
STATUTORY INSTRUMENTS

2006 No. 2957

The Smoking (Northern Ireland) Order 2006

No-smoking signs

No-smoking signs

7.—(1) It is the duty of any person who occupies or is concerned in the management of smoke-free premises to make sure that no-smoking signs complying with the requirements of this Article are displayed in those premises in accordance with the requirements of this Article.

(2) Regulations may provide for a duty corresponding to that mentioned in paragraph (1) to be imposed on specified persons or descriptions of person in relation to—

- (a) places which are smoke-free by virtue of Article 5,
- (b) vehicles which are smoke-free by virtue of Article 6.

(3) The signs must be displayed in accordance with any requirements contained in regulations.

(4) The signs must conform to any requirements specified in regulations (for example, requirements as to content, size, design, colour, or wording).

(5) A person who fails to comply with the duty in paragraph (1), or any corresponding duty in regulations under paragraph (2), commits an offence.

(6) It is a defence for a person charged with an offence under paragraph (5) to show—

- (a) that he did not know, and could not reasonably have been expected to know, that the premises were smoke-free (or, as the case may be, that the place or vehicle was smoke-free), or
- (b) that he did not know, and could not reasonably have been expected to know, that no-smoking signs complying with the requirements of this Article were not being displayed in accordance with the requirements of this Article, or
- (c) that on other grounds it was reasonable for him not to comply with the duty.

(7) If a person charged with an offence under paragraph (5) relies on a defence in paragraph (6), and evidence is adduced which is sufficient to raise an issue with respect to that defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(8) A person guilty of an offence under paragraph (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(9) References in this Article, however expressed, to premises, places or vehicles which are smoke-free are to those premises, places or vehicles so far as they are smoke-free under or by virtue of this Order.