

*These notes refer to the Children and Families Act 2014
(c.6) which received Royal Assent on 13 March 2014*

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Wales

Part 5: Welfare of children

46. **Section 90** repeals section 38 of the Children and Young Persons Act 1963 in relation to England and Wales only, to remove restrictions on the circumstances in which a local authority can issue a performance licence to a child under the age of 14.
47. **Sections 91 to 95** make provision to protect children and young people from tobacco and nicotine addiction. Section 91 introduces an offence of “proxy purchasing” of tobacco products and cigarette papers. Sections 92 and 93 provide the Secretary of State with the power to make regulations to prohibit the sale of nicotine products to persons under the age of 18. Section 94 gives the Secretary of State the power to regulate tobacco packaging if he or she considers that regulations may contribute to reducing the risk of harm to or promoting the health or welfare of children. The Secretary of State must obtain the consent of Welsh Ministers before making regulations containing provision which would be within the legislative competence of the National Assembly for Wales. Section 95 amends smoke-free legislation to provide the Secretary of State, or the Welsh Ministers in relation to Wales, with the power to make regulations to provide for a private vehicle to be smoke-free when a person under the age of 18 is present.
48. **Section 101** applies to England and Wales.