

[Public Health \(Wales\) Bill](#) / [Bil Iechyd y Cyhoedd \(Cymru\)](#)

Evidence from Dispensing Doctors' Association – PHB 20 / Tystiolaeth gan  
Cymdeithas y Meddygon Fferyllol – PHB 20

## Public Health (Wales) Bill: Consultation questions

### Tobacco and Nicotine Products

The Bill includes proposals to ban the use of nicotine inhaling devices, such as e-cigarettes, in enclosed spaces like restaurants, pubs and at work. Shops will also have to join a register for retailers of tobacco and nicotine products, and it will become an offence to “hand over” tobacco and e-cigarettes to anyone under the age of 18.

#### *Question 1*

Do you agree that the use of e-cigarettes should be banned in enclosed public and work places in Wales, as is currently the case for smoking tobacco?

Yes

#### *Question 2*

Do you believe the provisions in the Bill will achieve a balance between the potential benefits to smokers wishing to quit with any potential dis-benefits related to the use of e-cigarettes?

Yes

#### *Question 3*

Do you have any views on whether the use of e-cigarettes re-normalises smoking behaviours in smoke-free areas, and whether, given their appearance in replicating cigarettes, inadvertently promote smoking?

We believe that the nature of the advertising and the use of these devices in public places inadvertently promote smoking. We note recent research which shows that the use of these devices is becoming more prevalent amongst young people. The advertising seems to replicate the type used in the 1950s/60s/70s which glamourized smoking. We fear that all of the good work over the last forty years to reduced smoking will be undone by these e-cigarettes.

#### *Question 4*

Do you have any views on whether e-cigarettes are particularly appealing to young people and could lead to a greater uptake of their use among this age group, and which may ultimately lead to smoking tobacco products?

Please see our response to question 3. Recent research seems to suggest that younger people are starting to use these devices more. Given that the advertising, which replicates that used for tobacco cigarettes forty years ago, glamourizes e-cigarettes, this would suggest it is having the same effect.

#### *Question 5*

Do you agree with the proposal to establish a national register of retailers of tobacco and nicotine products?

Yes.

#### *Question 6*

What are your views on creating a new offence for knowingly handing over tobacco and nicotine products to a person under 18, which is the legal age of sale in Wales?

We support this proposal.

### **Special Procedures**

The Bill includes a proposal to create a compulsory licensing system for people who carry out special procedures in Wales. These special procedures are tattooing, body piercing, acupuncture and electrolysis. The places where these special procedures are carried out will also need to be approved.

#### *Question 7*

What are your views on creating a compulsory, national licensing system for practitioners of specified special procedures in Wales, and that the premises or vehicle from which the practitioners operate must be approved?

We support this.

### *Question 8*

Do you agree with the types of special procedures defined in the Bill?

Yes.

### *Question 9*

What are your views on the provision which gives Welsh Ministers the power to amend the list of special procedures through secondary legislation?

We support his proposal.

### *Question 10*

Do you have any views on whether enforcing the licensing system would result in any particular difficulties for local authorities?

Given that local authorities already enforce other forms of licenses, this proposal should not pose any particular difficulties, so long as it introduced along the same lines.

## **Intimate piercings**

The Bill includes a proposal to ban intimate body piercings for anyone under the age of 16 in Wales.

### *Question 11*

Do you believe an age restriction is required for intimate body piercing? What are your views on prohibiting the intimate piercing of anyone under the age of 16 in Wales?

Yes. We support the proposal to ban intimate body piercing on those under the age of 16.

### *Question 12*

Do you agree with the list of intimate body parts defined in the Bill? Whether any other types of piercings (for example naval piercing, tongue piercing) should be prohibited on young people under the age of 16.

Yes we are content with the list.

## Community pharmacies

The Bill will require local health boards in Wales to review the need for pharmaceutical services in its area, and that any decisions relating to community pharmacies are based on the needs of local communities.

### *Question 13*

Do you believe the proposals in the Bill will achieve the aim of improving the planning and delivery of pharmaceutical services in Wales?

The proposals **must not** discriminate against the provision of pharmaceutical services by dispensing practices. Practices dispense in remote and rural areas where a community pharmacy is not economically viable. The Cost of Service Inquiry into dispensing practices, published in 2010, demonstrates that dispensing income subsidises the provision of primary medical services in rural practice. It would be most unfortunate for rural communities if the advent of PNA's caused the closure of rural general practices.

### *Question 14*

What are your views on whether the proposals will encourage existing pharmacies to adapt and expand their services in response to local needs?

The community pharmacy contractual framework has been in place for some time now and local contractors ought to have adapted and expanded their services already. The introduction of PNAs must be done carefully and sensitively by LHBs and must not lead to a worse service for patients; please see our response to question 13.

## Public toilets

The Bill includes a proposal that will require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing public toilet facilities. However, the Bill does not require local authorities to actually provide toilet facilities.

### *Question 15*

What are your views on the proposal that each local authority in Wales will be under a duty to prepare and publish a local toilets strategy for its area?

N/A

### *Question 16*

Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?

N/A

### *Question 17*

Do you believe the provision in the Bill to ensure appropriate engagement with communities is sufficient to guarantee the views of local people are taken into account in the development of local toilet strategies?

N/A

### *Question 18*

What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?

N/A

## **Other comments**

### *Question 19*

Do you believe that the issues included in this Bill reflect the priorities for improving public health in Wales?

Yes

### *Question 20*

Are there any other areas of public health which you believe require legislation to help improve the health of people in Wales?

No

### *Question 21*

Are there any other comments you would like to make on any aspect of the Bill?

We would reiterate our belief that the introduction of Pharmaceutical Needs Assessments should not destabilise the provision of dispensing doctor practices and GP services in remote and rural areas of Wales.