



Department of
**Health, Social Services
and Public Safety**

An Roinn

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

www.dhsspsni.gov.uk

CONSULTATION QUESTIONNAIRE ON

MINIMUM AGE OF SALE OF TOBACCO PRODUCTS

October 2007

INTRODUCTION

Purpose

1. This Questionnaire seeks views on whether the Department of Health, Social Services and Public Safety should use the power contained in the Smoking (Northern Ireland) Order 2006, to amend, by regulations, the age of sale of tobacco products.
2. The Department carried out an Integrated Impact Assessment (IIA) screening exercise on the proposed legislation. The results, which include equality considerations and a Partial Regulatory Impact Assessment, are set out in Annexes 1 and 2 of the consultation package.

Background

3. In March 2006, the Department undertook a public consultation exercise on the content of the then draft Smoking (Northern Ireland) Order 2006. Article 14 of the draft Order included a power for the Department to amend, by regulations, the age limit for the sale of tobacco products – currently 16 years - and respondents were invited to comment on whether the Department should take this power. It was made clear that any proposal to raise the age of sale would be the subject of further consultation.
4. There was strong support for the Department taking the power, with 78% in favour of this action. The majority of those in favour felt that the Department should go further and raise the age limit immediately. The main reasons offered were that such action would enable the age of sale to be brought into line with that for alcohol sales (18 years); that it would also bring Northern Ireland into line with the Republic of Ireland; and that it might make enforcement easier, particularly in border areas.
5. The age of sale has been raised to 18 in England, Wales and Scotland with effect from 1 October 2007. The Smoking (Northern Ireland) Order 2006, the main provisions of which came into operation on 30 April 2007, contains the power for the Department to amend the age of sale of tobacco products.

Consultation - How to Respond

6. **The consultation will run from 29 October 2007 to 18 January 2008.** The Questionnaire sets out three options on the minimum age of sale of tobacco products about which the Department would welcome views. It also seeks views on the Integrated Impact Assessment Overview and Partial Regulatory Impact Assessment.

7. In order to facilitate analysis it is important that respondents use the Questionnaire. Completed Questionnaires **must be received by the Department by 5.00pm on Friday 18 January 2008**. Responses should be posted to:

**DHSSPS
Investing for Health Unit
Health Improvement Policy Branch (Tobacco Control)
Room C4.22
Castle Buildings
Belfast
BT4 3SQ
Tel: 028 90520534**

Alternatively responses can be submitted via the online response form using the following web link:

<http://www.dhsspsni.gov.uk/tobacco-age-of-sale.htm>

Alternative formats

8. If you require the consultation documents in an alternative format (such as in large print, in braille, on audio cassette, easy read or computer disc) and/or in another language please contact Heather Rainey on 028 90520525 or text phone 02890527668 to discuss your requirements.

QUESTIONNAIRE

Q1. Article 14 of the Smoking (Northern Ireland) Order 2006 provides the power for the Department to amend the age of sale of tobacco products, but this must not be lower than the present age of 16 years. Do you think the Department should:

continue with the present age limit of 16;

increase the age limit to 17; or

increase the age limit to 18?

Please tick the appropriate box to indicate which of the options you favour.

No Change

Increase to 17

Increase to 18



If you wish to comment on your preferred option, please do so here.

Asda would wholeheartedly support an increase in the age of sale for tobacco products to 18. We have already taken an important lead on this issue. In September 2006, we became the first retailer in the UK to voluntarily raise the minimum age for customers buying tobacco products from 16 to 18. We have implemented this policy across all our stores including our 14 in Northern Ireland. We believe that the same levels of protection should be offered to all under-18s regardless of which region or outlet they shop in.

We felt that public opinion was changing in this area and as responsible retailers we should do something. By raising the age limit to 18 for the sale of tobacco products, we believe we are helping to discourage teenage smoking. We are also helping our colleagues (who sometimes find it hard to judge how old customers are) by including tobacco in our Challenge 21 policy, whereby our colleagues ask customers who are lucky enough not to look 21 to provide proof to show that they are 18 or over when buying certain products – cigarettes, alcohol, knives, fireworks and 18-rated DVDs and computer games.

We would call on all retailers, newsagents and small stores to support a change in the age of sale of tobacco products to 18. Government research shows that nearly 70 per cent of 11 to 15 year old smokers say they buy their cigarettes from small retailers such as newsagents and corner shops.

Notices appeared in our stores well before the age limit was raised on 1 September 2006, and consequently we received very few adverse comments from our regular customers - most of whom believed we were doing the right thing.

Notes:

1) The Smoking, Drinking and Drug Use Among Young People in England Survey 2004 showed that nearly 70 per cent of 11 to 15 year old smokers say they buy their cigarettes from small shops such as newsagents and corner shops.

2) The Challenge 21 Scheme asks for official ID from any customer that the retailer thinks to be under 21-years-old. The customer will not be served if suitable identification e.g. passport, photo driving licence, PASS proof of age card cannot be shown when asked. It is supported by Trading Standards Officers across the country.