

CARING FOR HEALTH



**Response by the British Medical Association, Northern Ireland
to the
Consultation on the Minimum Age of Sale of Tobacco Products**

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The BMA(NI) response to the Consultation on the Minimum Age of Sale of Tobacco Products

The British Medical Association, Northern Ireland, BMA(NI), welcomes the opportunity to respond to the consultation on the Review of Public Administration in Northern Ireland.

The British Medical Association (BMA) is a professional organisation and trade union for the medical profession across the United Kingdom and is the main voice of the profession throughout the UK. The BMA has over 139,000 UK members, of which BMA(NI) represents around 70% of the medical profession in Northern Ireland.

With such representation, the BMA(NI) is an excellent indicator of how the majority of the medical profession feel on relevant issues, as it represents the views of all medical practitioners on a wide and diverse range of medical issues including, public health, medical ethics and the state of the National Health Service.

The BMA(NI) has answered the questions provided by the Department of Health Social Services and Public Safety, which can be found below.

In summary the main points the BMA(NI) would like to raise are

1. Legislation raising the minimum age of sale of tobacco products to 18 should be introduced and strictly enforced.
2. The DHSSPS must ensure that smoking cessation services are adequately funded and resourced.
3. Smoking cessation services should be targeted at high risk groups which include those in the lower socioeconomic groups, pregnant mothers, those with mental health problems and children who are looked after by the state, in foster care or in institutional settings.
4. Cigarettes should not be displayed at the point of sale and tobacco vending machines should be banned.
5. Legislation to ban the sale of packs of 10 cigarettes should be introduced.
6. A positive licensing scheme, already in place for shops that wish to sell alcohol, should be introduced. This would bring tobacco sales into line with alcohol sales.

For further information, please contact

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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.

The BMA(NI) fully supports the increase in the legal minimum age limit from 16 to 18.

The BMA has campaigned on this issue for a number of years and in 2005 passed a motion at its annual conference, the Annual Representative Meeting, stating

That this Meeting believes:

(i) that the government should be more active in denying supply of alcohol and tobacco to minors;

(ii) that the minimum legal age for the purchase and sale of cigarettes should be raised from 16 to 18 years.

The BMA believes that this increase in the minimum age to legally buy tobacco products will equalize the requirement for identification, as the minimum legal age to buy alcohol is 18. It should also make it easier for the consumer to produce a single identification document to prove they are 18 or over.

This increase should also be one of a number of actions taken in order to reduce the access of tobacco products to children and adolescents. Other actions to consider are,

1. The DHSSPS must ensure that smoking cessation services are adequately funded and resourced.
2. Smoking cessation services should be targeted at high risk groups which include those in the lower socioeconomic groups, pregnant mothers, those with mental health problems and children who are looked after by the state, in foster care or in institutional settings.
3. Cigarettes should not be displayed at the point of sale and tobacco vending machines should be banned.
4. Legislation to ban the sale of packs of 10 cigarettes should be introduced.
5. A positive licensing scheme, already in place for shops that wish to sell alcohol, should be introduced. This would bring tobacco sales into line with alcohol sales.

General

Q2. Do you have any views on the conclusions reached by the Department to screen out from further assessment the implications of the proposals in respect of:

- (a) Social Impact Assessment (New TSN, Homelessness etc);**
- (b) Rural ;**
- (c) Environmental;**
- (d) Human Rights;**
- (e) Victims;**
- (f) Community Safety & Other Areas?**

Is there any other evidence which you consider should have been taken into account in these assessments?

No comment

The Department would particularly welcome comments on the following:

Q3. Do you agree with the decision that the proposals do not require a full equality impact assessment? (see Annex 1 of consultation package). If not, please explain why?

Yes. All those affected will be affected in a positive way.

Q4. Is there any other qualitative or quantitative information which you consider should have been taken into account in performing this exercise?

No comment

Q5. Are you aware of any evidence - qualitative or quantitative - that the proposals may have an adverse impact on equality of opportunity or on good relations? If so, please provide details. Can you suggest any ways of avoiding or minimising such adverse impact?

No comment

Q6. Are you aware of any other equality implications likely to arise from the proposals?

No

Partial Regulatory Impact Assessment (RIA)

(see Annex 2 of consultation package)

Health

Q7. Do you have any views on the assessment of health impacts?

Increasing the minimum age to buy tobacco products will bring health benefits by reducing the chances for children and adolescents to access tobacco products, and therefore make it less like for them to begin smoking.

However, whilst increasing the minimum age limit to 18 is one essential step towards the reduction of the detrimental effects smoking has on young people, other steps will also be necessary, including the removal of tobacco products from displays at the point of sale, a complete ban on tobacco vending machines and a ban on the sale of packs of 10 cigarettes.

There should also be the introduction of a positive licensing scheme, already in place for shops that wish to sell alcohol. This would bring tobacco sales into line with alcohol sales.

Q8. Are there any other potential health impacts that you consider should have been addressed?

No comment

Q9. Is there any other material evidence which you consider should have been taken into account in this assessment of health impacts?

No comment

Economic

Q10. Do you have any general comments on the overall approach that was taken in completing the RIA?

No comment

Q11. Do you consider that there are other issues which need to be taken into account in the assessment of the impact on business?

No comment

Q12. Do you agree with the analysis of the sectors and business/organisations which might be particularly affected by the proposals?

No comment

Q13. What are your views on the identification and assessment of the costs and benefits?

No comment

Public Expenditure and Public Service

Q14. Do you agree with the Department's view that a separate Economic Appraisal is not required?

Yes

Impact on Small Businesses

Q15. Do you agree that the proposals will not have a disproportionate impact on small businesses?

So long as steps are also taken to ensure that there is a reduction in the smuggling of tobacco products.

Q16. Are there any impacts on small businesses that you consider should have been addressed?

No comment

Q17. Is there any other material evidence which you consider should have been taken into account in assessing the impact on small businesses?

No comment

Rural Proofing

Q18. Do you agree that the proposals will not have a disproportionate adverse impact on rural business?

No comment

Q19. Are there any rural impacts that you consider should have been addressed?

No comment

Q20. Is there any other material evidence which you consider should have been taken into account in this assessment of rural impacts?

No comment

Additional Comments

Q21. Do you have any other comments or suggestions on the Integrated Impact Assessment Overview? (Annex 1 of consultation package)

No comment