**Title:** Tobacco and Vapes Bill – Lords Report Stage (Day 2)
**Date:** Tuesday 3 March 2026
**Location:** House of Lords Chamber

## Introduction

The House of Lords continued Report Stage consideration of the Tobacco and Vapes Bill on 4 March. Debate focused on a number of amendments relating to product regulation, packaging and flavour descriptors, advertising restrictions, vape-free places and the regulation of emerging vaping technologies.

Peers broadly supported the public health objectives of the Bill, but several raised concerns about ensuring that regulation does not undermine vaping's role as a smoking cessation tool for adult smokers.

The Government also tabled a number of technical amendments to clarify definitions, extend regulatory powers to additional product components such as filters, and ensure that the legislation remains adaptable to emerging technologies.

**Positively, during the debate Baroness Merron confirmed that the Government has been engaging directly with the UK's main vaping trade bodies, and specifically named the UKVIA.** This represents a constructive acknowledgement in the Lords debate of UKVIA's role as a stakeholder in the development of future vaping regulation.

## Debate key points

### Packaging, flavour descriptors and product presentation

Peers debated amendments relating to packaging and the marketing of vaping products.

**Baroness Walmsley (Liberal Democrat)** proposed Amendment 123, which would introduce plain packaging requirements for vaping products and restrict point-of-sale displays and promotional materials. She argued that packaging remains an important marketing channel and cited evidence suggesting that colourful branding may contribute to youth uptake.

Other Peers cautioned against applying tobacco-style packaging rules to vaping products. **Lord Moylan (Conservative)** introduced Amendments 125 and 134, arguing that regulation should focus specifically on flavour descriptors rather than the flavours themselves. He suggested that names such as confectionery-style flavour descriptions may be designed to appeal to children and should therefore be subject to regulation.

In response, **Lord Darzi (Crossbench)** argued that limiting the Government's powers only to flavour descriptors could restrict the ability to regulate flavour ingredients in the future if evidence demonstrated public health concerns.

### High-capacity vaping devices

Debate also covered emerging vaping products designed to circumvent existing regulatory limits. **Lord Udny-Lister (Conservative)** moved Amendment 136A, which sought to prevent manufacturers from attaching multiple refill containers to devices in order to bypass existing tank size limits.

He noted that some devices currently on the market advertise extremely high puff counts and argued that the legislation should prevent regulatory loopholes from being exploited.

**Technology and "future-proofing" regulation**

Peers also discussed technological developments in vaping products, including devices incorporating gaming features or app-linked reward systems.

The Government introduced Amendments 130 and 132 to ensure that regulatory powers under the Bill can apply to technological features and associated software used in vaping devices and tobacco-related products.

These amendments were intended to ensure that future regulations can address emerging technologies designed to increase product appeal, particularly among young people.
Both amendments were agreed.

**Advertising and promotion**

A number of amendments sought to modify the Bill's advertising restrictions.
**Lord Udny-Lister (Conservative)** introduced Amendment 149, proposing that vaping and nicotine products should not be subject to the same advertising restrictions as tobacco products. He argued that advertising can play a role in informing smokers about lower-risk alternatives.

**Baroness Fox of Buckley (Crossbench)** supported the amendment and warned that public misunderstanding about vaping remains widespread. She argued that restricting communication about vaping could reinforce the misconception that vaping is as harmful as smoking.

However, other Peers expressed concern that relaxing advertising restrictions could increase exposure among young people.

**Smoke-free and vape-free places**

Peers also debated provisions allowing the Government to designate additional smoke-free, vape-free and heated tobacco-free places.

Several Peers cautioned that treating vaping and smoking identically in public-space restrictions could undermine harm-reduction messaging.

**Lord Udny-Lister** argued that forcing smokers and vapers into the same designated areas could discourage smokers from switching to vaping.

By contrast, **Baroness Walmsley** proposed Amendment 199, which would require outdoor pavement licences for hospitality venues to be smoke-free.

**Ministerial response**

Responding for the Government, **Baroness Merron (Labour)** emphasised that the Bill seeks to balance two key objectives:

- reducing youth uptake of vaping products
- maintaining vaping as a smoking cessation tool for adult smokers

She confirmed that existing clauses already provide powers to regulate packaging, flavour descriptors and product information.

**The Minister** also stated that the Government intends to consult on flavour descriptors before considering broader restrictions on flavours and confirmed that the Government is analysing responses to its call for evidence on vape tank sizes.

**Baroness Merron** also defended the Bill's advertising provisions, citing survey evidence suggesting that awareness of vape promotion among children has increased in recent years.

**Next steps**

With Report Stage now complete, the Bill will proceed to **Third Reading in the House of Lords**, scheduled for **Monday 9 March**.

Third Reading provides a final opportunity for the House to make limited changes before the Bill returns to the House of Commons for consideration of Lords amendments.