



STATUTORY INSTRUMENTS.

S.I. No. 41 of 2009



PUBLIC HEALTH (TOBACCO) (REGISTRATION) REGULATIONS
2009

(Prn. A9/0190)

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2009

I, MARY WALLACE, Minister of State at the Department of Health and Children in exercise of the powers conferred on me by section 37(5)(d) (inserted by section 8 of the Public Health (Tobacco) (Amendment) Act 2004 (No. 6 of 2004)) of the Public Health (Tobacco) Act 2002 (No. 6 of 2002), and the Health and Children (Delegation of Ministerial Functions) (No. 4) Order 2008 (S.I. No. 482 of 2008), hereby, make the following regulations:

1. These Regulations may be cited as the Public Health (Tobacco) (Registration) Regulations 2009.

2. These Regulations come into operation on 1 July 2009.

3. In these Regulations “applicant” means a person who applies to the Office to be registered in the register in accordance with section 37 (inserted by section 8 of the Public Health (Tobacco) (Amendment) Act 2004 (No. 6 of 2004)) of the Public Health (Tobacco) Act 2002 (No. 6 of 2002).

4. The following information is prescribed for the purposes of section 37(5)(d) (inserted by section 8 of the Public Health (Tobacco) (Amendment) Act 2004) of the Public Health (Tobacco) Act 2002—

(a) where the applicant is—

(i) an individual, the date of birth of the applicant,

(ii) a company, the registered number and registered office of that company,

(iii) a partnership, the name, date of birth and address of each of the partners,

(iv) a trader, not operating from a fixed location, in addition to the information referred to in clauses (i) to (iii), the vehicle registration number of the vehicle used by the applicant for the purpose of carrying on, in whole or in part, the business of selling tobacco products by retail, and the address where such vehicle is normally kept,

(b) the business name (if any) used by the applicant,

(c) the type of business, other than the sale of tobacco products by retail, carried out by the applicant,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 13th February, 2009.*

- (d) the name and address of each person who supplies tobacco products to the applicant,
- (e) the number of closed containers in the possession of the applicant, and
- (f) the number of self service vending machines (if any).

GIVEN under my hand,
6 February 2009

MARY WALLACE,
Minister of State at the Department of Health and Children.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations may be cited as the Public Health (Tobacco) (Registration) Regulations 2009.

Section 37 (inserted by section 8 of the Public Health (Tobacco) (Amendment) Act 2004 (No. 6 of 2004)) of the Public Health (Tobacco) Act 2002 (No. 6 of 2002) requires all persons who carry on, in whole or in part, the business of selling tobacco products by retail to register with the Office of Tobacco Control. These Regulations allow the Office of Tobacco Control to collect the information necessary for the establishment and maintenance of the Register.

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