



Public Health (Wales) Act 2017

2017 anaw 2

PART 3

TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1

SMOKING

Smoke-free premises

12 Public playgrounds

- (1) Premises in Wales are smoke-free premises for the purposes of this Chapter so far as they consist of a public playground.
- (2) The premises are smoke-free—
 - (a) if the premises are within clearly marked boundaries, in the whole of the area within those boundaries;
 - (b) otherwise, only so far as within five metres of any item of playground equipment.
- (3) The premises are smoke-free by virtue of this section at all times.
- (4) Premises consist of a public playground for the purposes of this section if—
 - (a) they are designed or adapted for the use, by children, of one or more items of playground equipment,
 - (b) a local authority or community council, or a person acting by virtue of arrangements made with a local authority or community council, controls them or is to any extent engaged in their management or maintenance, or makes arrangements in respect of their control or management or maintenance,

Status: This is the original version (as it was originally enacted).

- (c) they are open to the public, for the purpose (or the primary purpose) of the provision of play facilities for children, and
- (d) they are not enclosed or substantially enclosed.