

GUERNSEY STATUTORY INSTRUMENT

2025 No.78

**The Vaping Products (Guernsey) Ordinance
(Commencement and Transitional) Order, 2025**

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(Commencement and Transitional) Order, 2025**

<i>Made</i>	<i>10th September, 2025</i>
<i>Coming into operation</i>	<i>10th September, 2025</i>
<i>Laid before the States</i>	<i>, 2025</i>

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred upon it by section 59(1) of the Vaping Products (Guernsey) Ordinance, 2025^a, and all other powers enabling it in that behalf, hereby orders:-

Commencement of the Ordinance of 2025.

1. (1) Subject to paragraph (2), the provisions of the Vaping Products (Guernsey) Ordinance, 2025 ("**the Ordinance**") not brought into force by the Vaping Products (Guernsey) Ordinance (Commencement) Order, 2025^b shall come into force on the 31st March, 2026.

(2) The following provisions of the Ordinance shall come into force on the 31st January, 2026 -

^a Ordinance No. XIII of 2025.

^b G.S.I. No. 48 of 2025.

- (a) section 26 (prohibition of sale or supply of disposable vapes),
- (b) section 27 (prohibition of importation of disposable vapes),
- (c) Schedule 3 (penalties for offences), to the extent that it relates to penalties for offences under section 26 or 27,
- (d) any other provision of the Ordinance necessary to give effect to the provisions brought into force by subparagraph (a), (b) or (c).

Transition for sellers before 31st March, 2026.

2. (1) This article applies to a person (a "**seller**") who sells vaping products in the course of a business on any premises immediately before the 31st March, 2026.

(2) A seller is deemed to have been granted on the 31st March, 2026 a retail licence, a wholesale licence or an indirect sale licence for those premises, corresponding to whether the sale was by retail sale, wholesale or indirect sale.

(3) For so long as a deemed licence is in effect -

- (a) the licence is subject to the conditions in Schedule 1 to the Ordinance,
- (b) if the seller is a body corporate, the licence is deemed to be a corporate licence, and
- (c) the premises on or from which those vaping products are sold are deemed to be licensed premises.

(4) In the case of a corporate licence under paragraph (3)(b), the manager or person in charge of the business of the corporate licensee (in respect of the sale of vaping products) is to be treated as the responsible person for that corporate licensee under the Ordinance.

Expiry of deemed licences.

3. (1) If a seller does not make an application before the 31st May, 2026, the seller's deemed licence expires on that date.

(2) If a seller makes an application before the 31st May, 2026, paragraphs (3) and (4) apply.

(3) If the application is granted, the seller's deemed licence expires upon the grant of the new licence.

(4) If the application is refused, the seller's deemed licence expires -

(a) if no application for review is made within the period specified for applying for a review of the refusal under section 20 (review of licensing decisions) of the Ordinance, on the expiry of that period, but

(b) if an application for review is made within that period -

(i) when the application is finally determined or withdrawn, or

(ii) if an appeal against the review decision is made within the period for appeal specified in section 21 (appeal to Royal Court) of the Ordinance, the date on which the appeal is finally determined or withdrawn.

(5) For the purposes of paragraph (4)(b) -

(a) an application for review is finally determined if the application is determined by the Committee and the period for appeal under section 21 (appeal to Royal Court) of the Ordinance expires without any appeal being made against the review decision, and

(b) an appeal against a review decision is finally determined when the appeal and any further appeal is finally determined.

(6) Paragraph (4) is subject to any direction or order of a court to the contrary, in the event of an appeal determined by the court.

(7) In this article -

"**application**" means an application for a licence under Part II of the Ordinance,

"**deemed licence**" means a licence deemed to have been granted under article 2, and

"**seller**" has the meaning given by article 2(1).

Citation.

4. This Order may be cited as the Vaping Products (Guernsey) Ordinance, (Commencement and Transitional) Order, 2025.

Dated this tenth day of September, 2025

A handwritten signature in black ink, appearing to read 'G Oswald', is written over a white rectangular stamp or box.

DEPUTY GEORGE OSWALD

President of the Committee for Health & Social Care

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings the provisions of the Vaping Products (Guernsey) Ordinance, 2025 which ban and penalise the importation or sale of disposable vapes into force on the 31st January, 2026.

The remainder of the Ordinance not commenced by the Vaping Products (Guernsey) Ordinance (Commencement) Order, 2025 will be brought into force on the 31st March, 2026.

This Order also makes transitional provision for sellers of vaping of products operating before the 31st March, 2026. They will be deemed to hold a licence for a transitional period, and the ban on display of vapes, advertisements and prices will accordingly take effect on and from the 31st March, 2026 on the premises where these sellers sell vapes.