

---

STATUTORY INSTRUMENTS

---

**1978 No. 1907**

**Health and Personal Social Services  
(Northern Ireland) Order 1978**

**PART II**

**SALE OF TOBACCO, ETC. TO PERSONS APPARENTLY UNDER [F118]**

**Control of automatic machines for sale of tobacco**

4.—(1) If on complaint being made under[F1 Part VIII of the Magistrates' Courts (Northern Ireland) Order 1981] the court is satisfied that any automatic machine for the sale of tobacco kept on any premises[F2 has been used by any person] under the age of [F318], the court[F4 shall] order the owner of the machine or the person on whose premises the machine is kept—

- (a) to take such precautions to prevent the machine being so used as may be specified in the order;
- (b) if necessary, to remove the machine, within such time as may be specified in the order.

(2) A person who fails to comply with an order made under paragraph (1) shall be guilty of an offence and liable on summary conviction[F2 to a fine not exceeding level 4 on the standard scale].

**F1** 1981 NI 26

**F2** 1991 NI 25

**F3** Word in art. 4(1) substituted (1.9.2008) by [Children and Young Persons \(Sale of Tobacco etc.\) Regulations \(Northern Ireland\) 2008 \(S.R. 2008/306\)](#), regs. 1(4), 2(c)

**F4** 1986 NI 24

---

**Modifications etc. (not altering text)**

**C1** Art. 4(1): power to amend conferred (15.1.2007) by [The Smoking \(Northern Ireland\) Order 2006 \(S.I. 2006/2957 \(N.I. 20\)\)](#), arts. 1(3)(h), 14(a) (with art. 16(1))

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Personal Social Services (Northern Ireland) Order 1978, Section 4.