



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1

SMOKING

Smoke-free premises: exemptions

16 Smoke-free premises: exemptions

- (1) Regulations may provide for premises—
 - (a) that would otherwise be smoke-free premises by virtue of section 7 (workplaces) or 8 (premises that are open to the public), and
 - (b) that are not smoke-free premises by virtue of any other provision of this Chapter,to be treated as not being smoke-free premises for the purposes of this Chapter.
- (2) The regulations may make provision in relation to specified descriptions of premises or specified areas within specified descriptions of premises.
- (3) The regulations may provide, in relation to any description of premises or areas of premises specified in the regulations, that the premises or areas are to be treated as not being smoke-free premises—
 - (a) in specified circumstances,
 - (b) at specified times, or
 - (c) if specified conditions are satisfied,or any combination of these.

Changes to legislation: Public Health (Wales) Act 2017, Cross Heading: Smoke-free premises: exemptions is up to date with all changes known to be in force on or before 26 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](#)

- (4) The conditions that may be specified under subsection (3)(c) may include a condition that the person in charge of the premises has designated, in accordance with the regulations, areas in which smoking is to be permitted.

Commencement Information

II S. 16 in force at 29.9.2020 by S.I. 2020/1048, **art. 2(2)(b)**

Changes to legislation:

Public Health (Wales) Act 2017, Cross Heading: Smoke-free premises: exemptions is up to date with all changes known to be in force on or before 26 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.

[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](#)