



Public Health (Wales) Act 2017

2017 anaw 2

PART 1

OVERVIEW

1 Overview

- (1) This Part of the Act is an overview of the main provisions of the Act.
- (2) Part 2 makes provision for a national strategy on tackling obesity.
- (3) Part 3 relates to tobacco and nicotine products. It—
 - (a) makes provision restricting smoking in workplaces, public places, outdoor care settings for children, school grounds, hospital grounds and public playgrounds, and confers power on the Welsh Ministers to make regulations restricting smoking in other premises, and in vehicles;
 - (b) makes provision for there to be a register of retailers of tobacco and nicotine products in Wales;
 - (c) confers power on the Welsh Ministers to make regulations specifying offences for the purpose of the making of orders in respect of premises in Wales restricting the sale by retail of tobacco or nicotine products;
 - (d) makes it an offence for a person to hand over tobacco, cigarette papers or a nicotine product to someone aged under 18 who is not accompanied by an adult, where the tobacco (or the cigarette papers or nicotine product) is being delivered or collected under arrangements made in connection with its sale, and is not in a sealed and addressed package.
- (4) Part 4 makes provision about licensing the performance in Wales of special procedures (as defined in section 57): see further overview of Part 4 at section 56.
- (5) Part 5 makes it an offence for a person in Wales to perform, or to make arrangements to perform, an intimate piercing on a person under the age of 18; and defines the term “intimate piercing” by reference to certain body parts.

Changes to legislation: Public Health (Wales) Act 2017, Section 1 is up to date with all changes known to be in force on or before 09 March 2024. 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

- (6) Parts 3 to 5 also contain provision about enforcement, including about offences and powers of entry.
- (7) Part 6 requires the Welsh Ministers to make regulations requiring public bodies to carry out health impact assessments.
- (8) Part 7—
 - (a) requires each Local Health Board in Wales to prepare and publish an assessment of the need for pharmaceutical services in its area, and to have regard to it in considering applications for inclusion in its pharmaceutical list;
 - (b) confers power on the Welsh Ministers to make regulations about circumstances in which a Local Health Board may invite applications for inclusion in its pharmaceutical list, and may remove a person from its pharmaceutical list.
- (9) Part 8 requires each local authority to prepare and publish a local toilets strategy which assesses the need for public toilets in its area and sets out steps that the authority proposes to take to meet that need.
- (10) Part 8 also restates the existing statutory power for a local authority to provide toilets in its area.
- (11) Part 9 makes provision about the use of fixed penalty receipts in respect of food hygiene rating offences.
- (12) Part 9 also contains general provisions, including about offences committed by bodies corporate, partnerships and unincorporated associations; about powers to make regulations under the Act; and about the coming into force of the provisions of the Act.

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[View outstanding changes](#)

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](#)