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# The Law and Regulations

## Vaping



**Dim ysmysgu  
neu anwedd**

**No  
smoking  
or vaping**

# Why is law and regulation important?

Laws are there to **protect our safety**, collectively and individually, and guarantee our **basic freedoms**. Laws can apply to citizens and organisations.

Law and regulation plays a key role in reducing rates of harm caused by smoking and vaping. It does so by:

- Limiting access, particularly for children and young people
- Providing information so potential consumers can make informed choices
- Implementing standards for the products that are available (for example nicotine concentration, banned ingredients)
- Limiting how industry can promote their products to encourage uptake (for example restrictions on advertising)
- Limiting where people can smoke (for example Smokefree schools, hospitals and playgrounds)
- Reducing environmental impacts as well as health impacts of products (for example the Disposable Vapes Ban introduced in 2025)

# The law relating to vapes

Vaping laws in Wales and the UK are linked to tobacco legislation.

It is **illegal** to:

- Sell tobacco or vaping products containing nicotine to **anyone under 18**.
- **Buy or attempt to buy** these products for anyone under 18 ('proxy purchase').

If found breaking the law, retailers or individuals can be **prosecuted**.

[Trading Standards Wales](#) provide examples where legal action has been taken against retailers.

The sale of disposable vapes is banned across the UK (from 1 June 2025) to reduce their environmental impacts (battery waste, litter) and due to concerns about their appeal and affordability to young people.

## Tobacco and Vapes Bill 2024-25

- Currently progressing through UK Parliament.
- Introduces further restrictions on all vapes (nicotine and non-nicotine containing) to reduce youth appeal.
- Restrictions to include vapes flavours, packaging and promotion (including shop displays).
- It will also ban vape vending machines.

# Tobacco and Related Products Regulations 2016 (TRPR)

The majority of longer-standing restrictions for tobacco and vaping products in England and Wales are part of the TRPR which aims to:

Implement standards for safety and quality

Make sure consumers have information so that they can make informed choices

Protect children from starting to use these products



# The TRPR rules for nicotine containing vapes:

- E-cigarette tanks must be no larger than 2ml
- Maximum volume of e-liquid limited to 10ml
- Nicotine strength must be no more than 20mg/ml
- Products and packaging must be child-resistant and tamper evident
- Certain ingredients including banned (for example colourings, caffeine and taurine)
- Include labelling requirements and warnings: “This product contains nicotine which is a highly addictive substance.”

# The law relating to tobacco products

There are extra laws and rules in place to:

- Make tobacco products less attractive, especially to young people
- Stop companies from making misleading claims about tobacco
- Ensure health warnings are clear and easy to see

The main goal of these measures is to prevent smoking initiation and reduce smoking rates.

There are also rules to tackle illegal tobacco trading, e.g., every tobacco product must have a unique code so it can be tracked.

The UK Government has proposed a “**generational smoking ban.**” This means that anyone born on or after **1 January 2009** would *never* be allowed to buy tobacco products legally (subject to the Tobacco and Vapes Bill being passed).

Requirements of the law relating to tobacco include:

- A packet of cigarettes must **contain a minimum of 20 cigarettes** and must only be sold in its **original packaging**.
- Products are subject to a **minimum excise duty**.
- Shops selling tobacco must **display a notice** that states 'it is illegal to sell tobacco products to anyone under the age of 18' (they are encouraged but not required to have a similar notice for vaping products).
- Products **must not be on display** in-store.
- Tobacco products must be sold in **standardised (plain) packaging** which include **graphic health warnings**. This measure effectively bans branding on packaging.
- A **ban on flavours** (including menthol).

# Advertising and Promotion Restrictions

The advertising and promotion of tobacco and vaping products are subject to restrictions. This includes how companies can promote their products and to whom.

The Tobacco Advertising and Promotion Act 2002 banned advertising and promotion (including sponsorship) of tobacco products in the UK.

Similar restrictions were placed on the promotion of vapes in 2016. Advertising rules for vapes are tightening. The new Bill proposes extending tobacco-style advertising and sponsorship bans to all vaping products, and restricting shop displays.

The UK Advertising Standards Authority provides advertising and marketing codes to industry that should be followed for Vaping and Tobacco products.

# Smoke free places and the law

Smoke-free legislation in Wales (2007, updated 2021) protects people from second-hand smoke.

Smoking tobacco is banned in enclosed public places, workplaces, school grounds, hospitals, and vehicles carrying under-18s.

Those in charge of these spaces must take reasonable steps to prevent smoking.

Under the Tobacco and Vapes Bill, vaping could be banned in the same public spaces as smoking.

The public places required to be smoke-free by law include:

Indoor/enclosed public places

Indoor/enclosed workplaces

School grounds

Playgrounds

Hospital grounds

Both private and public vehicles carrying under 18s

Vehicles used for work by more than one person

Holiday accommodation

# Summary of the UK Tobacco and Vapes Bill

The Bill will create a 'smoke-free generation' by making it an offence for anyone born on or after 1 January 2009 to be sold tobacco products, cigarette papers and herbal smoking products.

Subject to approval from Parliament, the policy will come into force on 1 January 2027, when those born on 1 January 2009 turn 18. This means that this age group and anyone younger can never legally be sold tobacco products.

There was strong public and health sector support during consultation.

The Bill also takes strong action to reduce youth access to and demand for vapes including:

- Restricting vape product designs, flavours, shop displays, promotions and marketing
- Increasing enforcement powers and penalties for underage sales
- Raising prices to reduce youth access and demand

# Illegal tobacco and vapes

Illegal tobacco and vapes do not comply with tobacco control laws.

The risk of harm from illegal tobacco and vapes is high, because they bypass laws there to protect users from dangerous contents or low quality products.

Trading Standards Officers in Wales and across the UK report that the market is being flooded with unregulated vapes aimed at children and young people.

This is a concern as these products are often sold from places such as homes and via social media as well as in small retailers.

The illegal trade of vapes and tobacco can put young people at risk of exposure to criminal activity and criminal groups.

# Illegal products: health implications

Illegal tobacco and vaping products pose **additional health risks** because they are not regulated and may not meet UK standards.

Studies of illegal vapes have found them to:

- Contain dangerous metals such as lead as well as other ingredients banned in the UK.
- Contain a much higher concentration of nicotine that can lead to an increased risk of nicotine addiction and associated adverse health effects.
- Be sold in packaging which does not comply with UK regulations, i.e. does not have any nicotine warnings on it.
- Have an oversized tank capacity which can lead to excessive nicotine intake.

# How to spot illegal tobacco or vaping products:

- If someone is selling cigarettes or vapes to children and young people this is illegal.
- If products do not contain health warnings about nicotine it is illegal.
- If a vape has an oversized tank or 'puff' capacity this is illegal.
- If cigarettes are being sold individually this is illegal.
- If products are being sold at unusually cheap prices it is probably illegal.
- If products are being sold from places like houses or via social media they are likely to be illegal.

You can anonymously report illegal tobacco or vapes sales in Wales through:

Reporting online at [noifs-nobutts.co.uk](https://noifs-nobutts.co.uk)

Crimestoppers (0800 555 111)

Contact Trading Standards at your local council

Call 101 (non-emergency police enquiries)

Talk to someone  
you trust!

**DIM ESGUS.  
BYTH.  
NO IFS.  
NO BUTTS.**

