

Draft Regulations laid before Parliament under section 79(4) of the Health Act 2006, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2015 No.

PUBLIC HEALTH, ENGLAND AND WALES

The Proxy Purchasing of Tobacco, Nicotine Products etc. (Fixed Penalty Amount) Regulations 2015

Made - - - - *****
Coming into force - - *1st October 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraphs 5 and 8 of Schedule 1 to the Health Act 2006(a).

In accordance with section 79(4) of the Health Act 2006, a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

Citation, commencement and interpretation

- 1.—(1) These Regulations may be cited as the Proxy Purchasing of Tobacco, Nicotine Products etc. (Fixed Penalty Amount) Regulations 2015 and come into force on 1st October 2015.
(2) In these Regulations “Schedule 1” means Schedule 1 to the Health Act 2006.

Penalties and discounted amounts

2. In respect of an offence alleged under section 91(1) of the Children and Families Act 2014(b)—
(a) the amount of the penalty specified for the purposes of paragraph 5 of Schedule 1 is £90;
(b) the discounted amount specified for the purposes of paragraph 8 of Schedule 1 is £60.

Signed by authority of the Secretary of State

Address *Name*
Date Parliamentary Under Secretary of State
Department of Health

(a) 2006 c.28. As to the meaning of “the appropriate national authority” see section 82(1) of the Health Act 2006 (“the 2006 Act”). Schedule 1 to the 2006 Act applies with modifications to an offence under section 91 of the Children and Families Act 2014 (c.6) (“the 2014 Act”) by virtue of section 91(5) of the 2014 Act. Section 91 of the 2014 Act was extended to include relevant nicotine products by regulation 2 of the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 (S.I. 2015/***)
(b) 2014 c.6.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under Schedule 1 of the Health Act 2006, contain provisions to set the amount of the penalty for a penalty notice given for an offence alleged under section 91(1) of the Children and Families Act 2014.

Regulation 2 sets the amount for the penalty notice where it is alleged that an adult has committed the offence of purchasing tobacco, cigarette papers or a relevant nicotine product on behalf of a person under the age of 18.

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