

Annex A – Consultation questions

To expand on the terms of reference, a series of questions are provided below. These have been designed to help those wishing to respond to this consultation and are not intended to be prescriptive. **You do not need to answer all of the questions.**

Part 2: Tobacco and Nicotine Products

Part 2 of the Bill includes provisions relating to tobacco and nicotine products, these include placing restrictions to bring the use of nicotine inhaling devices (NIDs) such as electronic cigarettes (e-cigarettes) in line with existing restrictions on smoking; creating a national register of retailers of tobacco and nicotine products; and prohibiting the handing over of tobacco or nicotine products to a person under the age of 18.

- Do you agree that the use of e-cigarettes should be banned in enclosed public and work places in Wales, as is currently the case for smoking tobacco?
- What are your views on extending restrictions on smoking and e-cigarettes to some non-enclosed spaces (examples might include hospital grounds and children's playgrounds)?
- Do you believe the provisions in the Bill will achieve a balance between the potential benefits to smokers wishing to quit with any potential disadvantages related to the use of e-cigarettes?
- Do you have any views on whether the use of e-cigarettes re-normalises smoking behaviours in smoke-free areas, and whether, given their appearance in replicating cigarettes, inadvertently promote smoking?
- Do you have any views on whether e-cigarettes are particularly appealing to young people and could lead to a greater uptake of their use among this age group, and which may ultimately lead to smoking tobacco products?

- Do you have any views on whether restricting the use of e-cigarettes in current smoke-free areas will aid managers of premises to enforce the current non-smoking regime?
- Do you have any views on the level of fines to be imposed on a person guilty of offences listed under this Part?
- Do you agree with the proposal to establish a national register of retailers of tobacco and nicotine products?
- Do you believe the establishment of a register will help protect under 18s from accessing tobacco and nicotine products?
- Do you believe a strengthened Restricted Premises Order regime, with a national register, will aid local authorities in enforcing tobacco and nicotine offences?
- What are your views on creating a new offence for knowingly handing over tobacco and nicotine products to a person under 18, which is the legal age of sale in Wales?
- Do you believe the proposals relating to tobacco and nicotine products contained in the Bill will contribute to improving public health in Wales?

Part 3: Special Procedures

Part 3 of the Bill includes provision to create a compulsory, national licensing system for practitioners of specified special procedures in Wales, these procedures are acupuncture, body piercing, electrolysis and tattooing.

- What are your views on creating a compulsory, national licensing system for practitioners of specified special procedures in Wales, and that the premises or vehicle from which the practitioners operate must be approved?
- Do you agree with the types of special procedures defined in the Bill?
- What are your views on the provision which gives Welsh Ministers the power to amend the list of special procedures through secondary legislation?

- The Bill includes a list of specific professions that are exempt from needing a licence to practice special procedures. Do you have any views on the list?
- Do you have any views on whether enforcing the licensing system would result in any particular difficulties for local authorities?
- Do you believe the proposals relating to special procedures contained in the Bill will contribute to improving public health in Wales?

Part 4: Intimate Piercing

Part 4 of the Bill includes provision to prohibit the intimate piercing of anyone under the age of 16 in Wales.

- Do you believe an age restriction is required for intimate body piercing? What are your views on prohibiting the intimate piercing of anyone under the age of 16 in Wales?
- Do you agree with the list of intimate body parts defined in the Bill?
- Do you have any views on the proposals to place a duty on local authorities to enforce the provisions, and to provide local authorities with the power to enter premises, as set out in the Bill?
- Do you believe the proposals relating to intimate piercing contained in the Bill will contribute to improving public health in Wales?

Part 5: Pharmaceutical Services

Part 5 of the Bill includes provision to require each local health board to publish an assessment of the need for pharmaceutical services in its area with the aim of ensuring that decisions about the location and extent of pharmaceutical services are based the pharmaceutical needs of local communities.

- Do you believe the proposals in the Bill will achieve the aim of improving the planning and delivery of pharmaceutical services in Wales?

- What are your views on whether the proposals will encourage existing pharmacies to adapt and expand their services in response to local needs?
- Do you believe the proposals relating to pharmaceutical services in the Bill will contribute to improving public health in Wales?

Part 6: Provision of Toilets

Part 6 of the Bill includes provision to require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing toilet facilities for public use.

- What are your views on the proposal that each local authority in Wales will be under a duty to prepare and publish a local toilets strategy for its area?
- Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?
- Do you believe the provision in the Bill to ensure appropriate engagement with communities is sufficient to guarantee the views of local people are taken into account in the development of local toilet strategies?
- Do you have any views on whether the Welsh Ministers' ability to issue guidance on the development of strategies would lead to a more consistent approach across local authorities?
- What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?
- Do you believe including changing facilities for babies and for disabled people within the term 'toilets' is sufficient to ensure that the needs of all groups are taken into account in the development of local toilet strategies?
- Do you believe the proposals relating to toilet provision in the Bill will contribute to improving public health in Wales?

Finance questions

- What are your views on the costs and benefits of implementing the Bill? (You may want to look at the overall costs and benefits of the Bill or those of individual sections.)
- How accurate are the estimates of costs and benefits identified in the Regulatory Impact Assessment, and have any potential costs or benefits been missed out?
- What financial impact will the Bill's proposals have on you/your organisation?
- Are there any other ways that the aims of the Bill could be met in a more cost-effective way than the approaches taken in the Bill's proposals?
- Do you consider that the additional costs of the Bill's proposals to businesses, local authorities, community councils and local health boards are reasonable and proportionate?

Delegated powers

The Bill contains powers for Welsh Ministers to make regulations and issue guidance.

- In your view does the Bill contain a reasonable balance between what is included on the face of the Bill and what is left to subordinate legislation and guidance?

Other comments

- Are there any **other comments** you wish to make about specific sections of the Bill?
- Do you believe that the issues included in this Bill reflect the priorities for improving public health in Wales?
- Are there any other areas of public health which you believe require legislation to help improve the health of people in Wales?