

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4724 GIBRALTAR Friday 12th June 2020

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LEGAL NOTICE NO. 211 OF 2020

## EUROPEAN UNION WITHDRAWAL ACT 2019

### CHILDREN AND YOUNG PERSONS (ALCOHOL, TOBACCO AND GAMING) ACT 2006 (AMENDMENT) REGULATIONS 2020

In exercise of the powers conferred upon him by section 11C of the European Union (Withdrawal) Act 2019 the Chief Minister has made these Regulations-

#### **Title.**

1. These Regulations may be cited as the Children and Young Persons (Alcohol, Tobacco and Gaming) Act 2006 (Amendment) Regulations 2020.

#### **Commencement.**

2. These Regulations come into operation on the day appointed by the Chief Minister by notice in the Gazette, and different days may be appointed for different provisions and for different purposes.

#### **Amendment of Children and Young Persons (Alcohol, Tobacco and Gaming) Act 2006.**

3. After section 10 of the Children and Young Persons (Alcohol, Tobacco and Gaming) Act 2006, insert the following-

#### **“Access to tobacco.**

10A.(1) No person operating a place of business wherein tobacco is sold or offered for sale may sell, permit to be sold or display for sale any tobacco unless it is stored for sale-

- (a) behind a counter in an area accessible only to the personnel of that business;  
or
- (b) in a locked container;

except where admission to the place of business is restricted to persons 18 years of age or over.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of up to level 5 on the standard scale.

#### **Prohibition on toy or candy tobacco.**

10B.(1) A person must not-

- (a) import or manufacture; or
- (b) sell or supply, display for sale or distribute,

sweets, snacks, toys and other non-tobacco items or objects in the form of tobacco, or which imitate tobacco.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of up to level 5 on the standard scale.”.

Dated: 12<sup>th</sup> June 2020.

F R PICARDO,  
Chief Minister.

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### **EXPLANATORY MEMORANDUM**

These Regulations amend the Children and Young Persons (Alcohol, Tobacco and Gaming) Act 2006 for the purposes of implementing, in part, Article 16(1) of the World Health Organisation Framework Convention on Tobacco Control in accordance with the obligations under the Gibraltar Protocol to the European Union Withdrawal Agreement.