Chartered Trading Standards Institute

Department of Health & Social Care

TOBACCO AND VAPES ACT 2026 **- GUIDANCE FOR RETAILERS**

Fixed Penalty Notices (FPNs) for Tobacco, Vapes and Nicotine Products

What is changing?

From **29 October 2026,** Trading Standards (and local councils in Northern Ireland) will be able to issue **Fixed Penalty Notices (FPNs)** for a range of offences relating to:



- Tobacco products
- Herbal smoking products
- Cigarette papers
- Vapes and vaping products
- Nicotine products (including nicotine pouches)

An FPN is an on-the-spot financial penalty that allows someone to avoid prosecution if the penalty is paid within the required timescale.

What products are covered?

The rules apply to products such as:

Tobacco products

- Cigarettes
- Hand rolling tobacco
- Cigars and cigarillos
- Pipe tobacco
- Shisha products
- Heated tobacco



Vaping products

- Vape devices
- E-liquids
- Pods and coils

Nicotine products

- Nicotine pouches
- Nicotine strips
- Nicotine pearls

The rules cover all nicotine, including synthetic nicotine.

Key offences from 29 October 2026

Businesses and individuals may receive an FPN for:

Age-restricted sales



Selling:

- Tobacco products to under-18s (until 31 December 2026)
- Vapes to under-18s
- Nicotine products to under-18s

Proxy purchasing

Buying or attempting to buy age-restricted products on behalf of someone underage.

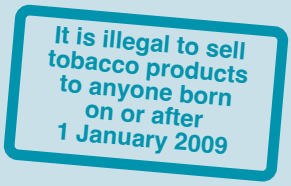
Promotional activity

- Giving away products or coupons to promote tobacco, vape or nicotine products.
- Selling products or coupons at substantial discounts where the purpose is to promote those products.

Other offences (depending on the nation)

These may include:

- Failing to display required age-of-sale signs.
- Operating prohibited vending machines.
- Selling unpackaged cigarettes.
- Registration offences (in Scotland and Northern Ireland).



Tobacco "smokefree generation" rule

From **1 January 2027,** tobacco retailers must not sell tobacco products, herbal smoking products or cigarette papers to anyone **Born on or after 1 January 2009**

This replaces the traditional under-18 age restriction for tobacco products.

Proxy purchasing for people born on or after 1 January 2009 will also become an offence.



For further information go to
https://www.gov.uk/guidance/selling-tobacco-herbal-smoking-products-and-cigarette-papers

New signage requirements

From **1 January 2027,**
tobacco retailers must display the required tobacco age-of-sale notice at every tobacco point of sale.

The sign must state:

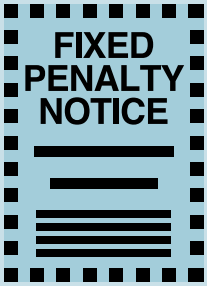
> **It is illegal to sell tobacco products to anyone born on or after 1 January 2009**

Failure to display the sign may result in an FPN.

Fixed penalty amounts

England and Wales

- **£200** FPN
- Reduced to **£100** if paid within 14 days



Scotland

- **£200** FPN
- Reduced to **£150** if paid within 14 days
- Penalties increase for repeat offenders

Northern Ireland

- Up to **£250** for retail sale offences
- Up to **£500** for registration-related offences
- **25%** discount for early payment

What happens if you don't pay?

If an FPN is not paid within the specified period:

- The enforcement authority may prosecute.
- A court can impose a higher penalty.
- Some offences may carry additional sanctions on conviction.

Persistent offenders

Businesses that repeatedly commit offences risk more than a financial penalty.

England and Wales

Three relevant offences within two years may lead to:

- Restricted Sales Orders, or
- Restricted Premises Orders

These can prevent tobacco and vape sales for up to 12 months.

Scotland

Three offences within two years may result in a banning order preventing sales from the premises for up to two years.

Northern Ireland

Three offences within five years may lead to restricted sales or premises orders lasting between 28 days and 3 years.



What retailers should do now

- ✔ Train staff on age-restricted sales requirements.
- ✔ Ensure staff understand proxy purchasing offences.
- ✔ Review promotions and discounts to ensure they do not breach the new rules.
- ✔ Display the correct age-of-sale signage by **1 January 2027.**
- ✔ Keep records of staff training and age-verification procedures.
- ✔ Monitor future guidance from Trading Standards and government departments as implementation dates approach.

For further information go to
https://www.gov.uk/guidance/tobacco-vaping-and-nicotine-products-fixed-penalty-notices