

**Yr Is-bwyllgor Menter a Busnes a'r Is-bwyllgor Iechyd
a Gofal Cymdeithasol ar Y Rheoliadau Mangroedd etc.
Di-fwg (Cymru) (Diwygio) 2012**

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



**The Enterprise and Business Sub-Committee and the
Health and Social Care Sub-Committee on The Smoke-free
Premises etc. (Wales) (Amendment) Regulations 2012**

6 December 2012

Dear Colleague

The Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012

The National Assembly for Wales's Enterprise and Business Committee and Health and Social Care Committee have each established a sub-committee to take evidence from interested parties on the Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012. The sub-committees will join together to consider evidence at the same time.

The amendment creates an exemption from the smoke-free requirements for performers, and will apply where: the performance is in connection with the making of a film or television programme; the artistic integrity of the performance makes it appropriate for the performer to smoke; there are no members of the public viewing the making of the television programme or film; and there are no children present in the part of the premises where the performer would be smoking.

The terms of reference are:

- To consider evidence from interested parties on the social, economic and health costs and benefits associated with the proposed amendment to the Smoke-free Premises etc. (Wales) Regulations 2007;
- To seek to agree on the content of a joint report to lay before the Assembly in order to inform debate on the regulations.

The questions the Committee would particularly like your views on are:

- Is there a commercial need for this amendment to exempt performers from smoke-free requirements?

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- Will this amendment achieve its aim of supporting the television and film industry in Wales?
- Is there sufficient clarity about the circumstances in which the exemption applies?
- Do the conditions offer adequate protection to other performers, production staff and members of the public?
- Might there be any unintended consequences of introducing this exemption?
- What health policy considerations are relevant to this amendment?

Invitation to contribute to the inquiry

The two sub-committees welcome evidence from both individuals and organisations. If you are responding on behalf of an organisation, please provide a brief description of the role of your organisation. If you have already submitted evidence to the Welsh Government's earlier public consultation on these regulations you may wish to re-submit that evidence to the sub-Committees for their consideration.

We will be holding oral evidence sessions in the spring term 2013, so it would be helpful if you could indicate in your submission whether you would be prepared to give oral evidence, if invited.

Generally, we ask for submissions to be made in writing, because it is normal practice for the National Assembly to publish evidence provided to a Committee on our internet site so that it becomes part of the public record. However, we are also able to accept evidence in audio or video format. The Committee welcomes contributions in English or Welsh, and we ask organisations with Welsh Language policies / schemes to provide bilingual responses, where applicable, in line with their public information policies.

If you wish to submit evidence, please send an electronic copy of your submission to **legislationoffice@wales.gov.uk**

Alternatively, you can write to: Committee Clerk, Smoke-free Premises etc. (Amendment) Regulations Sub-Committees, Committee Service, National Assembly for Wales, Cardiff Bay, CF99 1NA.

Submissions should arrive by **Friday 18 January 2013**. It may not be possible to take into account responses received after this date.

For your information, the Committee has invited submissions from those on the attached distribution list. We would be grateful if you could forward a copy of the letter to any individuals or organisations that are not included on this list, but might like to contribute to the inquiry. A copy of this letter has been placed on the National Assembly's website with an open invitation to submit views.

Disclosure of Information

It is normal practice for the National Assembly to publish evidence provided to a Committee. Consequently your response may appear in a report or in supplementary evidence to a report. The National Assembly will not publish information which it considers to be personal data.

In the event of a request for information submitted under UK legislation, it may be necessary to disclose the information that you provide. This may include information which has previously been removed by the National Assembly for publication purposes.

If you are providing any information, other than personal data, which you feel is not suitable for public disclosure, it is up to you to stipulate which parts should not be published and to provide a reasoned argument to support this. The National Assembly will take this into account when publishing information or responding to requests for information.

Yours faithfully

Mark Drakeford.

A handwritten signature in black ink, appearing to read 'Nick Ramsay'. The signature is stylized with a large, sweeping 'N' and 'R'.

Mark Drakeford and Nick Ramsay

Cadeiryddion - Chairs,
Health and Social Care Committee & Enterprise and Business Committee

Distribution List

Health

Betsi Cadwaladr University Health Board
Powys Teaching Health Board
Hywel Dda Health Board
Abertawe Bro Morgannwg University Health Board
Cwm Taf Health Board
Cardiff and Vale University Health Board
Aneurin Bevan Health Board
Public Health Wales
Chartered Institute of Environmental Health
British Medical Association (BMA) Cymru
Royal College of Physicians
Cancer Research UK
British Thoracic Society
British Lung Foundation
Roy Castle Lung Cancer Foundation
Stop Smoking Wales
ASH Wales
Forest (Freedom Organisation for the Right to Enjoy Smoking Tobacco)
Tobacco Free Futures
Association of Directors of Public Health
Academy of Medical Royal Colleges
UK Public Health Association
Royal College of Midwives
Royal College of Nursing

Local government (enforcement)

Welsh Local Government Association

TV/Film industry

Wales Screen Commission

Film Agency for Wales

BBC Cymru Wales

ITV Wales

S4C

TAC – Welsh Independent Producers (80 members)

PACT – Producers Alliance for Cinema and Television

Machine Productions Ltd

Barefoot Rascals Ltd

Fragrant Films Ltd

Ofcom

Bectu – union representing workers

Equity – representing actors

Guild of British Camera Technicians

BAFTA Cymru

Cyfle Cyf

International Film School Wales, Newport University

Welsh College of Music and Drama, Cardiff

Department of Theatre, Film and Television, Aberystwyth University

Skillset Cymru / Media Academy Wales

Arts Council for Wales

Audiences Wales

The National Screen and Sound Archive of Wales

Boom Talent

Cwmni Pawb

Video Wales

Theatre/performing arts organisations

Welsh National Opera

National Dance Company Wales

Voluntary Arts Wales

Arts & Business Cymru

Wales Association for the Performing Arts

Ballet Cymru

Wales Arts International

British Council Wales

Disability Arts Cymru

Drama Association of Wales

Theatre in Wales

BBC National Orchestra of Wales

National Theatre Wales

Theatr Genedlaethol Cymru