

2021 No. 329 (C. 13)

PUBLIC HEALTH

**The Health (Miscellaneous Provisions) (2016 Act)
(Commencement No. 2) Order (Northern Ireland) 2021**

Made - - - -

6th December 2021

The Department of Health(a), in exercise of the powers conferred by section 20(3) of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016(b), makes the following Order.

Citation

1. This order may be cited as the Health (Miscellaneous Provisions) (2016 Act) (Commencement No. 2) Order (Northern Ireland) 2021.

Provisions coming into operation on 1st February 2022

2. 1st February 2022 is the appointed day for the coming into operation of the following provisions of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016-

- (a) section 3(1) (Schedule 1: amendments consequential on sections 1 and 2);
- (b) section 5 (prohibition of use of tobacco or nicotine products in a private vehicle) insofar as not already in operation;
- (c) schedule 1;
- (d) Part 2 of Schedule 2 and section 19 to the extent that it repeals the provisions in the Tobacco Retailers Act (Northern Ireland) 2014(c).

Sealed with the Official Seal of the Department of Health on 6th December 2021.



Elizabeth Redmond
A senior officer of the
Department of Health

(a) The Department of Health, Social Services and Public Safety was renamed the Department of Health by section 1(5) of the Departments Act (Northern Ireland) 2016 (c. 5) (N.I.)
(b) 2016 c.26 (N.I.)
(c) 2014 c.4 (N.I.)

EXPLANATORY NOTE

(This note is not part of the Order)

This commencement Order is made by the Department of Health under section 20(3) of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016 (“the Act”).

It brings into operation the following provisions on 1st February 2022.

- Section 3(1) – brings into operation Schedule 1 to the Act which amends certain provisions of the Children and Young Persons (Protection from Tobacco) (Northern Ireland) Order 1991 and the Tobacco Retailers Act (Northern Ireland) 2014.
- Section 5 – allows Article 6 of the Smoking (Northern Ireland) Order 2006 to be amended to allow offences to apply to private vehicles where under eighteens are present in the vehicle. It also allows regulations to be made in relation to the use of nicotine products in private vehicles where under eighteens are present.
- Part 2 of Schedule 2 and section 19 – brings into operation repeals to certain provisions in the Tobacco Retailers Act (Northern Ireland) 2014.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016 have been brought into operation by a commencement order made before the date of this Order

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 1	1st June 2017	2017 No. 91 (C. 8)
Section 2	1st June 2017	2017 No. 91 (C. 8)
Section 3(2)	1st June 2017	2017 No. 91 (C. 8)
Section 4	1st June 2017	2017 No. 91 (C. 8)
Section 5 (for the purpose of enabling the Department to make regulations)	1st June 2017	2017 No. 91 (C. 8)
Section 7	1st June 2017	2017 No. 91 (C. 8)

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