

*These notes refer to the Public Health (Wales) Act  
2017 (c.2) which received Royal Assent on 3 July 2017*

# **PUBLIC HEALTH (WALES) ACT 2017**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Schedule 2 - Smoking: consequential amendments***

271. **Schedule 2** makes consequential amendments in relation to smoking. These amendments:

- Disapply Chapter 1 of Part 1 of the Health Act 2006 in relation to Wales because Chapter 1 of Part 3 of the Public Health (Wales) Act 2017 restates those provisions in relation to Wales. Chapter 1 of the Health Act 2006 remains in force in relation to England; and
- Amend section 91 of the Children and Families Act 2014, which modifies section 9 of, and Schedule 1 to, the Health Act 2006. The amendment inserts a new paragraph at subsection (5)(c) of section 91 of the Children and Families Act 2014. This maintains the Welsh Ministers' powers to make regulations to specify the form of fixed penalty notices in relation to an offence under that section (in relation to the offence of buying or attempting to buy tobacco for a person aged under 18).