
EXPLANATORY NOTE

(This note is not part of the Order)

Sections 22, 24, 25 and 26 of the Tobacco Retailers Act (Northern Ireland) 2014 (“the 2014 Act”) came into force on Royal Assent.

For the purposes of enabling the Department to make Regulations, the Tobacco Retailers (2014 Act) (Commencement No. 1) Order (Northern Ireland) 2014 brought into operation on 1st May 2014 sections 1, 2, 8, 12, 13, 20 and 21 of the Tobacco Retailers Act (Northern Ireland) 2014.

Schedule 1 to this Order sets out that the following provisions will come into force on 6th April 2016.

- Section 1 – requires a registration authority to maintain a register of tobacco retailers in Northern Ireland.
- Sections 2, 3 and 4 – make further provision in relation to the register.
- Sections 11 and 15 – make provision in relation to powers of entry and the obstruction of officers.
- Section 16 – requires District Councils to share enforcement information on relevant tobacco offences with nominated bodies.
- Section 17 – concerns offences by bodies corporate.
- Section 18 – amends the 1978 Order to increase the minimum fine for underage sales of tobacco or cigarette papers and creates a new offence of buying or attempting to buy tobacco or cigarette papers on behalf of a person under the age of 18.
- Section 21 – allows for the delivery of relevant notices in electronic form.
- Section 23 – provides that certain sections do not apply where offences were committed before those sections were commenced.

Schedule 2 to this Order sets out that the following provisions will come into force on 1st July 2016.

- Sections 5, 6, 7, 8 and 9 – allow for the retail sale of tobacco products to be banned by means of restricted premises or sale orders.
- Section 10 – creates a number of offences in relation to the register and in relation to breaching a restricted premises or sale order.
- Sections 12, 13 and 14 – provide for the application of fixed penalties for certain tobacco-related offences.
- Section 19 – amends Schedule 11 of the Land Registration Act (Northern Ireland) 1970 to make a restricted premises order a statutory charge.