



19 June 2015

Dear Colleague,

Consultation on the Public Health (Wales) Bill

The [Health and Social Care Committee](#) is calling for evidence on the general principles of the [Public Health \(Wales\) Bill](#). To assist with its consideration, the Committee would welcome your views on this subject.

What is a Bill?

A Bill is a proposed law. Once a Bill has been considered and passed by the Assembly and given Royal Assent by the Queen, it becomes an “Act of the Assembly”.

There is a four stage process for the consideration of a Bill. Stage 1 involves consideration of the general principles of the Bill by a committee (which includes the taking of written and oral evidence from interested parties and stakeholders), and the agreement of those general principles by the Assembly.

What does this Bill seek to achieve?

The Bill sets out a series of proposals in priority areas of public health policy.

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg / We welcome correspondence in both English and Welsh

The Bill includes provision for the following:

Tobacco and nicotine products

- Restricting the use of nicotine inhaling devices such as electronic cigarettes in enclosed and substantially enclosed public and work places, bringing the use of these devices into line with existing provisions on smoking;
- Creating a national register of retailers of tobacco and nicotine products;
- Adding to the offences which contribute to a Restricted Premises Order (RPO). (An RPO prohibits the sale of tobacco products from a premises);
- Prohibiting the handing over of tobacco or nicotine products to people under the age of 18.

Special procedures

- Creating a mandatory licensing scheme for practitioners and businesses carrying out 'special procedures', namely acupuncture, body piercing, electrolysis and tattooing;
- Introducing a ban on the intimate piercing of people under 16 years old.

Pharmaceutical services

- Changing the way Health Boards make decisions about pharmaceutical services by making sure these are based on assessments of pharmaceutical need in their areas.

Provision of toilets

- Requiring local authorities to prepare local toilets strategies for the provision of, and access to, toilets for public use, based on the needs of their communities.

The Bill and the accompanying Explanatory Memorandum can be found on the Assembly's website:

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IID=12763&AIID=22862>

What is the Committee's role?

The role of the Committee is to consider and report on the general principles of the Bill and the need for legislation. The Committee has agreed the following terms of reference for its work:

To consider

- The need for legislation in the following areas –
 - Placing restrictions on the use of tobacco and nicotine inhaling devices (NIDs) such as electronic cigarettes in enclosed and substantially enclosed public and work places, and giving the Welsh Ministers a regulation-making power to extend the restrictions to certain open spaces;
 - Creating a national register of retailers of tobacco and nicotine products;
 - Providing the Welsh Ministers with a regulation-making power to add to the offences which contribute to a Restricted Premises Order (RPO) in Wales;
 - Prohibiting the handing over of tobacco and/or nicotine products to a person under the age of 18;
 - Creating a mandatory licensing scheme for practitioners and businesses carrying out 'special procedures', namely acupuncture, body piercing, electrolysis and tattooing;
 - Introducing a prohibition on the intimate piercing of persons under the age of 16 years;
 - Changing the arrangements for determining applications for entry onto the pharmaceutical list of Local Health Boards, to a system based on the pharmaceutical needs of local communities; and
 - Requiring local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing toilet facilities for public use.
- Any potential barriers to the implementation of these provisions and whether the Bill takes account of them;
- Whether there are any unintended consequences arising from the Bill;
- The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum – the Regulatory Impact Assessment, which estimates the costs and benefits of implementation of the Bill);
- The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum, which contains a table summarising the powers for Welsh Ministers to make subordinate legislation; and
- The extent to which the Bill reflects priorities for improving public health in Wales.

Invitation to contribute to the inquiry

The Committee would like to invite you to submit written evidence to assist its scrutiny of the Bill. In particular, **your views on the questions listed in Annex A to this letter would be welcomed.**

It will also be possible to submit views on the Bill using an online proforma to respond to the questions or by completing a survey. The proforma and survey will be available on the website shortly.

The Committee is seeking **written evidence on all aspects of the Bill** in order to inform its report and recommendations. The Committee's **oral evidence sessions** will focus on the following Parts of this wide-ranging Bill:

- Part 2 – tobacco and nicotine products
- Part 3 – special procedures
- Part 4 – intimate piercing

The Committee will also seek to explore overarching themes in oral evidence sessions with Public Health Wales, the Chartered Institute of Environmental Health, the Welsh Local Government Association, Welsh Local Health Boards, relevant professional bodies and academics, and the Minister for Health and Social Services. Once all written evidence has been received, the Committee will assess whether any further oral evidence needs to be gathered.

The Committee welcomes 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.

The Assembly is committed to providing accessible information to the widest audience possible. Guidance for witnesses providing written evidence for committees is attached at Annex B. 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 SeneddHealth@Assembly.Wales. Alternatively, you can write to: Committee Clerk, Health and Social Care Committee, National Assembly for Wales, Cardiff Bay, CF99 1NA.

Submissions should arrive by Friday 4 September 2015. It may not be possible to take into account responses received after this date. Please note that the Committee's first oral evidence session on the Bill is scheduled to take place on 1 July 2015. The Committee will hear from the Minister for Health and Social Services, the Member in charge of the Bill, during this meeting.

The Committee would be grateful if you could forward a copy of this letter to any individuals or organisations that might like to contribute. A copy of this letter will also be placed on the National Assembly's website with an open invitation to submit views:

<http://www.senedd.assembly.wales/mgConsultationDisplay.aspx?ID=181>

Disclosure of information

You can find further details about how we will use your information at www.assembly.wales/help/privacy/help-inquiry-privacy.htm. Please ensure that you have considered these details carefully before submitting information to the Committee. A hard copy of this policy can be requested by contacting the Clerk.

Yours faithfully

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a large initial 'D' and 'R'.

David Rees AM

Chair, Health and Social Care Committee