
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Smoking (Northern Ireland) Order 2006

Smoke-free premises, etc

Exemptions

4.—(1) The Department may make regulations providing for specified descriptions of premises, or specified areas within specified descriptions of premises, not to be smoke-free despite Article 3.

(2) In particular, regulations under paragraph (1) may specify premises where a person has his home, or is living whether permanently or temporarily.

(3) The power to make regulations under paragraph (1) is not exercisable so as to specify any description of—

- (a) premises in respect of which a licence (including an occasional licence) under the [Licensing \(Northern Ireland\) Order 1996 \(NI 22\)](#) is in force;
- (b) premises of a club registered under the [Registration of Clubs \(Northern Ireland\) Order 1996 \(NI 23\)](#).

(4) But paragraph (3) does not prevent the exercise of that power so as to specify any area, within a specified description of premises mentioned in paragraph (3), where a person has his home, or is living whether permanently or temporarily.

(5) The regulations may provide, in relation to any description of premises or areas of premises specified in the regulations, that the premises or areas are not smoke-free—

- (a) in specified circumstances,
- (b) at specified times,
- (c) if specified conditions are satisfied,

or any combination of those.

(6) The conditions may include conditions requiring the designation in accordance with the regulations, by the person in charge of any premises, of any rooms in which smoking is to be permitted.