



Notification Number: 2006/556/UK

The Smoke-Free Premises etc. (Wales) Regulations 2007

Date received : 17/10/2006

End of Standstill : 18/01/2007

Message

Message 001

Communication from the Commission - SG(2006) D/52515

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan : 2006/0556/UK.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200602515.EN)

1. Structured Information Line

MSG 001 IND 2006 0556 UK EN 18-01-2007 17-10-2006 UK NOTIF 18-01-2007

2. Member State

United Kingdom

3. Department Responsible

Department of Trade and Industry: Office of Science and Innovation

3. Originating Department

Welsh Assembly Government: Office of the Chief Medical Officer.

The draft regulations have been prepared on behalf of Ministers (collectively known as the Welsh Assembly Government) of the National Assembly for Wales.

4. Notification Number

2006/0556/UK – X00M



5. Title

The Smoke-Free Premises etc. (Wales) Regulations 2007

6. Products Concerned

The draft regulations (which contain detailed provisions about prohibition of smoking in premises and vehicles) include detailed requirements for no-smoking signs, specifying their contents and size.

7. Notification Under Another Act

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8. Main Content

The draft Regulations apply to Wales only and provide for a prohibition on smoking in certain premises and vehicles. Smoke-free premises are defined in the Regulations as being premises which are wholly or substantially enclosed. The draft Regulations also specify descriptions of premises and vehicles which are not smoke-free. The draft Regulations include requirements as regards the specification of no-smoking signs in smoke-free premises. These are intended to be proportionate and not to present unnecessary burdens on business. Premises are required to display a no-smoking sign with a minimum dimension of 230mm by 160mm, showing the international no smoking symbol at least 85mm in diameter and the following bilingual statement in the Welsh and English languages: "Mae ysmygu yn y fangre hon yn erbyn y gyfraith. It is against the law to smoke in these premises". Vehicles are required to display the international no smoking symbol, at least 75 mm in diameter. The Welsh Assembly Government will make available signs that meet the requirements set out in the regulations.

9. Brief Statement of Grounds

The primary purpose of the prohibition on smoking in smoke-free premises is to protect the public from exposure to the health risks of environmental tobacco smoke. Clause 6 of the Health Act 2006 requires the display of no-smoking signs in smoke-free premises and vehicles. The requirements for signage set out in (8) above are based on the need to ensure that signage is clear and uniform, so that all members of the public are aware when premises and vehicles are smoke-free.

10. Reference Documents - Basic Texts

a. The draft Regulations are being made under sections 2(5), 3, 5(1) and (2), 6, 8 (3), 10 and 79 (3) of, and paragraph 4 of Schedule 1 to, the Health Act 2006 (attached but also available at http://www.opsi.gov.uk/acts/acts2006/ukpga_20060028_en.pdf) and section 26 of the Welsh Language Act 1993 (http://www.opsi.gov.uk/acts/acts1993/Ukpga_19930038_en_1.htm#end). The Health Act 2006 conferred powers on the National Assembly for Wales to make regulations concerning the prohibition of smoking in certain premises and vehicles. The Act completed its Parliamentary stages on 18 July 2006 and received Royal Assent on 19 July 2006. A consultation document, which invited comments on the proposed regulations, is also attached.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

The impact assessment is attached.

16. TBT and SPS aspects

TBT Aspect

No

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

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