
WELSH STATUTORY INSTRUMENTS

2020 No. 1477 (W. 316)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 3) (Wales) Regulations 2020

Approved by Senedd Cymru

<i>Made</i>	- - - -	<i>at 3.52 p.m. on 8th December 2020</i>
<i>Laid before Senedd Cymru</i>		<i>at 6.00 p.m. on 8th December 2020</i>
<i>Coming into force</i>	- -	<i>10th December 2020</i>

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

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.

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 3) (Wales) Regulations 2020.

(2) These Regulations come into force on 10 December 2020.

(3) In these Regulations—

(a) the “International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2), and

(1) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

(2) 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.

- (b) the “No. 4 Regulations” means the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020(3).

Amendment of the International Travel Regulations

2. In the International Travel Regulations—

- (a) in the following places, for “14” substitute “10”—
- (i) regulation 3(1)(b)(ii);
 - (ii) regulation 7(1)(b)(ii);
 - (iii) regulation 8(1)(b);
 - (iv) Schedule 1, paragraph 2(ia);
 - (v) Schedule 2, paragraphs 2(1)(a), 3(1)(b), 4(a), and 38(2)(c);
- (b) in regulation 10(4), after paragraph (e) insert—
- “(ea) where P is a child who does not live in the same household as P’s parents, or one of P’s parents, to continue existing arrangements for access to, and contact between, P and P’s parents, and for the purposes of this sub-paragraph, “parent” includes a person who is not a parent of P, but who has parental responsibility for, or who has care of, P;”
- (c) in regulation 12, for “14 days beginning with” substitute “10 days beginning with the day after”.

Transitional provision in connection with regulation 2

- 3.—(1) Paragraph (2) applies where, immediately before 10 December 2020—
- (a) a person (“P”) was subject to an isolation requirement, and
 - (b) P’s last day of isolation would, but for paragraph (2), be 10 December 2020 or later.
- (2) Regulation 12 of the International Travel Regulations applies to P as if for “14 days beginning with” there were substituted “10 days beginning with the day after”.
- (3) In paragraph (1)—
- (a) “isolation requirement” has the meaning given by regulation 10(2) of the International Travel Regulations, and
 - (b) the reference to P’s last day of isolation is to be interpreted in accordance with regulation 12 of those Regulations.

Amendment of the No. 4 Regulations

- 4.—(1) The No. 4 Regulations are amended as follows.
- (2) In regulation 11—
- (a) in paragraph (4), after “beginning with” insert “the day after”;
 - (b) in paragraph (5), after “beginning with” insert “the day after”.
- (3) In regulation 12—
- (a) in paragraph (4), for “beginning with the date” substitute “beginning with the day after the day”;

2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1329 (W. 295) and S.I. 2020/1362 (W. 301).

(3) S.I. 2020/1219 (W. 276) as amended by S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286) and S.I. 2020/1409 (W. 311).

- (b) in paragraph (5), after “beginning with” insert “the day after”.
- (4) In regulation 13—
 - (a) in paragraph (4), for “14 days beginning with” substitute “10 days beginning with the day after”;
 - (b) in paragraph (5)—
 - (i) in sub-paragraph (a), for “14 days beginning with” substitute “10 days beginning with the day after”;
 - (ii) in sub-paragraph (b), for “14 days beginning with” substitute “of 10 days beginning with the day after”.
- (5) In regulation 14—
 - (a) in paragraph (4), for “14 days beginning with” substitute “10 days beginning with the day after”;
 - (b) in paragraph (5)—
 - (i) in sub-paragraph (a), for “14 days beginning with” substitute “10 days beginning with the day after”;
 - (ii) in sub-paragraph (b), for “14 days beginning with” substitute “of 10 days beginning with the day after”.
- (6) In regulation 15(2), after sub-paragraph (h) insert—
 - “(i) where the person is a child who does not live in the same household as the child’s parents, or one of the child’s parents, to continue existing arrangements for access to, and contact between, the child and the child’s parents, and for the purposes of this sub-paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child.”
- (7) In regulation 18(2)(a), omit paragraph (iv).

Transitional provision in connection with regulation 4

5. Where a person is, immediately before 10 December 2020 subject to a requirement in regulation 11(2), 12(2), 13(2) or 14(2) of the No. 4 Regulations, Part 4 of those Regulations applies from 10 December 2020 to the person subject to the amendments made in regulation 4.

At 3.52 p.m. on 8 December 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 make amendments to the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 ([S.I. 2020/574 \(W. 132\)](#)) (the “International Travel Regulations”) and the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 ([S.I. 2020/1219 \(W. 276\)](#)) (the “No. 4 Regulations”).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with the Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply. Persons entering Wales after being in one or more of the countries and territories listed in Schedule 3 to the International Travel Regulations are not required to isolate.

Regulation 2 amends the International Travel Regulations to reduce the period for which a person is required to isolate from 14 days to 10 days.

Regulation 3 makes transitional provision with the effect that a person who is subject to an isolation requirement under the International Travel Regulations when the amendments in regulation 2 come into force will only be required to isolate for a period of 10 days. If the person is already beyond the 10th day of their isolation period at that point, they may immediately stop isolating.

Regulation 4 amends the No. 4 Regulations to—

- (a) provide that a person’s period of isolation begins on the day after the event which triggers the requirement (for example – a positive test, the first day that symptoms are experienced, or the day when close contact with a person who has tested positive occurred);
- (b) provide that a person subject to a requirement under regulation 13 or 14 of the No. 4 Regulations to isolate as a result of having had close contact with a person who has tested positive for coronavirus must isolate for 10 days instead of 14;
- (c) permit a child who is required to isolate under regulation 12 or 14 of the No. 4 Regulations to move between parental households during the period of isolation if this is in line with existing arrangements relating to custody and contact with the child’s parents;
- (d) remove the ability for a contact tracer to disclose information about fixed penalties issued or criminal proceedings brought in relation to the commission of an offence of contravening the requirements imposed by the provisions of the No. 4 Regulations relating to isolation requirements (contact tracers do not have access to that information so this provision was redundant).

Regulation 5 provides that when the amendments in regulation 4(2) come into force is subject to an isolation requirement under the No. 4 Regulations is subject to those requirements as amended by regulation 4(2). For example, if the person is isolating for a period of 14 days that period is reduced to 10 days when the amendments come into force. If the person is already beyond the 10th day of their isolation period at that point, they may immediately stop isolating.

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.

