Title: Tobacco and Vapes Bill – Lords Report Stage (Day 1)
Date: Tuesday 24 February 2026
Location: House of Lords Chamber

Introduction

The House of Lords began Report Stage consideration of the Tobacco and Vapes Bill on 24 February. The first day focused primarily on the generational tobacco ban and enforcement provisions.

However, a number of amendments and interventions had direct relevance to the vaping and wider nicotine sector, particularly around age verification, retail burden, environmental controls, and proposals to extend generational measures to vaping products.

Amendment 1, tabled by Lord Murray of Blidworth and supported by Lord Moylan and Baroness Fox of Buckley, which sought to replace the generational ban with a fixed age of 21, was defeated by 246 votes to 78.

Debate key points

Generational model and extension to vaping

Lord Murray of Blidworth (Con) and Lord Moylan (Con) reiterated concerns first raised in Committee that the rolling age threshold risks creating enforcement complexity and driving illicit trade.

References were made to pressures on small retailers and comparisons drawn with black-market growth in Australia, including in relation to illicit vapes.

Baroness Fox of Buckley (Crossbench) again warned that prohibition-style measures risk unintended behavioural consequences and argued that vaping should be more clearly positioned as a harm-reduction alternative.

The most directly relevant vaping amendment was Amendment 7, tabled by Earl Russell (LD), which proposed a regulation-making power to allow the Secretary of State to extend the generational "smoke-free" model to vaping and nicotine products in the future.

Earl Russell argued that youth vaping trends justify future-proofing the legislation. He suggested that without such a power, the Government may need to return with primary legislation should nicotine consumption patterns change.

Following representations made by the UKVIA, Lord Moylan and Baroness Fox opposed the amendment, emphasising the need to preserve a clear distinction between combustible tobacco and reduced-risk vaping products. They cautioned against conflating the two regulatory pathways and warned that doing so could undermine cessation outcomes

The amendment was withdrawn following debate.

Age verification and retail enforcement

Following previous representations by the UKVIA, Lord Moylan moved Amendments 3 and 12, which were accepted by the Government. These change the parliamentary procedure for specifying age-verification steps from the negative to the affirmative resolution procedure, increasing parliamentary scrutiny.

In the debate, Lord Moylan raised concerns about retailer burden, practical enforcement and the risk of shopworker abuse in implementing a rolling age threshold. Lord Udny-Lister (Con) supported these

concerns and tabled Amendment 26 proposing a grant scheme to assist retailers in acquiring age-verification technology.

Lord Bichard (Crossbench), drawing on his experience as chair of National Trading Standards, emphasised the importance of adequate and sustained enforcement funding.

Amendment 26 was not accepted. However, the debate reinforced that retail enforcement pressures and age-verification practicality remain politically sensitive issues.

Environmental issues and disposable-style devices

Amendment 16, tabled by Earl Russell, revisited concerns about disposable vaping products and environmental impact. Peers raised continued concerns about lithium battery waste fires, recycling infrastructure and the design of high-puff products which may effectively replicate disposables.

Baroness Northover (LD) supported stronger environmental scrutiny, while Lord Moylan cautioned that environmental policy must not undermine harm-reduction goals.

The amendment was withdrawn after debate.

Vape vending machines in mental health settings

Government Amendments 14 and 15 introduced a targeted exemption to permit vape vending machines in adult mental health inpatient settings.

Peers across parties acknowledged that smoking prevalence remains high in these settings and that vaping can play a role in cessation and nicotine management. The exemption applies specifically to adult inpatient mental health settings and does not extend to visitor or general public areas.

This measure passed without division.

Tobacco levy and wider regulatory trajectory

Amendment 204 proposed a “polluter pays” levy on tobacco manufacturers to fund smoking cessation and healthcare costs. While directed at tobacco, several peers framed the debate within the broader nicotine market context.

Supporters argued that industry profits should contribute directly to public-health funding. Opponents warned of complexity and unintended market distortion.

The amendment was not adopted. However, the debate reflects ongoing appetite within parts of the House for stronger fiscal intervention in nicotine markets.

Product design and regulatory powers

The Government also introduced enabling powers relating to cigarette filters. While tobacco-specific, the debate demonstrated continued willingness to take product-design powers where evidence is cited.

Peers, including Earl Howe (Con), stressed the importance of proportionality and evidence-based regulation across nicotine categories.

Ministerial response

Responding for the Government, Health Minister Baroness Merron reaffirmed:

- The **generational ban** applies **only to tobacco.**
- **There is a fundamental difference in risk between smoking and vaping.**
- **The Government does not intend to introduce a "vape-free generation" power.**
- The current age-of-sale of 18 for vaping **remains proportionate**.
- **Vaping** continues to play a **key role** in **helping adult smokers quit.**
- Age-verification requirements will not mandate specific technologies but will strengthen clarity and scrutiny.
- Environmental concerns will be addressed through existing powers and ongoing evidence-gathering.
- Tobacco duties are considered to fulfil the "polluter pays" principle; a new levy is not supported.

The Minister emphasised that further regulatory decisions, particularly around vaping products, will be evidence-led and subject to consultation.

Next steps

Report Stage will continue in further sittings, with additional debate expected on:

- Enforcement provisions
- Licensing scheme
- Product standards
- Further delegated powers

UKVIA will continue to monitor proceedings and provide updates following subsequent Report Stage days.