

STATUTORY INSTRUMENTS

2006 No. 2957

The Smoking (Northern Ireland) Order 2006

Enforcement

[^{F1}Enforcement]

^{F2}11.—^{F3}(1) It is the duty of a district council to enforce, as respects [^{F4}premises and places] in its district, the provisions of this Order and regulations made under it.

^{F5}[^{F6}(1A) The Department may make regulations designating the persons or bodies or descriptions of person or body which are to be enforcement authorities for the purposes of enforcing, as respects vehicles, the provisions of this Order and regulations made under it.

^{F5}(1B) The regulations—

- (a) must specify the descriptions of vehicle in relation to which an enforcement authority has functions,
- (b) may provide for a case being dealt with by one enforcement authority to be transferred (or further transferred back) to, and taken over by, another enforcement authority.

^{F5}(1C) It is the duty of an enforcement authority to enforce, as respects the vehicles in relation to which it has enforcement functions, the provisions of this Order and of regulations made under it.]

^{F7F8F9}(2) In this Order, “authorised officer”, in relation to a district council [^{F10}or other enforcement authority] , means any person (whether or not an officer of the council [^{F11}or other authority]) who is [^{F12}authorised by that council or other authority] in writing, either generally or specially, to act in matters arising under this Order.

(3) If regulations so provide, no person is to be so authorised unless he has such qualifications as are specified in the regulations.

(4) Schedule 2 makes provision about the powers of authorised officers.

(5) The Department may make grants to district councils to defray expenditure incurred by them in exercising their functions under this Order.

(6) Grants under paragraph (5) shall be of such amounts, and subject to such conditions, as the Department may, with the approval of the Department of Finance and Personnel, determine.

Textual Amendments

- F1** Art. 11 heading substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016](#) (c. 26), **ss. 5(4)(a)**, 20(3); S.R. 2017/91, art. 2(e)
- F2** [Art. 11](#) 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(4)(a)**, 20(3); S.R. 2017/91, art. 2(e); S.R. 2021/329, art. 2(b)
- F3** Words in [art. 11\(1\)](#) 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(4)(b)**, 20(3); S.R. 2017/91, art. 2(e); S.R. 2021/329, art. 2(b)

- F4** Words in art. 11(1) substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(4\)\(b\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F5** [Art. 11\(1A\)-\(1C\)](#) 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\(4\)\(c\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F6** [Art. 11\(1A\)-\(1C\)](#) inserted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(4\)\(c\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F7** Words in art. 11(2) 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\(4\)\(d\)\(ii\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F8** Words in art. 11(2) 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\(4\)\(d\)\(i\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F9** Words in art. 11(2) 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\(4\)\(d\)\(iii\), 20\(3\); S.R. 2017/91, art. 2\(e\); S.R. 2021/329, art. 2\(b\)](#)
- F10** Words in art. 11(2) inserted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(4\)\(d\)\(i\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F11** Words in art. 11(2) inserted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(4\)\(d\)\(ii\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)
- F12** Words in art. 11(2) substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(4\)\(d\)\(iii\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)

Commencement Information

- II** Art. 11 wholly in operation at 30.4.2007; art. 11(3) in operation at 15.1.2007 see art. 1(3); art. 11 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 11.