

PHB 01

Bil Iechyd y Cyhoedd (Cymru)

Public Health (Wales) Bill

Ymateb gan: Brian Jones

Response from: Brian Jones

I'm broadly in favour of all the measures contained in the bill, but any specific comments are in green following the relevant bullet point.

- re-state restrictions on smoking in enclosed and substantially enclosed public and work places, and give Welsh Ministers a regulation-making power to extend the restrictions on smoking to additional premises or vehicles; **yes**
- place restrictions on smoking in school grounds, hospital grounds and public playgrounds; **public playgrounds straight-forward yes, but although I am very firmly anti-smoking, I do think that some provision for smoking does need to be made for school and hospital employees, and hospital patients**
- provide for the creation of a national register of retailers of tobacco and nicotine products; **yes**
- provide Welsh Ministers with a regulation-making power to add to the offences which contribute to a Restricted Premises Order (RPO) in Wales; **yes**
- prohibit the handing over of tobacco and/or nicotine products to a person under the age of 18; **yes**
- provide for the creation of a mandatory licensing scheme for practitioners and businesses carrying out 'special procedures', namely acupuncture, body piercing, electrolysis and tattooing; **definitely necessary. I believe that there already is a similar licensing scheme for tanning studios - perhaps you could confirm this. I would also want to see a mandatory licensing scheme for cosmetic surgery procedures, which was talked about in the media following the PIP breast implant problems - again perhaps you can confirm if there already is such a licensing and recording scheme, either UK-wide or here in Wales, and**

if not, would it be possible for the Welsh Assembly to introduce such a scheme in Wales.

- introduce a prohibition on the intimate piercing of persons under the age of 16 years; well yes of course, and I wouldn't want the bill blocked on this point, but – as ever – there's the difficulty of setting the age. As currently proposed, a 17-year old could have an intimate piercing but giving them tobacco would be prohibited ... The United Nations' Convention on the Rights of the Child, signed and ratified by the UK, defines children as being under 18. It would seem more logical to me that intimate piercing of children should be prohibited, and therefore the age limit should be "under 18" rather than "under 16". I realise that there would be a risk of 16 and 17 year olds then resorting to illegal intimate piercings, either at home or abroad, but I think that a much stronger message is sent by prohibiting the intimate piercing of children under the age of 18 years.
- require Welsh Ministers to make regulations to require public bodies to carry out health impact assessments in specified circumstances; yes
- change the arrangements for determining applications for entry onto the pharmaceutical list of health boards (LHBs), to a system based on the pharmaceutical needs of local communities; yes
- require 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; yes and
- enable a 'food authority' under the Food Hygiene Rating (Wales) Act 2013 to retain fixed penalty receipts resulting from offences under that Act, for the purpose of enforcing the food hygiene rating scheme.
yes

Personally, I was disappointed by the dropping of restrictions on e cigarettes, but unusually I agree with Carwyn Jones that there is little point in returning to this issue at the moment.