



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Implementing the Smoke-free requirements in Chapter 1 of Part 3
of the Public Health (Wales) Act 2017 and the Smoke-free
Premises and Vehicles Regulations 2020**

DATE **29 September 2020**

BY **Vaughan Gething MS, Minister for Health and Social Services**

The Public Health (Wales) Act 2017 (“the 2017 Act”) replaces restrictions on smoking in enclosed and substantially enclosed public and work places previously found in the Health Act 2006 and gives Welsh Ministers a regulation-making power to extend the restrictions on smoking to additional premises or vehicles. The 2017 Act places restrictions on smoking in school grounds, hospital grounds, public playgrounds and outdoor care settings for children. The Smoke-free Premises and Vehicles (Wales) Regulations 2020 (“the 2020 Regulations”) will supplement certain provisions in Chapter 1 of Part 3 of the 2017 Act and will replace the Smoke-free Premises etc. (Wales) Regulations 2007. Taken together, the 2017 Act provisions and the 2020 regulations will introduce a new smoke-free regime in Wales that is aimed at protecting public health from the harms of second-hand smoke and at further denormalising smoking behaviour by restricting smoking in more public places, particularly where children are likely to be present on a regular basis (such as school grounds and public playgrounds).

On 23 June 2020 under the Technical Standards Directive 2015/1535/EU, the Welsh Government notified the EU Commission and Member States with the draft 2020 Regulations. The required three month standstill period ended on 24 September 2020 with no objections raised. I have therefore signed a Commencement Order, bringing enabling provisions found within Chapter 1 of Part 3 of the 2017 Act into force for the purpose of laying the 2020 Regulations before the Senedd today. I look forward to the debate on these Regulations, which is scheduled to take place on 20 October 2020.

In my Cabinet Written Statement issued on 24 June 2020, I explained that whilst I am keen for the measures in the 2017 Act and 2020 Regulations to be in place, I understand their success relies on the efforts of key stakeholders. Officials have undertaken a period of engagement with stakeholders to understand their views on the introduction of the legislation's requirements and what they would require to support implementation. I am grateful to all stakeholders that took part in this process. I am also encouraged by the support expressed and the views provided on how the benefits from the measures can be maximised. Based on this feedback, and to provide stakeholders with adequate time to prepare for the legislation's introduction, I have decided to bring the new smoke-free regime into force on 1 March 2021, subject to the agreement of the Senedd to the 2020 Regulations. My officials are developing the details of the implementation package, including guidance documents, and will be working closely with stakeholders during this process. If Members or stakeholders would like further information on this process or around implementation, please contact: TobaccoPolicy@gov.wales.

<https://senedd.wales/laid%20documents/sub-ld13531-em/sub-ld13531-em-e.pdf>

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