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## STATUTORY INSTRUMENTS

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# 2006 No. 2957

## The Smoking (Northern Ireland) Order 2006

### *Supplementary*

#### **Regulations**

**15.**—(1) Regulations under this Order may include such incidental, supplementary, consequential, transitory, transitional or saving provisions as the Department considers appropriate.

(2) Subject to paragraph (3), regulations under this Order shall be subject to negative resolution.

(3) Regulations under—

(a) Article 4, 5, 6 [<sup>F1</sup>, 10(1B) or 14 ],

(b) paragraph 5 [<sup>F2</sup>, 8 or 18] of Schedule 1,

shall not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

#### **Textual Amendments**

**F1** Words in art. 15(3)(a) substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(6\)\(a\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)

**F2** Words in art. 15(3)(b) substituted (1.6.2017 for specified purposes) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2016 \(c. 26\), ss. 5\(6\)\(b\), 20\(3\); S.R. 2017/91, art. 2\(e\)](#)

#### **Application to the Crown**

**16.**—(1) This Order binds the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.

(2) No contravention by the Crown of this Order or any regulations under it makes the Crown criminally liable; but the High Court may, on the application of a district council for the district in which the contravention is alleged to have taken place, declare unlawful any act or omission of the Crown which would, but for this paragraph, have been an offence.

(3) Paragraph (2) does not extend to persons in the public service of the Crown.

#### **Repeal**

**17.** In section 57 of the Transport Act (Northern Ireland) 1967 (c. 37) (power of railway undertaking to make byelaws) in subsection (1)(c) the words “the smoking of tobacco in railway carriages and elsewhere and” are repealed.

**Status:**

Point in time view as at 01/06/2017.

**Changes to legislation:**

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