**ANNEX C**

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**REGULATIONS RESTRICTING THE AGE OF SALE FOR NICOTINE INHALING PRODUCTS TO OVER EIGHTEENS**

**Consultation Response Questionnaire**

**September 2017**

**CONSULTATION RESPONSE QUESTIONNAIRE**

You can respond to the consultation document by e-mail or in writing.

Before you submit your response, please read **Appendix 1** at the end of this questionnaire, regarding the Freedom of Information Act 2000 and the confidentiality of responses to public consultation exercises.

Responses should be sent to:

By e-mail: [phdconsultation@health-ni.gov.uk](mailto:phdconsultation@health-ni.gov.uk)

In writing: Population Health Directorate Administration Team

Department of Health

Room C4.22

Castle Buildings

Belfast

BT4 3SQ

**RESPONSES CANNOT BE CONSIDERED AFTER 5.00PM ON FRIDAY 27 OCTOBER 2017**

I am responding: as an individual on behalf of an organisation

(please tick a box)

|  |  |
| --- | --- |
| Name: |  |
| Job Title: |  |
| Organisation: |  |
| Address: |  |
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| Tel: |  |
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| E-mail: |  |

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| **Q1. Do you have any comments regarding the definition of nicotine inhaling products proposed in the draft regulations?**  **Yes 🞎 No 🞎** |
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| **Q2. Do you agree that there should be an offence of proxy purchasing in relation to the underage sale of nicotine inhaling products?**  **Yes 🞎 No 🞎** |
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| **Q3. Do you agree that there should be exemptions for licensed nicotine inhaler products as set out in regulations 5 and 6 the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations?**  **Yes 🞎 No 🞎** |
| Please outline the reasons for your answer. |

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| **Q4. Do you have any comments on the level of fixed penalty notice fines applicable for the age of sale and proxy purchasing offences in relation to nicotine inhaling products?**  **Yes 🞎 No 🞎** |
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| **Q5. Do you have any information or evidence which would inform the consultation-stage impact assessment? This may be in relation to the impact the proposed legislation would have on retailers, manufacturers or distributors.**  **Yes 🞎 No 🞎** |
| Please outline the reasons for your answer. |

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| **Q6. Do you wish to make any other comments or provide other evidence about possible health, economic or social impacts of the regulations, whether adverse or beneficial?**  **Yes 🞎 No 🞎** |
| Comments |

**Appendix 1**

Freedom of Information Act 2000 – confidentiality OF consultationS

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor’s Code of Practice on the Freedom of Information Act provides that:

* the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department’s functions and it would not otherwise be provided;
* the Department should not agree to hold information received from third parties “in confidence” which is not confidential in nature; and
* acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner’s Office (or see website at: <http://www.informationcommissioner.gov.uk/>).