

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Public Health (Wales) Act 2017, Cross Heading: Health Act 2006 (c.28) is up to date with all changes known to be in force on or before 26 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 2

SMOKING: CONSEQUENTIAL AMENDMENTS

Health Act 2006 (c.28)

- 1 The Health Act 2006 is amended as follows.
- 2 In the heading to Chapter 1 of Part 1 after “vehicles” insert “ in England ”.
- 3 In section 1 (introduction), in subsection (1) after “vehicles” insert “ in England ”.
- 4 In section 2 (smoke-free premises)—
 - (a) in subsection (1) after “Premises” insert “ in England ”;
 - (b) in subsection (2) after “Premises” insert “ in England ”;
 - (c) in subsection (5) for “appropriate national authority” substitute “ Secretary of State ”.
- 5 In section 3 (smoke-free premises (exemptions)), in subsection (1)—
 - (a) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) after “premises” in both places insert “ in England ”.
- 6 In section 4 (additional smoke-free places)—
 - (a) in subsection (1)—
 - (i) for “appropriate national authority” substitute “ Secretary of State ”;
 - (ii) after “place” in both places insert “ in England ”;
 - (b) in subsection (3)—
 - (i) for “appropriate national authority” substitute “ Secretary of State ”;
 - (ii) for “authority's” substitute “Secretary of State's”.
- 7 In section 5 (vehicles), in subsection (1)—
 - (a) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) after “vehicles” insert “ in England ”.
- 8 In section 6 (no-smoking signs), in subsections (2), (3) and (4) for “appropriate national authority” substitute “ Secretary of State ”.
- 9 In section 8 (offence of failing to prevent smoking in smoke-free place), in subsection (3) for “appropriate national authority” substitute “ Secretary of State ”.
- 10 In section 9 (fixed penalties), in subsection (1A) for “appropriate national authority” substitute “ Secretary of State ”.
- 11 In section 10 (enforcement)—
 - (a) in subsection (1) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) in subsection (4) for “appropriate national authority” in both places substitute “ Secretary of State ”.

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| 12 | In section 11 (obstruction etc of officers), in subsection (5) for “appropriate national authority” in both places substitute “ Secretary of State ”. |
| 13 | In section 12 (interpretation and territorial sea)—
(a) in subsection (2) for “appropriate national authority” substitute “ Secretary of State ”;
(b) omit subsection (3)(b). |
| 14 | In section 82 (interpretation), in subsection (1) omit the definition of “the appropriate national authority”. |
| 15 | In Schedule 1 (fixed penalties), in paragraphs 4 and 17 for “appropriate national authority” substitute “ Secretary of State ”. |
| 16 | In Schedule 2 (powers of entry, etc), in paragraph 10 for “appropriate national authority” in both places substitute “ Secretary of State ”. |

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)