

GUERNSEY STATUTORY INSTRUMENT

2025 No. 81

**The Vaping Products (Exceptions, Exemptions and
Defences) (Guernsey) Regulations, 2025**

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SCHEDULE CONDITIONS FOR DISPLAY OF PRICES IN VAPE-LICENSED
PREMISES

GUERNSEY STATUTORY INSTRUMENT

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**The Vaping Products (Exceptions, Exemptions and
Defences) (Guernsey) Regulations, 2025**

Made

10th September, 2025

Coming into operation

Reg.12

Laid before the States

, 2025

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred upon it by sections 24(3), 26(2) and 27(2) of the Vaping Products (Guernsey) Ordinance, 2025^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Displays authorised under regulations 2 to 8.

1. (1) This section applies where a person is charged with an offence under section 24(1) (prohibition of display of vaping products, prices and advertisements) of the Ordinance.

^a Ordinance No. XIII of 2025.

(2) Where this section applies, it is a defence for the person to prove on the balance of probabilities that the person acted in accordance with any of regulations 2 to 8.

Display by wholesale licensee in the course of wholesale sale.

2. A wholesale licensee may display vaping products or prices of vaping products in vape-licensed premises to the extent that the display is made in the course of a wholesale sale.

Display as sole consequence of requested display.

3. (1) A licensee may display a vaping product in vape-licensed premises as a consequence of a request made by an adult, to the extent that the display complies with Condition 1 or 2.

(2) Condition 1 is that -

- (a) the vaping product is displayed in a storage unit, the area of which does not exceed 1.5 square metres, and
- (b) the display lasts for no longer than is necessary to remove the requested product from the storage unit.

(3) Condition 2 is that -

- (a) the vaping product is displayed otherwise than in a storage unit, and
- (b) the display lasts for no longer than necessary to respond to the request.

Display during restocking, etc.

4. (1) A licensee may display a vaping product in vape-licensed premises to the extent that the display complies with Condition 3 or 4.

- (2) Condition 3 is that -
- (a) the vaping product is displayed in a storage unit, the area of which does not exceed 1.5 square metres, and
 - (b) the display -
 - (i) occurs in the course of an activity listed in paragraph (3) being actively carried out in the ordinary course of business in relation to vaping products,
 - (ii) is solely as a consequence of that activity being carried out, and
 - (iii) lasts for no longer than necessary to allow that activity to be carried out.
- (3) The activities referred to in paragraph (2)(b)(i) are as follows -
- (a) assessing stock levels for the purposes of stock control,
 - (b) restocking,
 - (c) staff training,
 - (d) cleaning of the storage unit,
 - (e) maintenance of the storage unit,
 - (f) refurbishment of the storage unit.
- (4) Condition 4 is that -

- (a) the vaping product is displayed otherwise than in a storage unit,
- (b) the vaping product is displayed only in the course of being placed in a storage unit during restocking, and
- (c) the display lasts for no longer than necessary to place the vaping product in the storage unit.

Display in enclosed places where children are not permitted access.

5. A licensee may display a vaping product within an enclosed place in vape-licensed premises, if -

- (a) the product is not visible to any person outside that place,
- (b) the licensee has taken reasonable steps to deny anyone other than adults admission to that place, and
- (c) where any person other than an adult has been admitted to that place, the licensee has taken reasonable steps to establish the age of that person before admitting that person to those premises.

Display in specialist premises.

6. (1) A licensee may display relevant material in the course of a business taking place in specialist vaping premises if -

- (a) those premises are enclosed,
- (b) none of the relevant material is visible at any time to any person outside those premises,

- (c) the licensee has taken reasonable steps to deny anyone other than adults admission to those premises, and
- (d) where any person other than an adult has been admitted to that place, the licensee has taken reasonable steps to establish the age of that person before admitting that person to those premises.

(2) Paragraph (1)(b) does not prevent the licensee from displaying any sign attached to those premises, either in front of those premises or adjacent to the main entrance to those premises, where the primary purpose of the sign is to identify the business and not to advertise, publicise or promote any vaping product.

(3) In paragraph (1) -

"enclosed", in relation to any premises, means that those premises -

- (a) are covered by a fixed or moveable roof, ceiling or similar structure, and
- (b) have walls or similar structures (inclusive of windows and doors, gates and other means of access or egress) all around their perimeter, and

"specialist vaping premises" means premises where vaping products (whether exclusively or otherwise) are sold by retail sale and more than one half of all sales derive from the retail sale of such products; and for this purpose **"sales"** is to be measured by sale price -

- (a) during the most recent period of 12 months for which accounts are available, or

- (b) if those premises have been established for less than 12 months, during the period for which those premises have been established.

Restricted display of prices of vaping products.

7. A licensee may display prices of vaping products in vape-licensed premises, to the extent that the display complies with Condition 5 and at least one of Conditions 6, 7 or 8 in the Schedule to these Regulations.

Display to authorised officers, etc.

8. A licensee may display relevant material in vape-licensed premises, to the extent that the display is made as a consequence of a request by one of the following officers acting in the course of that officer's duty -

- (a) an authorised officer,
- (b) a police officer, or
- (c) a customs officer.

Licensing officer may authorise importation, sale or supply of disposable vapes.

9. (1) The licensing officer may in writing authorise a person to -

- (a) sell or supply disposable vapes, or
- (b) import disposable vapes.

(2) An authorisation under paragraph (1) is subject to any condition specified in the authorisation by the licensing officer.

(3) Section 26(1) of the Ordinance (prohibition of sale or supply of disposable vapes) does not apply where a person sells or supplies disposable vapes in accordance with an authorisation under paragraph (1)(a).

(4) Section 27(1) of the Ordinance (prohibition of importation of disposable vapes) does not apply where a person imports disposable vapes in accordance with an authorisation under paragraph (1)(b).

Interpretation.

10. In these Regulations, unless the context requires otherwise -

"**adult**" means an individual who is of or over the age of 18 years,

"**advertisement**" has the meaning given to it by section 5 of the Law,

"**area**", in relation to any storage unit, means the total area of the storage unit in which the vaping products and any other products are visible,

"**customs officer**" means an officer within the meaning of section 1(1) of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972^b,

"**the Law**" means the Vaping Products (Enabling Provisions) (Guernsey) Law, 2024^c,

"**licence**" means a licence granted or renewed under Part II of the Ordinance,

"**licensee**" means any person holding a licence, and includes an employee or agent of the person acting on that person's behalf,

"**the Ordinance**" means the Vaping Products (Guernsey) Ordinance, 2025,

^b Ordres en Conseil Vol. XXIII, p. 573; this enactment has been amended.

^c Order in Council No. IV of 2024.

"relevant material" means the following -

- (a) a vaping product,
- (b) a price of a vaping product,
- (c) an advertisement for a vaping product,

"storage unit" means a gantry, cabinet or unit, tray, shelf or other product in which a vaping product is held pending sale,

"vape-licensed premises" means premises licensed under Part II of the Ordinance,

"vaping product" has the meaning given by section 2 of the Law,

"wholesale licence" means a licence authorising wholesale sales of vaping products,

"wholesale licensee" -

- (a) means a person who holds a wholesale licence, and
- (b) includes any employee or agent of that person, acting on that person's behalf, and

"wholesale sale", in relation to a vaping product, means sale of the product to a person who buys it for the purpose of selling or supplying it in the course of a business carried on by that person.

Citation.

11. These Regulations may be cited as the Vaping Products (Exceptions, Exemptions and Defences) (Guernsey) Regulations, 2025.

Commencement.

12. (1) Subject to paragraph (2), these Regulations shall come into force on the 31st March, 2026.

(2) Regulation 9 (licensing officer may authorise importation, sale or supply of disposable vapes) shall come into force on the 31st January, 2026.

Dated this tenth day of September 2025

A handwritten signature in black ink, appearing to read 'G Oswald', is written over a faint rectangular box. The signature is slanted to the right.

DEPUTY GEORGE OSWALD

President of the Committee for Health & Social Care

For and on behalf of the Committee

SCHEDULE

Regulation 7

CONDITIONS FOR DISPLAY OF PRICES IN VAPE-LICENSED PREMISES

1. Condition 5 is that the display -
 - (a) is limited to the following information in relation to vaping products -
 - (i) the brand name of the product,
 - (ii) where pre-packed, the number of units in the package or, where sold by weight, the net weight of the product,
 - (iii) the price of the product,
 - (b) is printed -
 - (i) in black Helvetica plain type on a white background,
 - (ii) in type which has a consistent size throughout the text, and
 - (iii) in lower case type, except that the first letter of a word may be in upper case type, and
 - (c) except as otherwise provided by paragraph (e) of Condition 7, does not contain any other feature.
2. Condition 6 is that the display -
 - (a) is in the form of a price list,
 - (b) has the title "Vaping products price list",
 - (c) may include sub-headings for different types of vaping products,

- (d) does not include the prices of any other products,
- (e) is such that no character is higher than 7 millimetres,
- (f) has no border or frame,
- (g) does not exceed 1250 square centimetres in size, and
- (h) is limited in number to one price list for each separate area where vaping products are both located and can be paid for.

3. Condition 7 is that -

- (a) the display is in the form of a price list which is made available to a person following a particular request by the person for information about vaping products for sale in the place where such request takes place,
- (b) the person displaying the price list -
 - (i) believes the person making the request to be an adult, and
 - (ii) has, before displaying that price list, taken reasonable steps to establish the age of the person making the request,
- (c) the price list is displayed for no longer than is needed for the person to obtain the information sought by that person,
- (d) the wording on the price list is -
 - (i) such that no character is higher than 7 millimetres,
 - (ii) printed in black Helvetica plain type on a white background,
 - (iii) printed in type which has a consistent size throughout the text,

and

- (iv) in lower case type, except that the first letter of a word may be in upper case type,
- (e) the only other feature displayed is a picture of the actual vaping product, as packaged for sale, and the size of such picture does not exceed 50 square centimetres, and
- (f) the price list is limited in number to -
 - (i) one price list for each separate area where vaping products are both located and can be paid for, or
 - (ii) where there is more than one till at any such location, one price list for each such till.

4. Condition 8 is that the display is -

- (a) a display of the price of a vaping product on a storage unit where that particular product is kept pending sale,
- (b) such that no character is higher than 10 millimetres,
- (c) in a style (including type, size of font and colour) that is consistent with displays of prices on storage units for products that are not vaping products on sale in the same premises (if any), and
- (d) limited in number to one display for each separate location in a storage unit where a particular vaping product is held.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulations 1 to 8 of these Regulations authorise displays of vaping products and prices in vape-licensed premises in certain circumstances and in those circumstances provide a defence from the offence under section 24(1) of the Vaping Products (Guernsey) Ordinance, 2025 ("**the Ordinance**"). These regulations and the Schedule will come into force on the 31st March, 2026.

Regulation 9 allows the licensing officer to authorise the sale, supply or importation of disposable vapes, as exceptions to the offences in sections 26(1) and 27(1) respectively of the Ordinance. This regulation will come into force on the 31st January, 2026.