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CONSULTATION ON THE DRAFT SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) ACT 2005 (VARIATION OF AGE LIMIT FOR SALE OF TOBACCO PURCHASE AND CONSEQUENTIAL MODIFICATIONS) ORDER 2007

COSLA RESPONSE

Q1: Do you agree that the age of purchase of tobacco products should be raised to 18 as provided for in the draft Order, and with the assumptions made in the partial RIA?

COSLA supports the move to raise the age of purchase of tobacco products from 16 to 18.

Legislation in the area of age-restricted products can be confusing and complex and test purchasing has shown that a minority of traders will sell without proof of age. Raising the age limit to 18 will reduce the chance of younger buyers being sold cigarettes. Age restricted products, such as fireworks, solvents and alcohol already have an 18 limit so raising the tobacco purchase age to 18 will bring this in to line with other age restricted legislation and should make it easier for traders to comply.

The Smoking Prevention Working Group report recommends there be sufficient delay between the legislation being amended and its introduction to prepare both customers and retailers for a smooth transition and trade representatives have suggested that a minimum of 6 months would be required to implement the changes. The partial RIA looks at this in more detail including the support which may be necessary to assist current smokers aged 16 and 17 communications efforts etc.

Q2: With this in mind, we would welcome views on:-

- issues which you think require to be addressed in preparation for the proposed change in the legal age for purchase; and
- the period of time required between the announcement of the change and its implementation.

Issues to be addressed include the following.

COSLA agrees with the suggestion that there should be information programmes for business, young people themselves and the public and considers that a 6-12 month lead time would be sufficient for businesses to make the necessary adjustments to their procedures, systems and staff training to ensure that they can comply with an age limit of 18, having said that;

- ***getting new information and advice out to retail sector, may require up to 6 months to fully address, e.g. updating previously distributed information and advice packs, getting new statutory notices printed and distributed.***
- ***Also the position of those currently over 16 years and who can currently legitimately purchase tobacco products but who will be unable to should legislation change - the health message impact may be lost if the transition from statute to implementation is too long.***

- ***At 6.9 the report states that signage change costs would be negligible. We would suggest that overlaying ages with sticky labels on current statements is not an appropriate alternative to re-issuing new signs.***

Ends.