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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1048 (W. 234) (C. 30)**

**PUBLIC HEALTH, WALES**

The Public Health (Wales) Act 2017  
(Commencement No. 5) Order 2020

Made - - - - 25 September 2020

The Welsh Ministers in exercise of the powers conferred by section 126(2) of the Public Health (Wales) Act 2017<sup>(1)</sup>, make the following Order:

**Title and interpretation**

1.—(1) The title of this Order is the Public Health (Wales) Act 2017 (Commencement No. 5) Order 2020.

(2) In this Order, “the Act” means the Public Health (Wales) Act 2017.

**Provisions coming into force on 29 September 2020**

2.—(1) The following provisions of the Act come into force, to the extent necessary for the purpose of making regulations, on 29 September 2020—

- (a) section 6 (offence of failing to prevent smoking in smoke-free premises);
- (b) section 10 (school grounds);
- (c) section 11 (hospital grounds);
- (d) section 17 (signs: smoke-free premises);
- (e) section 18 (enforcement authorities);
- (f) section 27 (fixed penalty notices) in so far as it relates to Schedule 1;
- (g) section 28 (interpretation of this Chapter); and
- (h) Schedule 1 (fixed penalties).

(2) The following provisions of the Act come into force on 29 September 2020—

- (a) section 15 (smoke-free vehicles); and
- (b) section 16 (smoke-free premises: exemptions).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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25 September 2020

*Vaughan Gething*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order made by the Welsh Ministers brings into force specified provisions of the Public Health (Wales) Act 2017 (“the Act”).

Article 2(1) brings into force the following provisions in Chapter 1 of Part 3 of the Act (smoking) on 29 September 2020, to the extent necessary for the purpose of enabling regulations to be made under those provisions—

- section 6 which relates to the offence of failing to prevent smoking in smoke-free premises;
- section 10 which relates to school grounds;
- section 11 which relates to hospital grounds;
- section 17 which relates to signs: smoke-free premises;
- section 18 which relates to enforcement authorities;
- section 27 which relates to fixed penalty notices;
- section 28 which relates to interpretation of Chapter 1 of Part 3 of the Act; and
- Schedule 1 which relates to fixed penalties.

Article 2(2) brings into force section 15 (smoke-free vehicles) and section 16 (smoke-free premises: exemptions) of the Act on 29 September 2020.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by Commencement Orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2	4 October 2017	<a href="#">2017/949</a> (W. 237) (C. 85)
Section 3	4 October 2017	<a href="#">2017/949</a> (W. 237) (C. 85)
Section 94	1 February 2018	<a href="#">2018/1</a> (W. 1) <sup>(1)</sup>

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(1) Instrument not allocated number in the Commencement Instruments series.

(2) Instrument not allocated number in the Commencement Instruments series.

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part 5	1 February 2018	2018/1 (W. 1)
Part 7	1 April 2019	2019/829 (W. 152) <sup>(2)</sup>
Part 8	31 May 2018	2018/605 (W. 116)
Section 119	4 October 2017	(C. 48) 2017/949 (W. 237)
Schedule 4	31 May 2018	(C. 85) 2018/605 (W. 116) (C. 48)

(1) Instrument not allocated number in the Commencement Instruments series.

(2) Instrument not allocated number in the Commencement Instruments series.

See also section 126(1) of the Act for the provisions that came into force on 3 July 2017 (the date of Royal Assent).