



Northern Ireland  
Assembly

Health (Miscellaneous Provisions) Bill

Marshalled List of Amendments  
Consideration Stage

Monday 22 February 2016

Amendments tabled up to 9.30am Wednesday, 17 February 2016 and selected for debate

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The Bill will be considered in the following order-  
Clauses, Schedules and Long Title

**Amendment 1**      *[Made]*

**New Clause**

After clause 4 insert -

**‘Prohibition: use of nicotine products or tobacco in enclosed vehicles**

**4A.—**(1) The Department may by regulations make provisions prohibiting the use of nicotine products or tobacco in an enclosed vehicle at a time when a person aged under 18 is in the vehicle.’

*Ms Rosaleen McCorley*

*Mr Daithí McKay*

*Ms Maeve McLaughlin*

**Amendment 2** [Not called]

**New Clause**

After clause 4 insert -

**‘Prohibition: use of nicotine products or tobacco in enclosed vehicles**

**4A.**—(1) The Department may by regulations make provisions prohibiting the use of nicotine products or tobacco in an enclosed vehicle at a time when a person aged under 18 is in the vehicle.

(2) The Department must, beginning with the coming into operation of subsection (1), raise public awareness of the change in the law to be effected by that subsection.’

*Mr Fearghal McKinney*

**Amendment 3** [Not called]

**New Clause**

After clause 4 insert -

**‘Fixed penalties**

**4B.**—(1) Where a police constable has reason to believe that a person has committed an offence under section 4A(1) the police constable may give that person a fixed penalty notice in respect of the offence.

(2) A fixed penalty notice is a notice offering a person the opportunity to discharge any liability to conviction for the offence to which the notice relates by paying a penalty in accordance with this section.

(3) The form of a notice under this section shall be such as may be prescribed.

(4) The fixed penalty payable under this section shall be such amount as may be prescribed.’

*Mr Fearghal McKinney*

**Amendment 4** [Made]

**New Clause**

After clause 5 insert -

**‘Levy on sugar sweetened drinks**

**5A.**—(1) The Department must consult on a levy on sugar sweetened drinks within a year of enactment of the Act.

(2) The consultation required by subsection (1) should include—

- (a) a definition of sugar sweetened drinks;
- (b) which sugar sweetened drinks should be subject to a levy;
- (c) factors to be considered in determining and administering a levy;
- (d) the financial rate at which a levy may be set;
- (e) the anticipated health and economic impacts of the levy; and

- (f) the options for funding measures to address adverse health conditions associated with the consumption of sugary drinks derived from the levy revenue.
- (3) The persons consulted under subsection (1) should include—
- (a) members of the public;
  - (b) such organisations as appear to the Department to be representative of persons substantially affected by the making of the proposed regulations; and
  - (c) such other persons as the Department considers appropriate.
- (4) The Department must publish notice of its consultation in such manner as the Department thinks is most likely to bring the consultation to the attention of any persons listed in subsection (3).’

*Ms Rosaleen McCorley*

*Mr Daithi McKay*

*Ms Maeve McLaughlin*

## **Amendment 5**      [*Made*]

### **New Clause**

After clause 5 insert -

#### **‘Review**

**5A.**—(1) The Department must not later than 3 years after the commencement of this Act review and publish a report on the implementation of Part one.

(2) Regulations under this section shall set out the terms of the review.’

*Mr Fearghal McKinney*

## **Amendment 6**      [*Made*]

### **New Clause**

After clause 11 insert -

## ‘PART 3

### HUMAN TRANSPLANTATION AND ORGAN DONATION

#### **Duty to promote transplantation**

**11A.**—(1) The Department of Health, Social Services and Public Safety (“the Department”) must—

(a) promote transplantation, and

(b) provide information and increase awareness about transplantation.

(2) The duty under subsection (1)(a) includes in particular a duty to promote a campaign informing the public at least once a year.’

*Ms Maeve McLaughlin*

*Ms Rosaleen McCorley*

*Mr Daithí McKay*

## **Amendment 7**      **[Made]**

### **New Clause**

After clause 11 insert -

#### **‘Annual report on transplantation**

**11B.**—(1) The Department must lay before the Assembly, in each financial year, a report about transplantation activities in that year.

(2) The report must include—

- (a) the steps taken by the Department to fulfil the duties set out in section 11A, and
- (b) the number and nature of transplantation activities carried.

(3) At least once every five financial years, the report must include—

- (a) the opinion of the Department as to whether this Act has been effective in promoting transplantation activities, and
- (b) any recommendations the Department considers appropriate for amending the law so as to promote transplantation activities.’

*Ms Maeve McLaughlin*

*Ms Rosaleen McCorley*

*Mr Daithí McKay*

## **Amendment 8**      **[Made]**

### **Long Title**

After ‘care’ insert ‘, to raise awareness of human transplantation’

*Ms Maeve McLaughlin*

*Ms Rosaleen McCorley*

*Mr Daithí McKay*