

# **PUBLIC HEALTH (WALES) ACT 2017**

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## **EXPLANATORY NOTES**

### **GENERAL OVERVIEW OF THE ACT**

6. The Act includes provisions in a number of discrete policy areas, all of which aim to address contemporary challenges to health and well-being in Wales.
7. The Act is comprised of 127 sections (within 9 Parts) and 4 Schedules.
  - Part 1 – Overview
  - Part 2 requires the Welsh Ministers to publish and review a national strategy on preventing obesity and reducing obesity levels in Wales.
  - Part 3 - Tobacco and Nicotine Products
    - Chapter 1: Restricts smoking in enclosed and substantially enclosed workplaces and public places, and in outdoor care settings for children, school grounds, hospital grounds and public playgrounds. It also gives the Welsh Ministers power to extend the restrictions to other premises, and to vehicles;
    - Chapter 2: Establishes a national register of retailers of tobacco and nicotine products;
    - Chapter 3: Provides the Welsh Ministers with a regulation making power to add to the offences which contribute to a Restricted Premises Order (RPO) in Wales;
    - Chapter 4: Prohibits the handing over of tobacco or nicotine products (when delivered or collected in connection with their sale) to an unaccompanied person under the age of 18;
  - Part 4 provides for the creation of a mandatory licensing scheme for individuals performing specified ‘special procedures’, namely acupuncture, body piercing, electrolysis and tattooing;
  - Part 5 introduces a prohibition on the intimate piercing of persons under the age of 18 years;
  - Part 6 contains provisions about the carrying out of health impact assessments by public bodies;
  - Part 7 changes the arrangements for determining applications for entry onto a Local Health Board’s pharmaceutical list, to a system based on the assessed needs of local communities;
  - Part 8 requires local authorities to prepare a local toilets strategy in order to plan how they will meet the needs of their communities for access to toilets for public use; and
  - Part 9 contains miscellaneous provisions about the use of fixed penalty receipts in respect of food hygiene rating offences, and a number of general provisions,

*These notes refer to the Public Health (Wales) Act  
2017 (c.2) which received Royal Assent on 3 July 2017*

including in relation to regulations, interpretation, powers to make consequential and transitional provisions, and coming into force arrangements.