
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 328

**The Smoke-Free (Private Vehicles)
Regulations (Northern Ireland) 2021**

Enforcement

5.—(1) Each of the following bodies are designated as an enforcement authority for the purposes of enforcing, as respects vehicles, the provisions of the Order and regulations made under it:

- (a) a district council of Northern Ireland; and
- (b) the Police Service of Northern Ireland.

(2) An enforcement authority designated under paragraph (1)(a) has enforcement functions in relation to vehicles which are smoke-free by virtue of regulation 12(1) and 12(1A) of the Smoke-free (Exemptions, Vehicles, Penalties and Discounted Amounts) Regulations (Northern Ireland) 2007 that are in its district, except to the extent that those functions have been transferred to another enforcement authority under paragraph (5).

(3) An enforcement authority designated under paragraph (1)(b) has enforcement functions in relation to vehicles which are smoke-free by virtue of regulation 12(1) and 12(1A) of the Smoke-free (Exemptions, Vehicles, Penalties and Discounted Amounts) Regulations (Northern Ireland) 2007, except to the extent that those functions have been transferred to another enforcement authority under paragraph (5).

(4) In addition, each enforcement authority has enforcement functions in relation to vehicles to the extent to which functions are transferred to it under paragraph 5.

(5) Where one or more enforcement authority has reason to investigate a person for an offence under Article 7(5) (no-smoking signs), Article 8(2) (smoking in a smoke-free place), Article 9(3) (failing to prevent smoking in a smoke-free place) or Article 12(1) (obstruction of officers) of the Order, enforcement functions may be transferred on a case by case basis from one or more of those enforcement authorities to-

- (a) An enforcement authority that is carrying out any of those investigations; or
- (b) Any other enforcement authority,

under arrangements made between the transferring and receiving authorities.