
WELSH STATUTORY INSTRUMENTS

2020 No. 1211

**The Smoke-free Premises and
Vehicles (Wales) Regulations 2020**

PART 1

GENERAL

Meaning of “enclosed”, “substantially enclosed” and “not enclosed or substantially enclosed”

3.—(1) For the purposes of Chapter 1 of Part 3 of the Act—

(a) premises, or parts of premises, are enclosed if—

(i) they have a ceiling or a roof, and

(ii) except for doors, windows and passageways, they are wholly enclosed either permanently or temporarily;

(b) a vehicle, or part of a vehicle, is enclosed if—

(i) it has a roof, and

(ii) except for doors and windows, it is wholly enclosed either permanently or temporarily.

(2) For the purposes of Chapter 1 of Part 3 of the Act, premises, or parts of premises, are substantially enclosed if—

(a) they have a ceiling or a roof, and

(b) any openings in the walls have a total area which is less than half the area of the walls, including other structures which serve the purpose of walls and constitute the perimeter of the premises.

(3) In calculating the total area of any openings for the purposes of paragraph (2)(b), no account is to be taken of openings in which there are doors, windows or other fittings which can be opened and shut.

(4) In this regulation, “roof” includes any fixed or moveable structure or device capable of covering all or part of the premises or vehicle as a roof.

(5) For the purposes of Chapter 1 of Part 3 of the Act, premises or parts of premises are “not enclosed or substantially enclosed” if they are not enclosed or not substantially enclosed within the meaning of paragraphs (1) and (2).