



23.01.2025

Annwyl Gadeirydd / Dear Chair,

Re: Call for comments on the LCM for the Tobacco & Vapes Bill

Thank you for offering us the opportunity to comment on the Legislative Consent Memorandum for the Tobacco & Vapes Bill.

We write to you as the Wales Tobacco Control Alliance, an influential group of organisations, charities, trade unions and professional bodies, all committed to ending the harms of tobacco use in our communities.

Members of the WTCA endorsing this letter are ASH Wales Cymru, Asthma and Lung UK Cymru, BHF Cymru, BMA Cymru Wales, Cancer Research UK, Royal College of GPs (Wales), Royal College of Physicians (Wales) and Tenovus Cancer Care.

We see the Tobacco & Vapes Bill as the single biggest public health measure of a generation.

It will save thousands of lives and free many more from being trapped in a lifetime of tobacco addiction and early disability.

Tobacco still takes a huge toll among families across Wales – particularly those living in our most disadvantaged areas.

The latest Public Health Wales data¹ shows that one in every ten deaths among over 35-year-olds in Wales is attributable to smoking. That is 3,845 lives lost every year.

This legislation and regulations contained in the LCM deal with each of our primary concerns. Namely:

1. Product
2. Place
3. Price
4. Promotion

Legislation to raise the age of sale for tobacco, by one year every year, for anyone born after 1 January 2009 is a hugely significant step in achieving the legally-binding goals of the Well-being of Future Generations Act 2015, of a healthier and more equal Wales.

The ASH Wales Cymru Youth Vaping survey 2024² shows that the vast majority of underage vapers use nicotine devices, with many now reporting they are unable to go through the school day without vaping. More than half (55%) of all respondents who vape reported using vaping products that are highly likely to be illegal, unregulated products that contain over 600 puffs.

Concerns have been raised that the rise in vaping is attributable, at least in part, to the marketing and availability of disposable vapes, which have rapidly become the preferred vaping device for children and young people. The ASH Wales survey backs these claims.

The banning of disposable vaping products will go some way to address these concerns however this additional regulation is needed to ensure we address the marketing and promotion of vaping products to young people.

Proposals to regulate vapes, by making them unattractive and less affordable to children, while ensuring their availability for smokers as a cessation aid, are welcome.

The introduction of a tobacco and nicotine retail licensing scheme has the potential to deal with the availability of these products in our communities for the first time.

¹ [Over 10 percent of deaths in Wales due to smoking - Public Health Wales](#)

² [ash-wales-youth-vaping-survey-05.24.pdf](#)

Making the scheme conditional, for example having power to deny a licence to sell near a school or in an area with an already high density of tobacco or nicotine retailers, would provide additional protection to consumers.

In addition to the retail licensing scheme being a useful tool in enforcement for illegal sales, we would welcome data from the scheme to be used to target smoking cessation support in areas of Wales with greatest use / need.

We welcome proposals to consult on the extension of smoke-free spaces in Wales, in particular for the inclusion of all novel heated tobacco products. We understand the benefits of creating vape-free spaces in some areas too, where that policy would support a child's environment and wellbeing. However, we urge caution around creating entirely vape-free spaces in some settings, including hospital grounds and in-patient mental health settings. Vulnerable smokers in these environments should retain access to vaping, if that is the harm-reduction / smoking cessation method of their choice.

The legislation and regulations contained in the LCM and Tobacco & Vapes Bill are just the start of a more positive future for Wales. We must remain mindful that the majority of the 320,000 current smokers in Wales live in our most disadvantaged areas. They will need fully funded, targeted and appropriate support to quit.

It is crucial all cessation services are patient-centred and smokers themselves are given a voice in securing a compassionate and flexible smoking cessation service, which meets their needs. Particular effort should be made to engage with people in disadvantaged areas, to ensure fully equitable and inclusive consultations on all measures.

We also recommend fully funded, bilingual, mass communications campaigns across Wales to explain the legislation /regulations and counter dangerous misperceptions around the relative risks of tobacco and vapes.

We know that the tobacco industry will be lobbying hard throughout this process, encouraging amendments to weaken the Bill, delay its measures or confuse consumers. The WTCA will be working equally hard to make sure that the Bill puts public health and support for smokers to quit ahead of any commercial interests.

Thank you for considering our comments. As an alliance, we look forward to continuing to work with you on this LCM, and supporting its implementation to benefit all our communities, the Welsh NHS and future generations.

Yours faithfully,

Suzanne Cass, CEO, ASH Wales Cymru

Joseph Carter, Head of Devolved Nations, Asthma and Lung UK

Judi Rhys MBE, Chief Executive, Tenovus Cancer Care

Dr Hilary Williams, Vice President for Wales, Royal College of Physicians

Dr Iona Collins, Welsh Council Chair, BMA Cymru Wales

Simon Scheeres, Public Affairs Manager (Wales), Cancer Research UK

Bethan Edwards, Policy & Public Affairs Manager, BHF Cymru

Nicolas Webb, Policy and Public Affairs Manager (Wales), Royal College General Practitioners