



9 Queen Street, Edinburgh, EH2 1JQ
tel: 0131 225 7324 fax: 0131 220 3939

A charity registered in Scotland, no. SC009465

Direct Dial: 0131-247 3608

Direct Fax: 0131-247 3675

Email: I.lockhart@rcpe.ac.uk

Fellowship Support Unit

Our Ref: JSAC/lhl

DHSSPS
Investing for Health Unit
Health Improvement Policy Branch (Tobacco Control)
Room C4.22
Castle Buildings
BELFAST
BT4 3SQ

18 January 2008

Dear Sir

MINIMUM AGE OF SALE OF TOBACCO PRODUCTS

I refer to the DHSSPS's request for comments on the consultation on the *Minimum Age of Sale of Tobacco Products*. I am pleased to enclose the comments of the Royal College of Physicians of Edinburgh.

Please note that these comments have already been sent to you by e-mail.

Yours sincerely

John S A Collins MD FRCP Edin
Secretary

RESPONDENT: The Royal College of Physicians of Edinburgh, 9 Queen Street,
Edinburgh EH2 1JQ

DATE: 18 January 2008

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 RCPE enthusiastically supports these proposals. They are likely to make a small but measurable effect on reducing tobacco use in young people. As the documentation makes clear the change in the law sends out a broader message to all ages on the dangers of tobacco use. They will also ensure consistency across the UK and Ireland.

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?

The RCPE accepts the analysis that the issues raised by the proposals generally should not be seen as an impediment to their implementation.

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. Note the presumed typo on page 12 ("or else" should read "or less").

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

No

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

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?

These issues have been adequately addressed.

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

These issues have been adequately addressed.

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

These issues have been adequately addressed.

Economic

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

A key issue in determining the success of the change in legislation will be whether or not it is enforced. In that respect the information that is contained in the RIA (page 35) is sketchy. One would hope that the number of inspections quoted is only a small proportion of those carried out. Otherwise 150 inspections per year sounds like very poor value for the tax payer. One notes that 12 further officers have been appointed and one would hope that their performance will be monitored closely. Clearly it is unacceptable if Councils are not supplying information about activity, prosecutions etc.

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

These areas covered in questions 11 -20 are outside the expertise of RCPE

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

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

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

Impact on Small Businesses

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

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

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

Rural Proofing

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

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

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

Additional Comments

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

RCPE repeats its support for these proposals and hopes they are enforced .