

Smoking in Private Vehicles Bill

CONTENTS

- 1 Regulations
- 2 Amendment of Health Act 2006
- 3 Amendment of Smoke-free (Exemptions and Vehicles) Regulations 2007
- 4 Offence
- 5 Short title, commencement and extent

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TO

Require the Secretary of State to make provision for a ban on smoking in private vehicles where there are children present; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Regulations

- (1) The Secretary of State must, within three months of the passing of this Act, lay draft regulations to ban smoking in private vehicles where there are children present who are under the age of 18.
- (2) Regulations under this section are to be made by statutory instrument and may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 5

2 Amendment of Health Act 2006

In section 5 of the Health Act 2006, after subsection (2)(b) insert—
“(ba) for them to be smoke-free if children under the age of 18 are present,”. 10

3 Amendment of Smoke-free (Exemptions and Vehicles) Regulations 2007

In regulation 11 of the Smoke-free (Exemptions and Vehicles) Regulations 2007, before sub-paragraph (a) insert—
“(za) for private purposes, to carry children under the age of 18 while such children are in such vehicle or part of such vehicle;”. 15

4 Offence

- (1) A person who acts in contravention of regulations made under section 1 commits an offence.
- (2) A person guilty of an offence under this Act is liable— 20

- (a) on summary conviction to imprisonment for a term not exceeding six months, or a unlimited fine or both, or
- (b) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a unlimited fine, or both.

5 Short title, commencement and extent

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- (1) This Act may be cited as the Smoking in Private Vehicles Act 2011.
- (2) This Act shall come into force on the day after the day on which it is passed.
- (3) This Act extends to England only.

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To require the Secretary of State to make provision for a ban on smoking in private vehicles where there are children present; and for connected purposes.

*Ordered to be brought in by Alex Cunningham,
Mark Durkan, Caroline Lucas,
Mrs Jenny Chapman, Ian Mearns,
Julie Elliott, Stephen Lloyd,
Mrs Sharon Hodgson, Bob Blackman,
Stephen McPartland, Mr David Amess
and Bob Russell.*

*Ordered, by The House of Commons,
to be Printed, 22 June 2011.*

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