

**Mark Drakeford AC / AM**

**Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services**



**Llywodraeth Cymru  
Welsh Government**

David Rees AM  
Chair of the Health and Social Care Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

17 October 2015

*Dear David,*

### **Public Health (Wales) Bill**

I have previously committed to providing illustrative, draft Regulations regarding smoke-free, non-enclosed public places which would be made under section 8 of the Public Health (Wales) Bill.

I now enclose the draft Additional Smoke-free Premises (Wales) Regulations 2016 (“the Regulations”). The Regulations make hospital grounds and school grounds (both maintained school and independent school grounds) smoke-free.

In Regulation 4, you will see a provision allowing for the possibility of designating areas where smoking and use of nicotine inhaling devices (NIDs), or just use of NIDs, is permitted. In the case of hospitals, managers of all such premises would be able to designate such areas. In the case of schools, only independent schools would be able to designate, as, in informal consultation, we were advised that this may be necessary if premises are let for residential use during school holidays.

The Regulations are in draft and are provided to the Committee for information to aid your consideration of the general principles of the Bill and, as such, are provided in English only. Any Regulations produced following enactment of the Public Health (Wales) Bill would be subject to public consultation, would be published bilingually, and would be subject to the affirmative procedure. They would also need to be notified to the European Commission under the provisions of the Technical Standards Directive due to the signage requirements that are contained within the Regulations.

I am copying this letter and enclosures to the Chair of the Constitutional and Legislative Affairs Committee.

Best wishes,

Mark.

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