



# 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,

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**Changes to legislation:** Public Health (Wales) Act 2017, Section 12 is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (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.

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**Commencement Information**

**II** S. 12 in force at 1.3.2021 by S.I. 2021/202, art. 2

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)