

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 Chapter 2

Age for Sale of Tobacco Etc.

Section 13: Power to amend age for sale of tobacco etc

69. Chapter 2 of Part 1 of the Act enables an order to be made by the Secretary of State to change the minimum age for sale of tobacco products. Section 13 provides that the Secretary of State may change the minimum age of sale of tobacco products by amending by order any age specified in section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under 16) and any age specified in section 4 of the Children and Young Persons (Protection from Tobacco) Act 1991 (display of warning statement in retail premises and on vending machines). However, by virtue of *subsection (2)*, any new age specified in such an order may not be lower than 16 years or higher than 18 years. The age specified in the provisions mentioned is currently 16.