



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 3

### TOBACCO AND NICOTINE PRODUCTS

#### CHAPTER 1

##### SMOKING

###### *Smoke-free premises*

#### **11 Hospital grounds**

- (1) Premises in Wales are smoke-free premises for the purposes of this Chapter so far as they consist of hospital grounds.
- (2) The premises are smoke-free by virtue of this section at all times.
- (3) The grounds of a hospital, for the purposes of this section, are premises that—
  - (a) adjoin the hospital, and
  - (b) are used or occupied by it, but
  - (c) are not enclosed or substantially enclosed.
- (4) The person in charge of a hospital may designate any area in the grounds as being an area in which 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.
- (5) Regulations may make provision—
  - (a) specifying conditions to be met before an area may be designated under subsection (4),
  - (b) requiring the keeping of records of designations, and
  - (c) about the circumstances in which a designation is to cease to have effect.

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**Changes to legislation:** Public Health (Wales) Act 2017, Section 11 is up to date with all changes known to be in force on or before 12 April 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

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- (6) Premises consisting of an adult care home or of an adult hospice, or premises used to any extent as a dwelling, are not smoke-free by virtue of this section.

**Commencement Information**

- I1** S. 11 in force at 29.9.2020 for specified purposes by S.I. 2020/1048, art. 2(1)(c)  
**I2** S. 11 in force at 1.3.2021 in so far as not already in force by S.I. 2021/202, art. 2

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[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](#)