

2016 No. 259 (C. 24)

PUBLIC HEALTH

**The Smoking Prohibition (Children in Motor Vehicles)
(Scotland) Act 2016 (Commencement) Regulations 2016**

<i>Made</i>	- - - -	<i>7th September 2016</i>
<i>Laid before the Scottish Parliament</i>		<i>9th September 2016</i>
<i>Coming into force</i>	- -	<i>5th December 2016</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 6(2) of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 (Commencement) Regulations 2016 and come into force on 5th December 2016.

Appointed day

2. The day appointed for the coming into force of the provisions of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016, in so far as they are not already in force, is 5th December 2016.

St Andrew's House,
Edinburgh
7th September 2016

AILEEN CAMPBELL
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force the provisions of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 (“the Act”) on 5th December 2016 so far as those provisions are not already in force. By virtue of section 1 of the Act it is an offence to smoke in a motor vehicle when there is a child in the vehicle. Section 2 and the schedule of the Act create a fixed penalty regime which local authorities may apply where there is reason to believe that an offence has been committed under the Act. Sections 4 (interpretation), 5 (regulations), 6 (commencement) and 7 (short title) and paragraphs 11 and 12 of the schedule (fixed penalty for offence under section 1) came into force on 22nd January 2016 being the day after the Act received Royal Assent by virtue of section 6(1).

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