STATUTORY INSTRUMENTS

# 2015 No. 896

# PUBLIC HEALTH, ENGLAND AND WALES

## The Proxy Purchasing of Tobacco, Nicotine Products etc. (Fixed Penalty Amount) Regulations 2015

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| *Made - - - -* | *26th March 2015* |
| *Coming into force - -* | *1st October 2015* |

The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraphs 5 and 8 of Schedule 1 to the Health Act 2006(**1**).

In accordance with section 79(4) of the Health Act 2006, a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

### Citation, commencement and interpretation

**1.**—(1) These Regulations may be cited as the Proxy Purchasing of Tobacco, Nicotine Products etc. (Fixed Penalty Amount) Regulations 2015 and come into force on 1st October 2015.

(2) In these Regulations "Schedule 1" means Schedule 1 to the Health Act 2006.

### Penalties and discounted amounts

**2.** In respect of an offence alleged under section 91(1) of the Children and Families Act 2014(**2**)—

(a) the amount of the penalty specified for the purposes of paragraph 5 of Schedule 1 is £90;

(b) the discounted amount specified for the purposes of paragraph 8 of Schedule 1 is £60.

(**1**) 2006 c.28. As to the meaning of "the appropriate national authority" see section 82(1) of the Health Act 2006 ("the 2006 Act"). Schedule 1 to the 2006 Act applies with modifications to an offence under section 91 of the Children and Families Act 2014 (c.6) ("the 2014 Act") by virtue of section 91(5) of the 2014 Act. Section 91 of the 2014 Act was extended to include relevant nicotine products by regulation 2 of the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 (S.I. 2015/895).

(**2**) 2014 c.6.