

Changes to legislation: Public Health (Wales) Act 2017, Cross Heading: Health Act 2006 (c.28) is up to date with all changes known to be in force on or before 12 July 2021. 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

SCHEDULE 2

SMOKING: CONSEQUENTIAL AMENDMENTS

Health Act 2006 (c.28)

1 The Health Act 2006 is amended as follows.

Commencement Information

I1 Sch. 2 para. 1 in force at 1.3.2021 by S.I. 2021/202, art. 2

2 In the heading to Chapter 1 of Part 1 after “vehicles” insert “ in England ”.

Commencement Information

I2 Sch. 2 para. 2 in force at 1.3.2021 by S.I. 2021/202, art. 2

3 In section 1 (introduction), in subsection (1) after “vehicles” insert “ in England ”.

Commencement Information

I3 Sch. 2 para. 3 in force at 1.3.2021 by S.I. 2021/202, art. 2

4 In section 2 (smoke-free premises)—
(a) in subsection (1) after “Premises” insert “ in England ”;
(b) in subsection (2) after “Premises” insert “ in England ”;
(c) in subsection (5) for “appropriate national authority” substitute “ Secretary of State ”.

Commencement Information

I4 Sch. 2 para. 4 in force at 1.3.2021 by S.I. 2021/202, art. 2

5 In section 3 (smoke-free premises (exemptions)), in subsection (1)—
(a) for “appropriate national authority” substitute “ Secretary of State ”;
(b) after “premises” in both places insert “ in England ”.

Commencement Information

I5 Sch. 2 para. 5 in force at 1.3.2021 by S.I. 2021/202, art. 2

6 In section 4 (additional smoke-free places)—
(a) in subsection (1)—
(i) for “appropriate national authority” substitute “ Secretary of State ”,
(ii) after “place” in both places insert “ in England ”;
(b) in subsection (3)—

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- (i) for “appropriate national authority” substitute “ Secretary of State ”;
- (ii) for “authority's” substitute “Secretary of State's”.

Commencement Information

I6 Sch. 2 para. 6 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 7 In section 5 (vehicles), in subsection (1)—
- (a) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) after “vehicles” insert “ in England ”.

Commencement Information

I7 Sch. 2 para. 7 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 8 In section 6 (no-smoking signs), in subsections (2), (3) and (4) for “appropriate national authority” substitute “ Secretary of State ”.

Commencement Information

I8 Sch. 2 para. 8 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 9 In section 8 (offence of failing to prevent smoking in smoke-free place), in subsection (3) for “appropriate national authority” substitute “ Secretary of State ”.

Commencement Information

I9 Sch. 2 para. 9 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 10 In section 9 (fixed penalties), in subsection (1A) for “appropriate national authority” substitute “ Secretary of State ”.

Commencement Information

I10 Sch. 2 para. 10 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 11 In section 10 (enforcement)—
- (a) in subsection (1) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) in subsection (4) for “appropriate national authority” in both places substitute “ Secretary of State ”.

Commencement Information

I11 Sch. 2 para. 11 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 12 In section 11 (obstruction etc of officers), in subsection (5) for “appropriate national authority” in both places substitute “ Secretary of State ”.

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Commencement Information

I12 Sch. 2 para. 12 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 13 In section 12 (interpretation and territorial sea)—
- (a) in subsection (2) for “appropriate national authority” substitute “ Secretary of State ”;
 - (b) omit subsection (3)(b).

Commencement Information

I13 Sch. 2 para. 13 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 14 In section 82 (interpretation), in subsection (1) omit the definition of “the appropriate national authority”.

Commencement Information

I14 Sch. 2 para. 14 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 15 In Schedule 1 (fixed penalties), in paragraphs 4 and 17 for “appropriate national authority” substitute “ Secretary of State ”.

Commencement Information

I15 Sch. 2 para. 15 in force at 1.3.2021 by S.I. 2021/202, art. 2

- 16 In Schedule 2 (powers of entry, etc), in paragraph 10 for “appropriate national authority” in both places substitute “ Secretary of State ”.

Commencement Information

I16 Sch. 2 para. 16 in force at 1.3.2021 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](#)