

Status: This version of this provision is prospective.

Changes to legislation: Public Health (Wales) Act 2017, Section 13 is up to date with all changes known to be in force on or before 03 September 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



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1

SMOKING

Smoke-free premises

PROSPECTIVE

13 Additional smoke-free premises

- (1) Regulations may provide for any place in Wales, or description of place in Wales, that is not smoke-free by virtue of sections 7 to 12 to be treated as smoke-free premises for the purposes of this Chapter.
- (2) The place, or places falling within the description, need not be enclosed or substantially enclosed.
- (3) The regulations may provide for a place or description of place to be treated as smoke-free premises only if the Welsh Ministers are satisfied that doing so is likely to contribute towards the promotion of the health of the people of Wales.
- (4) The regulations may provide for such places, or places falling within the description, to be treated as smoke-free premises only—
 - (a) in specified circumstances,
 - (b) at specified times,
 - (c) if specified conditions are satisfied, or
 - (d) in specified areas,

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or any combination of these.

- (5) The regulations may also provide for exemptions, including the imposition of specified conditions to be satisfied in order for an exemption to apply.
- (6) The conditions that may be specified under subsection (5) may include a condition that the person in charge of the place, or place falling within the description, has designated, in accordance with the regulations, any areas in which smoking is to be permitted.
- (7) Regulations under this section may not make provision in respect of premises used wholly or mainly as a dwelling; and to the extent that they make provision for premises used partly as a dwelling to be treated as smoke-free premises, regulations under this section must comply with section 14.

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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](#)