

Public Health (Wales) Bill: Consultation questions

Tobacco and Nicotine Products

The Bill includes proposals to ban the use of nicotine inhaling devices, such as e-cigarettes, in enclosed spaces like restaurants, pubs and at work. Shops will also have to join a register for retailers of tobacco and nicotine products, and it will become an offence to “hand over” tobacco and e-cigarettes to anyone under the age of 18.

Question 1

Do you agree that the use of e-cigarettes should be banned in enclosed public and work places in Wales, as is currently the case for smoking tobacco?

Definitely do NOT agree . Banning should be based on robust medical and scientific evidence,none exists. Theoretical concerns should not form the basis of legislation.

Question 2

Do you believe the provisions in the Bill will achieve a balance between the potential benefits to smokers wishing to quit with any potential dis-benefits related to the use of e-cigarettes?

I believe the exact opposite will be the case, no balance will be achieved with these proposals. ~55,000 have quit smoking completely with the use of e-cigarettes out of a total of 125,000 users. Of the remaining 70,000 who are in transition the messages that will be inadvertently transmitted to them is ‘Why bother’,this has to be an unintended consequence and will have a negative impact on the Welsh smoking rates which have moved from 24-20% in a period 2007-present, I would strongly argue that e-cigarettes have contributed significantly to the rate of decline.

Question 3

Do you have any views on whether the use of e-cigarettes re-normalises smoking behaviours in smoke-free areas, and whether, given their appearance in replicating cigarettes, inadvertently promote smoking?



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The only normalisation is that of ‘non- smoking’, what many people fail to appreciate is that ‘cigalike’ in appearance devices represent a declining fraction of the market - ~40% . Newer more efficient types have zero resemblance and thus do not replicate cigarettes whatsoever.

Question 4

Do you have any views on whether e-cigarettes are particularly appealing to young people and could lead to a greater uptake of their use among this age group, and which may ultimately lead to smoking tobacco products?

All research would indicate that non-smoking youth have little interest in e-cigarettes, no or little evidence exists of this ‘gateway’ that the question implies. CR-UK,ASH, ONS all have produced data that clearly states little evidence of this theoretical ‘gateway’

Quite the reverse in fact,if a ‘gateway’ exists it is from tobacco cigarette smoking to vaping . 1.1 million sole users in the UK (ASH stats)

Question 5

Do you agree with the proposal to establish a national register of retailers of tobacco and nicotine products?

Partially yes, but the two should be separated . A National Register of retailers of non- tobacco nicotine products would be preferable. Presumably registration would be made compulsory if introduced?, this may eliminate some of the more unscrupulous vendors and allow notifications to be speedily acted upon

Registration should be free or at very minimal cost

Question 6

What are your views on creating a new offence for knowingly handing over tobacco and nicotine products to a person under 18, which is the legal age of sale in Wales?

This creates a moral dilemma in my opinion, I agree that ‘proxy- purchase’ of tobacco products for U-18’s should be an offence. However, I disagree that the same offence for example to the parents/relatives of a smoking youth wishing to transition to e-cigarettes is appropriate or justifiable. The parents in this circumstance would be reducing the net harm to the U-18 yo thus creating a moral dilemma for all concerned.

Special Procedures

The Bill includes a proposal to create a compulsory licensing system for people who carry out special procedures in Wales. These special procedures are tattooing, body piercing, acupuncture and



electrolysis. The places where these special procedures are carried out will also need to be approved.

Question 9

What are your views on the provision which gives Welsh Ministers the power to amend the list of special procedures through secondary legislation?

Disagree with this, no extra powers should be given

