**Annex B**

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**REGULATIONS RESTRICTING SMOKING IN PRIVATE VEHICLES CARRYING CHILDREN**

**Consultation Response Questionnaire**

**January 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 3 MARCH 2017**

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

(please tick a box)

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

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| **Q1. Evidence of the harm to health of inhaling second-hand tobacco smoke is well established. In view of this, would you support the introduction of controls on smoking in private vehicles when children are present?**  **Yes 🞎 No 🞎** |
| Please outline the reasons for your answer. |

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| **Q2. The draft regulations make it an offence for a person to smoke in a private vehicle when there is more than one person present and there is a person under the age of 18 present. The offence would fall on the person smoking regardless of their age. Do you have any comments on this approach?** |
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| **Q3. Do you agree that there should be an exemption for caravans and motor caravans when they are not on the road?**  **Yes 🞎 No 🞎** |
| Please outline the reasons for your answer. |

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| **Q4. The draft regulations allow the enforcement role to be carried out by both the PSNI and district council staff. Do you agree with this approach?**  **Yes 🞎 No 🞎** |
| Please outline the reasons for your answer. |

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| **Q5. Do you have any other views on the enforcement or implementation of restricting smoking in private vehicles?**  **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/**](http://www.informationcommissioner.gov.uk/)).