



8th December 2025

Emer Currie TD
Dáil Eireann
Leinster House
Kildare Street
Dublin 2

Emailed to: Sarah_Kennedy@health.gov.ie

Dear Deputy Currie,

The Minister has referred PQ ref 66654/25 to the Health Service Executive for a direct reply. Please see response to your PQ below.

Question:

“To ask the Minister for Health if non-specialist tobacco and vape retailers, such as barbers and phone shops, will be allowed to continue to sell vaping and tobacco products under the Department's proposed retail licencing system; and to outline the specific criteria for a retailer to obtain a licence under the new system.”

Response:

The Health Service Executive National Environmental Health Service (HSE NEHS) is responsible for the implementation of Section 11 of the Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023. This legislation requires all retailers of tobacco products and nicotine inhaling products to apply to the HSE for a licence to sell these products.

In your question to the Minister, you refer to “non-specialist tobacco and vape retailers, such as barbers and phone shops...” owners of such premises must apply to the HSE for a licence to sell by retail tobacco products and/or nicotine inhaling products



The Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023 does not specify the types of shops that require a licence. Any person or business that wishes to sell nicotine inhaling products or tobacco products by retail must apply to the HSE for a licence to sell these products. A licence is required for each premises or website that a person owns used to sell by retail tobacco products and/or nicotine inhaling products.

It is a legal requirement for retailers to display the licence prominently at the point of sale on the premises for the product concerned. A licence for online sales must be displayed prominently and clearly on the licensee's website.

In preparation for the commencement of licensing on 2nd February 2026, the HSE NEHS is currently in the process of developing a bespoke online IT system through which retailers will apply annually to the HSE for the required licence. All licence applications must be submitted through the online portal. The HSE NEHS in Q1 2026 will inform all retailers currently known to them of their legal obligation to apply to the HSE for a licence and the means of making an online application for the licence required under the 2023 Act.

Section 11 of the Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023 specifies the information that the retailer must provide to the HSE at the time of making an application for their licence. It is important to note that the prescribed fee and a tax clearance certificate in force relating to the applicant shall accompany an application for a licence. An application will not be processed where the applicant does not have an in force tax clearance certificate and/or the required fee not paid. When making their application the applicant must make a declaration, they have complied with all requirements imposed on them by tobacco control legislation.

A person who immediately before the commencement of Section 11 of the 2023 Act, was registered with the HSE to sell tobacco products, or was selling nicotine inhaling products, and wishes to continue to sell such products shall not later than 6 months of the commencement of this legislation apply to the HSE for a licence.

Under Section 25 of the Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023, it is an offence for a person to sell by retail tobacco products or nicotine inhaling products without a licence. The HSE NEHS Environmental Health Officers will monitor compliance with this legislation and where a person fails to comply with the legislation the HSE NEHS will take the appropriate enforcement action.

I trust the information provided answers your question.

Yours sincerely,

Margaret Ruddy
Principal Environmental Health Officer
HSE National Environmental Health Service
National Tobacco Control Office