

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

29th April, 2025

Proposition No. P.2025/60

Committee for Health & Social Care

Vaping Products (Guernsey) Ordinance, 2025

AMENDMENT

Proposed by: His Majesty's Procureur

Seconded by: Deputy A Brouard

Immediately after ""The Vaping Products (Guernsey) Ordinance, 2025"", insert ", subject to the amendments below" and at the end of the proposition, insert the following:

“Amendments:

1. In section 27 (prohibition of importation of disposable vapes)-
 - (a) in subsection (1), delete ", in the course of business," , and
 - (b) in subsection (2), delete "in the course of a business".
2. In section 55 (extent), immediately after "Jethou", insert ", and the territorial waters adjacent to these Islands".
3. In section 58 (commencement of the Vaping Products (Enabling Provisions) (Guernsey) Law, 2024), for "immediately", substitute "when it is registered on the records of the Island of Guernsey".
4. In section 59(2) (commencement of this Ordinance), for "immediately", substitute "when the Law it brings into force is registered on the records of the Island of Guernsey".”

Rule 4(1) Information

- a) The proposition contributes to the States’ objectives and policy plans, in particular, the States Resolution of the 22nd May, 2024, by ensuring that the Vaping Products (Guernsey) Ordinance, 2025 extends to the territorial waters of Guernsey and that the prohibition on importation of disposable vapes applies to all importations, whether or not they are in the course of business.

- b) In preparing the proposition, consultation has been undertaken with the Committee for Home Affairs, in respect of Amendment No. 1.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications if the proposal is successful.
- e) Drafting advice has not been sought from the States' Greffier and officers of the Committee have been consulted in connection with the amendment.

Explanatory note

This Amendment makes a technical amendment to the draft Ordinance to make it clear beyond doubt that the Ordinance applies to the territorial waters of Guernsey. It also ensures that the prohibition on importation of disposable vapes applies to all importations and not just importations in the course of a business. This latter amendment is consistent with the policy as agreed by the States at their meeting in May 2024 (item 8 on Billet d'État No. VII of 2024). Finally, it provides that the Vaping Products (Enabling Provisions) (Guernsey) Law, 2024 comes into force only when that Law is registered on the records of the Island of Guernsey, while the Ordinance itself (other than the provision bringing the Law into force) will come into force on a date or dates appointed by Order of the Committee.