
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 328

**The Smoke-Free (Private Vehicles)
Regulations (Northern Ireland) 2021**

Private vehicles with children present, penalties and discounted amounts – amendment of the Smoke-free (Exemptions, Vehicles, Penalties and Discounted Amounts) Regulations (Northern Ireland) 2007

2.—(1) The Smoke-free (Exemptions, Vehicles, Penalties and Discounted Amounts) Regulations (Northern Ireland) 2007⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 12 (enclosed vehicles) –

(a) after paragraph (1) insert—

“(1A) A vehicle that is not smoke-free by virtue of paragraph (1), or any part of such a vehicle, is smoke-free if-

- (a) it is enclosed,
- (b) there is more than one person present in the vehicle, and
- (c) a person under the age of 18 is present in the vehicle.”;

(b) in paragraph (2), for “paragraph (1)” substitute “paragraphs (1) and (1A)”; and

(c) after paragraph (5) add-

“(6) Paragraph (1A) does not apply to-

- (a) a caravan or motor caravan that is stationary and not on a road; or
- (b) a caravan or motor caravan that is stationary, is on a road and is being used as living accommodation.

(7) In this regulation-

“caravan” means a trailer which is designed for road use and provides mobile living accommodation;

“motor caravan” means a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users;

“road” has the same meaning as in Article 2(2) of the Road Traffic (Northern Ireland) Order 1995⁽²⁾.”.

(3) In paragraph (2) of regulation 13 (penalties and discounted amounts), after “under Article 8(2)” insert “or 9(3)”.

(1) S.R. 2007 No. 138 as amended by S.R. 2008 No. 307

(2) S.I. 1995 / 2994 (N.I. 18)