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STATUTORY RULES OF NORTHERN IRELAND

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**2017 No. 91 (C. 8)**

**PUBLIC HEALTH**

**The Health (Miscellaneous Provisions) (2016 Act) (Commencement No. 1 and Transitional Provisions) Order (Northern Ireland) 2017**

*Made* - - - -

*25th May 2017*

The Department of Health<sup>(1)</sup>, in exercise of the powers conferred by section 20(3) of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016<sup>(2)</sup>, makes the following Order.

**Citation**

1. This order may be cited as the Health (Miscellaneous Provisions) (2016 Act) (Commencement No. 1 and Transitional Provisions) Order (Northern Ireland) 2017.

**Provisions coming into operation on 1st June 2017**

2. 1st June 2017 is the appointed day for the coming into operation of the following provisions of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016—

- (a) section 1 (prohibition of sale of nicotine products to persons under 18);
- (b) section 2 (prohibition of sale of nicotine products from vending machines);
- (c) section 3(2) (amendments consequential on sections 1 and 2);
- (d) section 4 (amendment of the Order of 1991);
- (e) section 5 (prohibition of use of tobacco or nicotine products in a private vehicle) for the purpose of enabling the Department to make regulations only;
- (f) section 7 (interpretation of part 1).

**Transitional provisions**

3. Section 4 does not apply where an offence mentioned in that section was committed before 1st June 2017.

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(1) 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.).  
(2) 2016 c.26 (N.I.)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Health on 25th May 2017.

*Elizabeth Redmond*  
A senior officer of the  
Department of Health

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## 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.

It brings into operation the following provisions on 1st June 2017:

section 1 – allows regulations to be made to prohibit the sale of nicotine products to persons under the age of 18 and to prohibit the proxy purchase of such products;

section 2 – allows the making of regulations to prohibit the sale of nicotine products by an automatic vending machine;

section 3(2) – allows the making of regulations which may amend, repeal, revoke or modify any statutory provision in connection with any provision made in relation to the sale of nicotine products to persons under the age of 18 or from vending machines;

section 4 – increases the penalty for selling tobacco from an automatic vending machine from a level 4 to a level 5 offence;

section 5 – allows for regulations to be made to prohibit the use of tobacco in a private vehicle when a person under the age of 18 is in the vehicle;

section 7 – interpretation.