

*Status: This version of this provision is prospective.*

*Changes to legislation: Public Health (Wales) Act 2017, Section 7 is up to date with all changes known to be in force on or before 22 November 2020. 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*

# Public Health (Wales) Act 2017

2017 anaw 2

## PART 3

### TOBACCO AND NICOTINE PRODUCTS

#### CHAPTER 1

#### SMOKING

##### *Smoke-free premises*

PROSPECTIVE

#### **7 Workplaces**

- (1) Premises in Wales are smoke-free for the purposes of this Chapter if they are workplaces.
- (2) A “workplace” means premises that are—
  - (a) used as a place of work by more than one person (even if the persons who work there do so at different times, or only intermittently), or
  - (b) used as a place of work by no more than one person but where members of the public might attend for the purpose of seeking or receiving goods or services from the person working there (even if members of the public are not always present).
- (3) If only part of the premises is used as a place of work, the premises are smoke-free by virtue of this section only to that extent.
- (4) The premises are smoke-free by virtue of this section only in those areas that are enclosed or substantially enclosed.

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- (5) The premises are smoke-free by virtue of this section all the time (including when not used as a place of work), except that premises used to any extent as a dwelling, that are smoke-free by virtue of this section, are smoke-free only when used as a place of work.
- (6) “Work”, in subsection (2), includes voluntary work.
- (7) See section 16 for exemptions.

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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](#)