



Title of Report:	The Health (Miscellaneous Provisions) Act (Northern Ireland) 2016
Committee Report Submitted To:	Environmental Services Committee
Date of Meeting:	8th February 2022
For Decision or For Information	For Information

Linkage to Council Strategy (2021-25)	
Strategic Theme	Healthy, Active and Engaged Communities
Outcome	Delivery of statutory responsibilities
Lead Officer	Head of Health & Built Environment

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	Yes
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No N/A	Date:
	EQIA Required and Completed:	Yes/No N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No N/A	Date:
	RNA Required and Completed:	Yes/No N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No N/A	Date:
	DPIA Required and Completed:	Yes/No N/A	Date:

1.0 Purpose of Report

1.1 The purpose of this report is to advise Council of new legislative requirements in relation to age restrictions on the sale of nicotine inhaling products.

2.0 Background

2.1 Nicotine is highly addictive and, according to the World Health Organisation, exposure to nicotine whilst still in adolescence can lead to long-term consequences for brain development. In addition to the potential long-term health implications of e-cigarette use by teenagers, there are also concerns that they may act as a gateway into smoking.

3.0 Legislation and Offences

3.1 From 1st February 2022 under the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016:

- it will be an offence for a retailer to sell nicotine inhaling products (including e-cigarettes/ vapes) to anyone under the age of 18. This includes e-cigarette/ vaping device refill containers
- It will be an offence for an adult to buy, or try to buy, any tobacco products or, from 1 February 2022, nicotine inhaling products (including e-cigarettes/ vapes) on behalf of someone under the age of 18 (known as proxy purchasing).

4.0 Penalties

4.1 A fixed penalty may be issued in respect of the above offences. Amounts and maximum fines are detailed below:

- selling nicotine inhaling products to a person under the age of 18 - a fixed penalty of £250, or maximum fine of £5,000 if prosecuted and convicted by a court.
- an adult buying, or attempting to buy nicotine inhaling products on behalf of a person under the age of 18 - a fixed penalty notice of £250, or a maximum fine of £5,000 if prosecuted and convicted by a court

4.2 Councils are responsible for providing advice and enforcing the tobacco and nicotine inhaling product age of sale restrictions in respect of retailers in N.I.

4.3 The Environmental Health Department have written to 135 retailers across the Borough to prepare them for the introduction of the new legislation.

4.4 The Public Health Agency has implemented a mass media campaign to increase awareness and encourage support for the new regulations.

5.0 Recommendation

It is recommended that the report be noted.