

ASH briefing: Tobacco and Vapes Bill

First reading- November 2024

The Tobacco and Vapes Bill is a world-leading piece of health legislation which will phase out the sale of tobacco for the next generation. This is supported by 69% of GB adults, with only 12% opposed. Support is similar among supporters of the three main parties (Lab 74%, Con 70%, Lib Dem 75%). Figures showing constituency-level support can be found [here](#). The Bill is backed by over 1,000 health organisations and professionals (see [here](#)).

Core elements included in the previous version of the Bill:

- Phasing out the sale of tobacco to anyone born in or after 2009.
- Giving government powers to curb youth vaping while ensuring adult smokers can still use vapes to quit with regulations that
 - Prohibit branding on vapes appealing to children, such as sweet names and bright colours.
 - Prohibit the handing out of free vapes to children.
 - Regulate vape contents and flavours.
 - Regulate vape displays and promotion in shops.
 - Extend regulations to zero nicotine vapes and other nicotine products like pouches.
- Increased enforcement powers.

New elements which strengthen the Bill:

- Powers to create a retail licensing regime for the sale of tobacco and vapes.
- Powers to extend smokefree legislation to public, outdoor areas.
- Powers to prohibit vaping in smokefree places.
- Powers to regulate vape product design
- A ban on vape advertising and sponsorship.
- A ban on vape vending machines
- Further powers to regulate the design of vapes.

The government will need to consult and introduce secondary legislation to put many of these powers into effect, so the sooner the Bill is passed the better.

A leak at the end of August 2024 indicated that the Government would consult on an outdoor smoking ban in hospitality. The Secretary of State has since stated the consultation on smokefree extensions in England will start with areas where there is consensus, such as hospitals and outside schools. ASH continues to make the case for a wide consultation that is guided by evidence and prompts a national debate. Other parts of the UK may choose to include hospitality settings in their consultations and regulations.

Raising the age of sale will protect the next generation

Smoking is uniquely lethal, killing [two thirds](#) of lifelong smokers, and therefore requires a unique regulatory approach. That is what this Bill delivers, phasing out the sale of tobacco by raising the age of sale for all tobacco products by one year, every year, from 2027 onwards.

Smoking is the leading cause of premature death and disability, responsible for [half the difference](#) in healthy life expectancy between rich and poor. Most adult smokers started smoking as children and every day around [350 young adults](#) aged 18-25 start smoking regularly, risking being trapped into a lifetime of addiction and premature death. [Two out of three](#) people who try one cigarette become daily smokers, and [three-quarters of smokers](#) would never have started if they had the choice again.

Vaping is an adult quitting aid, not a children's toy

Over [6 million people smoke](#) in the UK and vaping is the most [popular](#) and [effective](#) quitting aid which is available over the counter, supported by Stop Smoking Services and [recommended by NICE](#). Quitting [halves the risk of heart attack](#) a year after quitting, improves mental health to the same extent as [anti-depressants](#), and can nearly [double the life expectancy](#) of smokers diagnosed with lung cancer. [Over half](#) (2.7 million) of those who quit smoking in the last 5 years quit through vaping.

Tougher regulations are needed to curb youth vaping

While vapes are a valuable adult quitting aid, vaping is not risk free and action is needed to curb [increases in underage vaping](#) seen in recent years. To [quote](#) the Chief Medical Officer: "If you smoke, vaping is much safer; if you don't smoke, don't vape; marketing vapes to children is utterly unacceptable."

The [Tobacco and Vapes Bill](#) gives government the primary powers which are required in order to be able to:

- Regulate branding on vapes appealing to children, such as sweet names and bright colours.
- Prohibit the handing out of free vapes to children.
- Regulate vape contents and flavours
- Regulate vape displays and promotion in shops.
- Extend regulations to zero nicotine vapes and other nicotine products like pouches.
- Create a retail licensing regime for the sale of tobacco and vapes.
- Prohibit vaping in smokefree places.
- Regulate the design of vapes.
- Ban vape advertising and sponsorship.

This gives government far greater control over the marketing and design of vapes and the flexibility to adjust regulations in the future should the market or the evidence change.

The government is taking forwards separate regulations to [ban disposable vapes](#) from June 2025 and [introduce a levy](#) on vape liquids from October 2026. But without the Tobacco and Vapes Bill the government does not have powers to stop the marketing of vapes to children.

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