

CONSULTATION ON DRAFT TOBACCO CONTROL REGULATIONS FOR WALES UNDER THE HEALTH ACT 2009:

Responding to the consultation process

Responding to the consultation process

The Welsh Assembly Government welcomes responses from any stakeholder or individual with an interest in the proposed tobacco control regulations.

Please complete your responses to the consultation questions on this questionnaire.

We welcome views on all aspects of the proposed regulations, as well as views on the consultation stage impact assessments. You do not have to respond to each of the consultation questions.

The consultation document has been made available to key stakeholders in Wales and we welcome responses from any group or individual with an interest in these proposals.

It would be helpful if you could use this questionnaire in submitting your response. Should you need to respond in an alternative format for accessibility reasons, please contact us at the email or postal addresses given below.

Responses to this consultation must be received by 6 July 2010. Responses can be submitted online or via postal address:

Email: tobaccoconsultation@wales.gsi.gov.uk

Tobacco Regulations Consultation
Tobacco Policy Branch
Health Improvement Division
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ

The Welsh Assembly Government intends to publish a summary of the responses to this consultation document. Normally, the name and address (or part of the address) of the author are published along with the response, as this gives credibility to the consultation exercise.

The information you provide in your response will be subject to the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 which allow public access to information held by the Welsh Assembly Government. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, among other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information which you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatically generated email confidentiality statement will not necessarily exclude the public right of access.

For further information on the Assembly Government's Code of Practice in dealing with requests for access to information that it holds, please visit our website:
www.information.wales.gov.uk

If you have questions about the consultation process, please contact us at the email or postal addresses given above.

Displays of tobacco products

Views are invited on the following questions

1. Do you believe that these proposed regulations set out an effective and workable approach to removing the display of tobacco products?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so that they achieve this aim?)

2. Do you believe that the proposed regulations are comprehensive and cover all types of sales of tobacco?

Yes No Don't know or no views

(If 'No', how would you amend the regulations so that they are comprehensive?)

3. Do you believe that these proposed regulations are proportionate and avoid imposing unnecessary burdens on business to achieve removing the display of tobacco products?

Yes No Don't know or no views

(If 'No', how would you amend the regulations? Please provide costings where appropriate.)

4. Do you believe that these proposed regulations are enforceable?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so they are enforceable?)

We believe that the regulations as proposed are enforceable, but suggest that similar approach to that taken when the Ban on Smoking in Enclosed Public Places was introduced, where funding was provided to local authorities in Wales to ensure consistency of approach, guidance and enforcement across Wales.

5. Do you agree that having separate tobacco display areas is an effective and workable approach for retailers of bulk tobacco products?

Yes No Don't know or no views

(If 'No' how would you amend the regulations so they are effective and workable for retailers of bulk tobacco products?)

6. Do you have any other comments on the proposed regulations?

Yes No Don't know

(If 'Yes', please write your comments below)

Regulating tobacco price lists

Views are invited on the following questions

7. Do you believe that these proposed regulations set out an effective and workable approach to making information available for customers and staff, without creating avenues for promotion?

Yes No Don't know or no views

(If 'No,' how do you think it might be possible to amend the regulations so that they do achieve this aim?)

8. Do you have any comments on the proposed requirements for the design of price lists?

Yes No Don't know or no views

(If 'Yes', please comment and describe the changes you would make)

9. Do you believe the proposed sizes and allowable features of labels on storage units will meet the need for the efficient operation of shops?

Yes No Don't know or no views

(If 'No', how would you amend the regulations so that the shelf labels are efficient?)

10. Do you believe that these proposed regulations are enforceable?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so they are enforceable?)

See our comments to question 4 above.

11. Do you have any other comments on the proposed regulations?

Yes No Don't know

(If 'Yes', please write your comments below)

Specialist tobacconists - display and advertising

Views are invited on the following questions

12. Do you believe that specialist tobacconists should be allowed to display and advertise tobacco products in the ways set out in the proposed regulations, given the nature of their business?

Yes No Don't know or no views

(If 'No', please describe how you would amend the regulations in regards to display and advertising by specialist tobacconists.)

13. Do you believe that these proposed regulations set out an effective and workable approach for specialist tobacconists?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so that they effective and workable for specialist tobacconists?)

14. Do you believe that these proposed regulations are enforceable?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so that they are enforceable?)

See our comments to question 4 above.

15. Do you have any other comments on the proposed regulations?

Yes No Don't know

(If 'Yes' please write your comments in the pro forma provided.)

Preventing access to tobacco from vending machines

Views are invited on the following questions

16. Do you believe that these proposed regulations set out an effective and workable approach to reducing underage sales of tobacco from vending machines?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so that they do achieve this aim?)

17. Do you believe that these proposed regulations are enforceable?

Yes No Don't know or no views

(If 'No', how do you think it might be possible to amend the regulations so they are enforceable?)

See our comments to question 4 above.

18. Do you have any other comments on the proposed regulations?

Yes No Don't know or no views

(If 'Yes', please write your comments below)

We believe that a ban on tobacco vending machines would be a major step in preventing children smoking by restricting access to tobacco. This should be implemented as soon as practicable.

Impact Assessments

Views are invited on the following questions

19. Do you believe the impact assessments set out a fair representation of the costs and benefits of implementing these regulations?

Yes No Don't know or no views

(If 'No', please write your comments below)

20. Do you think there would be any negative impact on individuals or communities within Wales on the grounds of disability, race, gender, age, religion, sexual orientation or Human Rights as a result of these regulations?

Yes No Don't know or no views

(If 'Yes', please write your comments below)

Other comments

21. Do you wish to make any other comments on these proposed regulations, or the impact assessments included with the consultation?

Yes No Don't know or no views

(If 'Yes', please write your comments below)

The Chartered Institute of Environmental Health strongly supports the proposals contained in the Consultation Document as we believe that the impact of the proposals will be to reduce childrens' access to tobacco and to assist smokers who wish to quit. The health benefits to individuals who quit are well recognised, as is the potential beneficial impact on the NHS.

We acknowledge that there may be an impact on small corner shop owners where tobacco products constitute a large percentage of their sales, however we are of the view that a workable solution can be found by such shop owner and that the potential health benefits to individuals and to the wider community are such as to counter this impact.

22. Please tick your occupation or the type of organisation you are responding on behalf of:

- Retail representative organisation
- Retailer (large)
- Retailer (small)
- Specialist tobacconist
- Bulk tobacco seller
- Duty free seller
- Local Health Board
- NHS Trust
- NHS worker
- Trading standards
- Local authority
- Voluntary sector organisation
- Tobacco manufacturer
- Vending machine representative organisation
- Tobacco vending machine operator
- Hospitality trade representative organisation
- Hospitality trade
- Please specify.....
- Individual
- Other
- Please specify.....

23. Please provide your name and contact information:

Name of respondent:

Julie Barratt

Address of respondent:

Chartered Institute of Environmental Health
Lakeside Court
Llantarnam Parkway
Cwmbran
NP44 3GA

Contact telephone number:

01633 865533

Contact email address:

j.barratt@cieh.org

In submitting this response, are you representing a stakeholder organisation?

Yes

No

If yes, what is the name of your organisation?

Chartered Institute of Environmental Health

The Welsh Assembly Government will only contact you should we seek further information about your response.