
STATUTORY INSTRUMENTS

2017 No. 409

**The Tobacco Products and Herbal Products
for Smoking (Fees) Regulations 2017**

Amendments to the 2016 Regulations: consequences of non-payment of reporting fees

8.—(1) The 2016 Regulations are amended as follows.

(2) After paragraph (2) of regulation 18 insert—

“(2A) If a fee which is payable under regulation 3 of the Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017 in respect of a submission under paragraph (1) of this regulation is not paid by the date specified in the invoice for that fee, for the purposes of regulation 48(b) (offences), the submission is to be regarded as not having been made in accordance with paragraph (2)(b) until the fee has been paid.”.

(3) After paragraph (4) of regulation 23 insert—

“(5) If a fee which is payable under regulation 3 of the Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017 in respect of a notification under regulation 22 of these Regulations is not paid by the date specified in the invoice for that fee, for the purposes of regulation 48(b) (offences), the notification is to be regarded as not having been given in accordance with paragraph (1) until the fee has been paid.”.

(4) For regulation 27 substitute—

“No supply of tobacco product where reporting obligation not complied with

27. A producer who fails to submit information in accordance with any provision of this Part in respect of any tobacco product, must not supply the tobacco product concerned until—

- (a) the producer has submitted the required information in accordance with regulation 25; and
- (b) any fee payable in respect of the submission of that information under regulation 3 of the Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017 has been paid.”.

(5) After paragraph (2) of regulation 29 insert—

“(2A) If a fee which is payable under regulation 5 of the Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017 in respect of a submission under paragraph (1) of this regulation is not paid by the date specified in the invoice for that fee, for the purposes of regulation 48(b) (offences), the submission is to be regarded as not having been made in accordance with paragraph (2)(b) until the fee has been paid.”.

(6) For regulation 30(2) substitute—

“(2) A producer who fails to submit information in accordance with regulation 29 in respect of any herbal product for smoking must not supply the product concerned until—

- (a) the producer has submitted the required information in accordance with regulation 25; and

Changes to legislation: *There are currently no known outstanding effects for the The Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017, Section 8. (See end of Document for details)*

- (b) any fee payable in respect of the submission of that information under regulation 5 of the Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017 has been paid.”.

Commencement Information

11 Reg. 8 in force at 6.4.2017, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Tobacco Products and Herbal Products for Smoking (Fees) Regulations 2017, Section 8.