



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1

SMOKING

Smoke-free premises

10 School grounds

- (1) Premises in Wales are smoke-free for the purposes of this Chapter so far as they consist of the grounds of a school.
- (2) In the case of premises consisting of grounds that adjoin the school concerned, the premises are smoke-free by virtue of this section only when either or both of—
 - (a) the grounds, or any part of the grounds, or
 - (b) the school, or any part of it,are being used for the purpose of education or childcare.
- (3) In the case of premises consisting of grounds that do not adjoin the school concerned, the premises are smoke-free by virtue of this section only when the grounds, or any part of the grounds, are being used for the purpose of education or childcare.
- (4) The grounds of a school, for the purposes of this section, are premises that—
 - (a) are used exclusively or mainly by the school, for purposes that include educational, sporting or recreational purposes, and
 - (b) are not enclosed or substantially enclosed.
- (5) In the case of a school that provides residential accommodation to pupils, the person in charge of the school may designate any area in the grounds as being an area in which

Changes to legislation: Public Health (Wales) Act 2017, Section 10 is up to date with all changes known to be in force on or before 27 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

smoking is to be permitted, and to that extent the premises are to be treated as not being smoke-free for the purposes of this Chapter.

- (6) Regulations may make provision—
- (a) specifying conditions to be met before an area may be designated under subsection (5),
 - (b) requiring the keeping of records of designations, and
 - (c) about the circumstances in which a designation is to cease to have effect.
- (7) Premises used to any extent as a dwelling are not smoke-free by virtue of this section.

Commencement Information

- I1** S. 10 in force at 29.9.2020 for specified purposes by S.I. 2020/1048, art. 2(1)(b)
I2 S. 10 in force at 1.3.2021 in so far as not already in force by S.I. 2021/202, art. 2

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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](#)