
STATUTORY INSTRUMENTS

2007 No. 760

**The Smoke-free (Vehicle Operators
and Penalty Notices) Regulations 2007**

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 and shall come into force on 1st July 2007.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

“the Act” means the Health Act 2006; and

“smoke-free vehicle” means a vehicle which is smoke-free by virtue of section 5 of the Act.

Failing to prevent smoking in smoke-free vehicles

2. The following persons are under a duty corresponding to that in section 8(1) of the Act to cause any person who is smoking in a smoke-free vehicle to stop smoking—

(a) the driver;

(b) any person with management responsibilities for the vehicle; and

(c) any person on a vehicle who is responsible for order or safety on it.

Form of fixed penalty notice

3.—(1) The penalty notice form set out in Schedule 1 to these Regulations is specified in relation to the offence of failing to display a no smoking sign in accordance with requirements made by or under section 6 of the Act.

(2) The penalty notice form set out in Schedule 2 to these Regulations is specified in relation to the offence of smoking in a smoke-free place under section 7 of the Act.

(3) Where either of those forms refers to the amount of a fixed penalty or to a discounted amount or to a level on the standard scale which is changed, the form shall have effect subject to the change.

(4) Nothing in this regulation or in Schedule 1 or 2 to these Regulations shall prevent an enforcement authority from—

(a) using a notice in a size or design which differs from a specified form, provided that the content of the notice is not changed from that specified in the form (except as permitted by sub-paragraphs (b) to (d));

(b) including information or illustrations in a notice to assist a person to whom it is given (for example, information or illustrations on how payments can be made);

(c) including information in a notice to assist an enforcement authority in the performance of its functions under section 10(3) of the Act (enforcement) (for example, information to assist in its administrative procedures or data processing); or

(d) including coats of arms or logos in a notice.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Health

7th March 2007

Caroline Flint
Minister of State for Public Health
Department of Health