

Regulations made by the Welsh Ministers, laid before Senedd Cymru under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of Senedd Cymru within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.

WELSH STATUTORY INSTRUMENTS

2020 No. 1237 (W. 279)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (Wales) Regulations 2020

<i>Made</i>	- - - -	<i>at 3.33 a.m. on 7 November 2020</i>
<i>Laid before Senedd Cymru</i>		<i>9 November 2020 at 4.00 a.m. on 7 November 2020</i>
<i>Coming into force</i>	- -	

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45B, 45C(1) and (3), 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

PART 1

General

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (Wales) Regulations 2020.

(2) These Regulations come into force at 4.00 a.m. on 7 November 2020.

(3) In these Regulations—

- (a) the “International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(1);
- (b) the “No. 3 Regulations” means the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020(2);
- (c) the “No. 4 Regulations” means the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020(3).

PART 2

Amendment to Part 3 of the International Travel Regulations

Insertion of new provisions relating to Denmark

2. In Part 3 of the International Travel Regulations (requirement to isolate etc.), after regulation 12, insert—

“Special rules applicable to persons travelling from Denmark

12A.—(1) This regulation applies where an isolation requirement (within the meaning given by regulation 10(2)) is imposed on a person (“P”) because P—

- (a) has arrived in Wales from Denmark, or
- (b) has, within the period of 14 days ending with the day of P’s arrival in Wales, been in Denmark.

(2) The isolation requirement imposed on P is also imposed on all members of P’s household.

(3) Despite regulation 9(2), regulations 7 and 8 apply to P.

(4) A member of P’s household is not exempt from the isolation requirement by virtue of regulation 9(2).

(5) Accordingly neither P nor any member of P’s household is to be treated as a person described in any paragraph of Schedule 2.

(6) For the purposes of regulation 10, a member of P’s household is to be treated as if that person were P.

(7) Regulation 10 applies to P (and a member of P’s household by virtue of paragraph (6)) as if, for paragraph (4) of that regulation, there were substituted—

“(4) P may leave and be outside of the premises—

- (a) for as long as is necessary—
 - (i) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
 - (ii) to avoid serious illness, serious injury or other risk of serious harm;
- (b) if required to do so by a constable.””

(1) S.I. 2020/574 (W. 132) as amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/942, S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277) and S.I. 2020/1232 (W. 278).

(2) S.I. 2020/1149 (W. 261).

(3) S.I. 2020/1219 (W. 276).

PART 3

Amendment of the No. 3 and No. 4 Regulations

Amendment of the No. 3 Regulations relating to persons who have recently been in Denmark

3.—(1) The No. 3 Regulations are amended as follows.

(2) After regulation 9 insert—

“Restrictions relating to persons who have recently been in Denmark

9A.—(1) This regulation applies where a person (“P”)—

- (a) is in Wales at 4.00 a.m. on 7 November 2020,
- (b) has arrived in Wales within the period of 14 days ending immediately before 4.00 a.m. on 7 November 2020, and
- (c) has been in Denmark within that period.

(2) Regulations 3 to 7 do not apply to P or to any person living in the same household with P.

(3) P, and any person living in the same household with P, may not leave the place where they are living until the end of the period of 14 days beginning with the day on which P arrived in Wales.

(4) But P, or a person living in the same household with P, may leave the place where they are living—

- (a) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
- (b) if required to do so by a constable;
- (c) to avoid serious illness, serious injury or other risk of serious harm.”

(3) In regulation 24(1), after “3(1)” insert or “9A(3)”.

(4) In regulation 26(1), after “3(1)” insert or “9A(3)”.

(5) In regulation 29(1)(b), after “5(1)” insert “, 9A(3)”.

Amendment of the No. 4 Regulations relating to persons who have recently been in Denmark

4.—(1) The No. 4 Regulations are amended as follows.

(2) After regulation 18 insert—

“CHAPTER 3

Special provision relating to persons who have recently been in Denmark

Restrictions relating to persons who have recently been in Denmark

18A.—(1) This regulation applies where a person (“P”)—

- (a) is in Wales at 4.00 a.m. on 7 November 2020,
- (b) has arrived in Wales within the period of 14 days ending immediately before 4.00 a.m. on 7 November 2020, and
- (c) has been in Denmark within that period.

(2) Regulations 4, 6 and 9 do not apply to P or to any person living in the same household with P.

(3) P, and any person living in the same household with P, may not leave the place where they are living until the end of the period of 14 days beginning with the day on which P arrived in Wales.

(4) But P, or a person living in the same household with P, may leave the place where they are living—

(a) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;

(b) if required to do so by a constable;

(c) to avoid serious illness, serious injury or other risk of serious harm.”

(3) In regulation 28(1), after “4(1)” insert or “18A(3)”.

(4) In regulation 31(1), after “4(1)” insert or “18A(3)”.

(5) In regulation 29(1)(b), after “16” insert “, 18A(3)”.

At 3.33 a.m. on 7th November 2020

Vaughan Gething
Minister for Health and Social Services, one of
the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 ([S.I. 2020/574 \(W. 132\)](#)) (the “International Travel Regulations”), the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations and the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 (together the “No. 3 and No. 4 Restriction Regulations”).

Part 2A of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. The Regulations impose requirements and restrictions on individuals, businesses and others.

There are 3 Parts to the Regulations.

Part 1 provides that these Regulations come into force at 4.00 a.m. on 7 November 2020.

Part 2 of the Regulations inserts provisions relating to Denmark into the International Travel Regulations as new regulation 12A. This provides that when a person has been in Denmark in the last 14 days and arrives in Wales on or after 4.00 a.m. on 7 November 2020, the categories of exempt persons as detailed at Schedule 2 to the International Travel Regulations do not apply, and sets out more limited circumstances in which a person may temporarily leave isolation. The isolation requirements also apply to any members of a household in which the person is isolating.

Part 3 of the Regulations inserts new provisions relating to persons who have recently been in Denmark into the No. 3 and No. 4 Restriction Regulations. These provisions will provide that where a person is in Wales at 4.00 a.m. on 7 November 2020 having arrived within the period of 14 days ending immediately before that time and been in Denmark during that period, that person and any member of that person’s household will need to isolate for a period of 14 days beginning with the day on which the person arrived in Wales.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.