



TOBACCO RETAILERS ACT (NORTHERN IRELAND) 2014 - CONSULTATION ON PROPOSED REGULATIONS

- **TOBACCO RETAILER (REGISTRATION AND DISPLAY OF NOTICES) REGULATIONS**
- **TOBACCO RETAILER (FIXED PENALTY) (AMOUNT) REGULATIONS**
- **TOBACCO RETAILER (FIXED PENALTY) (GENERAL) REGULATIONS**

Consultation Response Questionnaire

July 2015

CONSULTATION RESPONSE QUESTIONNAIRE

You can respond to the consultation document by e-mail or in writing.

Before you submit your response, please read **Appendix 1** at the end of this questionnaire, regarding the Freedom of Information Act 2000 and the confidentiality of responses to public consultation exercises.

Responses should be sent to:

By e-mail: phdadmin@dhsspsni.gov.uk

In writing: Population Health Directorate Administration Team
Department of Health, Social Services and Public Safety
Room C4.22
Castle Buildings
Belfast
BT4 3SQ

RESPONSES CANNOT BE CONSIDERED AFTER 4 SEPTEMBER 2015

I am responding: as an individual on behalf of an organisation
(please tick a box)

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Q1. Are you content with the level of information to be requested in the application for registration, as set out in Schedule 1 of the draft regulations in **Annex B**? If not, please say why and provide details of any changes that you wish to see.

Response:

The details seem appropriate for the purpose intended.

Q2. Are you content with the proposed wording and dimensions of the notice to be displayed by retailers in the event of a restricted premises order as set out in Schedule 2 of the draft regulations in **Annex B**? If not, please say why and provide details of any changes that you wish to see.

Response:

It is important that these signs will be clearly visible and characters of 36 mm or greater should allow this.

Q3. Are you content with the proposed amounts of Fixed Penalties as set out in Schedule 1 of the draft regulations in **Annex C**? If not, please say why and provide details of any changes that you wish to see.

Response:

The amount set for the fixed penalties are appropriate.

Q4: Are you content with the proposed form for issuing Fixed Penalties by District Councils as set out in the Schedule of the draft regulations in **Annex D**? If not, please say why and provide details of any changes that you wish to see.

Response:

The form to be used is fit for purpose.

Q5. Do you wish to make any other comments or provide other evidence about possible health, economic or social impacts of the regulations, whether adverse or beneficial?

Response:

The Association of Directors of Public Health (ADPH) welcomes the introduction of this progressive legislation which will help protect children and young people from cigarette smoking.

Reducing the availability of cigarettes to children will help reduce the numbers of children being recruited to this deadly addiction and will help achieve a Smokefree society in the future.

THANK YOU FOR TAKING THE TIME TO RESPOND TO THIS CONSULTATION

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: <http://www.informationcommissioner.gov.uk/>).