTER OF TOBACCO AND NICOTINE VAPOUR PRODUCT RETAILERS]

Changes to register

13 Duty to notify certain changes

- (1) A registered person must give the Scottish Ministers notice of—
 - (a) a change in the person's name or address,
 - (b) the fact that the person is no longer carrying on a tobacco business at an address noted in the person's entry in the Register.
 - [^{F1}(c) the fact that the person is no longer carrying on a nicotine vapour product business at an address noted in the person's entry in the Register.]
- (2) A notice under subsection (1) must be given within 3 months of the date of the change to which it relates.

Textual Amendments

F1 S. 13(1)(c) inserted (1.4.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\), ss. 9\(3\), 36\(2\)](#); S.S.I. 2017/12, reg. 2, sch.

Modifications etc. (not altering text)

C1 Pt. 1 Ch. 2 applied (with modifications) (1.4.2011) by [The Sale of Tobacco \(Registration of Moveable Structures and Fixed Penalty Notices\) \(Scotland\) Regulations 2011 \(S.S.I. 2011/23\)](#), regs. 1(1), **regs. 2-4**

Changes to legislation: There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Cross Heading: Changes to register. (See end of Document for details)

Commencement Information

II S. 13 in force at 1.4.2011 by [S.S.I. 2010/345](#), art. 2, [Sch.](#)

14 Changes to and removal from Register

- (1) The Scottish Ministers may correct the Register (following notification under section 13 or otherwise) as they consider appropriate.
- (2) Where a tobacco [^{F2}and nicotine vapour product] banning order is made against a registered person, the Scottish Ministers must amend the person's entry in the Register so as to remove references to the premises specified in the order.
- (3) The Scottish Ministers may remove a person's entry from the Register if—
 - (a) as a result of a correction or amendment under subsection (1) or (2), there are no premises noted in the person's entry in the Register, or
 - (b) they are not satisfied that the person is carrying on a tobacco [^{F3}or nicotine vapour product] business.
- (4) Where the Scottish Ministers correct, amend or remove a person's entry in the Register under this section, they must—
 - (a) as soon as reasonably practicable notify the person of the correction, amendment or, as the case may be, removal, and
 - (a) if it is appropriate to do so, issue at the same time to the person a revised certificate of registration.
- (5) The Scottish Ministers must reinstate a person's entry in the register if—
 - (a) the entry was removed under subsection (3)(b), and
 - (b) the person notifies them no later than 28 days after notice of the removal is given under subsection (4)(a) that the person is still carrying on a tobacco [^{F4}or nicotine vapour product] business.
- (6) A notice under subsection (4)(a) may be given—
 - (a) by delivering it to the person,
 - (b) by leaving it at the person's usual or last known address,
 - (c) by sending it by post to the person at that address.

Textual Amendments

F2 Words in s. 14(2) substituted (1.4.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\)](#), [ss. 9\(4\)\(a\)](#), 36(2); S.S.I. 2017/12, reg. 2, [sch.](#)

F3 Words in s. 14(3)(b) inserted (1.4.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\)](#), [ss. 9\(4\)\(b\)](#), 36(2); S.S.I. 2017/12, reg. 2, [sch.](#)

F4 Words in s. 14(5)(b) inserted (1.4.2017) by [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 \(asp 14\)](#), [ss. 9\(4\)\(c\)](#), 36(2); S.S.I. 2017/12, reg. 2, [sch.](#)

Commencement Information

I2 S. 14 in force at 1.4.2011 by [S.S.I. 2010/345](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Cross Heading: Changes to register.