

Message 701

Communication from the Commission - TRIS/(2025) 2188

Procedure for the provision of information EC - United Kingdom in respect of Northern Ireland

Notification: 2025/7022/XI

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20252188.EN

1. MSG 701 IND 2025 7022 XI EN 14-08-2025 XI NOTIF

2. UK/Northern Ireland

3A. Department of Business and Trade, Old Admiralty Building, London, SW1

3B. Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU

4. 2025/7022/XI - X60M - Tobacco

5. The Tobacco and Vapes Bill

6. Vaping products (nicotine vapes, also known as e-cigarettes, and non-nicotine vapes), tobacco products, herbal smoking products, cigarette papers and nicotine products. Vending machines from which these products can be bought. Advertising and sponsorship

7.

8. On 5 November 2024, the UK Government introduced into parliament the draft UK-wide Tobacco and Vapes Bill; this is publicly available. The provisions in the Bill aim to introduce further measures to protect the population of Northern Ireland (NI) from the harms of tobacco and youth vaping.

The Bill contains provisions for Northern Ireland (NI) that will take effect after the Bill becomes an Act without further legislation (these are known as on the face of the Bill provisions). These are summarised below:

- New age of sale for tobacco products, herbal smoking products and cigarette papers (Clauses 68-69) - Clause 68 makes it an offence to sell tobacco products, herbal smoking products, and cigarette papers to anyone born on or after 1 January 2009. Clause 69 sets out the offence for any adult aged 18 or over to buy, or attempt to buy, tobacco products, cigarette papers or herbal smoking products on behalf of anyone who is born on or after 1 January 2009. Both these provisions will come into force on 1 January 2027.
- Extension of the existing ban on tobacco vending machines to additional products (clauses 70, 78) – Clause 70 extends the current ban on machines from which tobacco products may be bought to include herbal smoking products and cigarette papers. Clause 78 bans machines from which a vape or nicotine product may be bought. Both these clauses will come into force 6 months after Royal Assent.
- A new age of sale for non-nicotine vapes and nicotine products (clause 76, 77) – Clause 76 makes it an offence to sell a vaping or nicotine product to a person who is under the age of 18. Clause 77 introduces an offence for individuals aged 18 or over to buy, or attempt to buy, vaping or nicotine products on behalf of a person who is under the age of 18. These clauses will come into force 6 months after Royal Assent.
- Extension of the ban on free distribution of products to promote tobacco to promotion of additional products (clause 80) - This clause makes it an offence to give away or sell at a substantial discount any product, or a coupon (whether in physical or electronic form) which, by itself, can be redeemed for a product, service, for cash or any other benefit to a member of the public where the purpose or effect is to promote a relevant product (tobacco product, herbal smoking product, cigarette paper, vaping or nicotine product). This clause will come into force 6 months after Royal Assent.
- Extension of advertising restrictions (clauses 113-127 and schedule 16) - These clauses extend the current ban on advertising and sponsorship of tobacco products to non-nicotine vapes, other nicotine products, herbal products for smoking and cigarette papers. They also extend the ban on vape advertising so that any type of advertisement for vapes is banned (currently some forms are allowed). The bans on advertising will commence from a date to be decided in future regulations. This is anticipated not to be before 12 months after Royal Assent of the legislation.

9. Data from the Office for National Statistics (ONS), Northern Ireland has an estimated 188,000 smokers aged 18 and over and that 2023, 13.3% of the adult population in Northern Ireland smoked, which is a higher percentage than in England. In 2025, one-in-ten young people (11-18 year olds) reported ever having smoked (9%) with 5% indicating that they currently smoke.

According to the Department of Health in Northern Ireland, over the last five years, approximately 13% of all deaths in Northern Ireland can be attributed to smoking tobacco. This translates to the death of over 2,000 people annually in Northern Ireland between 2018-22. These smoking rates have a clear impact on health outcomes in Northern Ireland. Smoking has been declared the single largest preventable cause of death in Northern Ireland.

The Royal College of Physicians state that those who start smoking as young adults, and cannot quit, lose an average of 10 years of life expectancy. Most smokers know the risks of smoking and want to quit but are unable to due to the addictive nature of nicotine. Considering the harms from tobacco and that its use still

remains high, we want to improve public health in Northern Ireland and stop future generations from the harms of using tobacco and entering a life of addiction. The new age of sale policy for tobacco products supports this.

Herbal smoking products and cigarette papers are also included in the new age of sale policy as well as other notifiable measures, causing harm in and of themselves. Burning cigarette papers with their bleaches and dyes adds to the volume of smoke and the range of toxicants in the smoke, potentially contributing additional risks to smokers. While herbal smoking products do not contain nicotine or tobacco, they do contain cancer causing chemicals, tar and carbon monoxide, similar to a tobacco cigarette and cause harm.

The Bill also introduces further measures to reduce the uptake of vaping in children and young people. Youth vaping has increased and is of a concern in Northern Ireland. An April 2025 report by the Health Intelligence Unit at the Public Health Agency states that 98% of young people indicated that they had seen or heard of vapes in Northern Ireland, this is despite age of sale restrictions for nicotine vapes and measures put in place under implementation of the current EU Tobacco Products Directive. Overall, 15% of young people reported that they currently engage in vaping, whether as regular users (8%), occasional users (2%) or experimenting (5%). Young people in the upper year groups were considerably more likely to be current vapers than those in the lower year groups, with year 14 pupils (17-18 year olds) being 10 times more likely to be current vapers than those in year 8 (11-12 year olds). Prevalence of current vape use increased through the year groups ranging from 4% among year 8 pupils, to 46% among year 14 pupils. Evidence shows that vapes appeal to children in part because of branding, promotion, and advertising, with the rate of 11 to 17 year olds being aware of vape advertisements increasing, and adolescents agreeing that adverts are appealing.

Non-nicotine vapes are included in notifiable measures to avoid possible loopholes where industry could continue to market non-nicotine vapes to young people. There is evidence that even vapes without nicotine may carry a risk of harm and act as a gateway to nicotine vapes. Nicotine can also be manually added to non-nicotine vapes after they have been purchased.

There are health risks associated with vaping and children are particularly susceptible to the addictive nature of nicotine, more so than adults, as their brains are still developing.

10. References of the Basic Texts: No Basic Text exists

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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