

*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

Part 3

Tobacco and Nicotine Products

Chapter 1 - Smoking

Section 15 - Smoke-free vehicles

34. This section gives the Welsh Ministers a power to make regulations providing for vehicles to be smoke-free.
35. An equivalent power to make regulations applying to vehicles for the purposes of smoke-free premises under the Health Act 2006 is included at section 5 of that Act. Regulation 4 of the Smoke-free Premises etc. (Wales) Regulations 2007, made in exercise of the power at section 5 of the Health Act 2006, sets out that enclosed vehicles shall be smoke-free if used for transport of members of the public, or as a workplace for more than one person. These regulations stay in place until regulations are made using the powers in this section of this Act.
36. The Welsh Ministers can only designate a vehicle as being smoke-free where they are satisfied that designating that vehicle is likely to contribute towards the promotion of the health of the people of Wales.