
STATUTORY INSTRUMENTS

1991 No. 2872

**The Children and Young Persons (Protection
from Tobacco) (Northern Ireland) Order 1991**

Introductory

Display of warning statements in retail premises and on vending machines

5.—(1) A notice displaying the following statement—

“It is illegal to sell tobacco products to anyone under the age of 16”

shall be exhibited at every premises at which tobacco is sold by retail, and shall be so exhibited in a prominent position where the statement is readily visible to persons at the point of sale of the tobacco; and where—

- (a) any person carries on a business involving the sale of tobacco by retail at any premises, and
- (b) no notice is exhibited at those premises in accordance with this paragraph,

that person shall be guilty of an offence.

(2) A notice displaying the following statement—

“This machine is only for the use of people aged 16 or over”

shall be exhibited on every automatic machine for the sale of tobacco which is kept available for use as such at any premises, and shall be so exhibited in such a way that the statement is readily visible to persons using the machine; and where—

- (a) any person is the owner of any such machine which is so kept or the owner of the premises at which any such machine is so kept, and
- (b) no notice is exhibited on the machine in accordance with this paragraph,

that person shall be guilty of an offence.

(3) The dimensions of the notice to be exhibited in accordance with paragraph (1) or (2), and the size of the statement to be displayed on it, shall be such as may be prescribed by regulations made by the Department subject to negative resolution.

(4) Any person guilty of an offence under paragraph (1) or (2) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) It shall be a defence for a person charged with any such offence to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(6) In this Article—

“premises” includes any place and any vehicle, vessel, aircraft, hovercraft, stall or moveable structure; and

“tobacco” (except where it appears in the statement required by paragraph (1)) has the same meaning as in Part II of the Health and Personal Social Services (Northern Ireland) Order 1978.