



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1

SMOKING

Smoke-free premises

10 School grounds

- (1) Premises in Wales are smoke-free for the purposes of this Chapter so far as they consist of the grounds of a school.
- (2) In the case of premises consisting of grounds that adjoin the school concerned, the premises are smoke-free by virtue of this section only when either or both of—
 - (a) the grounds, or any part of the grounds, or
 - (b) the school, or any part of it,are being used for the purpose of education or childcare.
- (3) In the case of premises consisting of grounds that do not adjoin the school concerned, the premises are smoke-free by virtue of this section only when the grounds, or any part of the grounds, are being used for the purpose of education or childcare.
- (4) The grounds of a school, for the purposes of this section, are premises that—
 - (a) are used exclusively or mainly by the school, for purposes that include educational, sporting or recreational purposes, and
 - (b) are not enclosed or substantially enclosed.
- (5) In the case of a school that provides residential accommodation to pupils, the person in charge of the school may designate any area in the grounds as being an area in which

Status: This is the original version (as it was originally enacted).

smoking is to be permitted, and to that extent the premises are to be treated as not being smoke-free for the purposes of this Chapter.

- (6) Regulations may make provision—
- (a) specifying conditions to be met before an area may be designated under subsection (5),
 - (b) requiring the keeping of records of designations, and
 - (c) about the circumstances in which a designation is to cease to have effect.
- (7) Premises used to any extent as a dwelling are not smoke-free by virtue of this section.