STATUTORY RULES OF NORTHERN IRELAND

2025 No. 126

ENVIRONMENTAL PROTECTION

The Environmental Protection (Single-use Vapes) (Amendment) Regulations (Northern Ireland) 2025

Made - - - -	*3rd July 2025*
Coming into operation	*29th July 2025*

The Department of Agriculture, Environment and Rural Affairs, in exercise of the powers conferred by Article 32(1), (2)(a) and (c) and (6) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**a**), makes the following Regulations.

In accordance with Article 32(3) of that Order, the Department has published a notice indicating the effect of these Regulations and has taken into consideration the representations made to it in accordance with the notice.

Citation and commencement

1. These Regulations may be cited as the Environmental Protection (Single-use Vapes) (Amendment) Regulations (Northern Ireland) 2025 and come into operation in 29th July 2025.

Amendment of the Environmental Protection (Single-use Vapes) Regulations (Northern Ireland) 2024

2. The Environmental Protection (Single-use Vapes) Regulations (Northern Ireland) 2024(**b**) are amended in accordance with regulations 3 to 5.

3. In regulation 4—

(a) for paragraph (1), substitute—

"(1) A person who—

(a) supplies, offers to supply or has in their possession for supply, a single-use vape; or

(b) fails, without reasonable excuse, to comply with a direction under regulation 8(1),

is guilty of an offence.".

4. In regulation 6—

(a) in paragraph (1), for enforcement", substitute "enforcing";

(b) after paragraph (2), insert—

"(3) A district council is an authorised person for the purposes of these Regulations.".

(**a**) S.I. 1997/2778 (N.I. 19)
(**b**) S.R. 2024 No. 212

5. After regulation 6, insert—

"**Offences by partnerships and other unincorporated associations**

7.—(1) Where any offence under these Regulations committed by a partnership is proved—

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) Where any offence under these Regulations committed by an unincorporated association (other than a partnership) is proved—

(a) to have been committed with the consent or connivance of an officer of the association or a member of its governing body; or

(b) to be attributable to any neglect on the part of such an officer or member,

the officer or member as well as the association is guilty of the offence and liable to be proceeded against and punished accordingly.

(3) For the purposes of proceedings under paragraphs (1) or (2)—

(a) rules of court relating to the service of documents have effect as if the partnership or association were a body corporate; and

(b) the provisions of section 18 (procedure on charge) of the Criminal Justice Act (Northern Ireland) 1945(**a**) and Article 166 (corporations) of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981(**b**) apply as they apply to a body corporate.

(4) A fine imposed on a partnership or an unincorporated association on its conviction for an offence under these Regulations may be made payable out of the funds of the partnership or the association.

Disposal of single-use vapes

8.—(1) The Department may direct that single-use vapes of a description specified in paragraph (2) are to be treated as waste and disposed of or otherwise treated as the Department considers necessary.

(2) The single-use vapes referred to in paragraph (1) are any single-use vapes which have been supplied, offered for supply or held in a person's possession for supply, in contravention of regulation 4(1)(a).

Representations in respect of a direction under regulation 8

9.—(1) Where a person is likely to be affected by a direction under regulation 8(1), the Department will provide them with an opportunity to make written representations to it.

(2) The Department will give each person who has made written representations in accordance with this regulation notice of the outcome of its consideration of the representations together with its reasons for it.".

(**a**) 1945 c. 15
(**b**) S.I. 1981/1675 (N.I. 26)

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 3rd July 2025.



Shane Doris
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Environmental Protection (Single-use Vapes) Regulations (Northern Ireland) 2024 (the 2024 Regulations) and will come into operation on 29th July 2025. The Regulations apply only in Northern Ireland.

Regulation 3 creates a new offence of failing to comply with the disposal direction.

Regulation 4 inserts provision to authorise a district council to act as an authorised person.

Regulation 5 inserts provisions to bring partnerships and unincorporated associations within the scope of the 2024 Regulations. In addition, it provides for the Department to direct that Single-use Vapes (as specified in Regulation 4(1)(a) of the Environmental Protection (Single-use Vapes) Regulations (Northern Ireland) 2024) are to be treated as waste and disposed of or otherwise treated as directed. It also provides for a person affected by such a direction to make representations to the Department.

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