

STATUTORY INSTRUMENTS

2006 No. 2957

The Smoking (Northern Ireland) Order 2006

Enforcement

[^{F1}Fixed penalties]

^{F2}10.—^{F3}(1) An authorised officer of a district council who has reason to believe that a person has committed an offence under Article 7(5) or 8(2) on premises, [^{F4}or in a place] within the district of the council may give him a penalty notice in respect of the offence.

^{F5}[^{F6}(1A) An authorised officer of an enforcement authority who has reason to believe that a person has committed an offence under Article 7(5) or 8(2) in a vehicle in relation to which the authorised officer has functions may give that person a penalty notice in respect of the offence.

^{F5}(1B) The Department may by regulations provide that, in the circumstances specified in the regulations, an authorised officer of an enforcement authority who has reason to believe that a person has committed an offence under Article 9(3) in relation to a vehicle in relation to which the authorised officer has functions may give the person a penalty notice in respect of the offence.]

(2) A penalty notice is a notice offering a person the opportunity to discharge any liability to conviction for the offence to which the notice relates by paying a penalty in accordance with this Order.

(3) Schedule 1 makes further provision about fixed penalties.

Textual Amendments

- F1** Art. 10 heading substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(a\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F2** Art. 10 heading substituted (1.6.2017 for specified purposes, 1.2.2022 in so far as not already in operation) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(a\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F3** Words in art. 10(1) substituted (1.6.2017 for specified purposes, 1.2.2022 in so far as not already in operation) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(b\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F4** Words in art. 10(1) substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(b\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F5** Art. 10(1A)(1B) inserted (1.6.2017 for specified purposes, 1.2.2022 in so far as not already in operation) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(c\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F6** Art. 10(1A)(1B) inserted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(3\)\(c\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)

Commencement Information

- I1** Art. 10 wholly in operation at 30.4.2007; art. 10(3) in operation for specified purposes at 15.1.2007 see art. 1(3); art. 10 in operation at 30.4.2007 insofar as not already in operation by [S.R. 2007/118, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Smoking (Northern Ireland) Order 2006, Section 10.