
WELSH STATUTORY INSTRUMENTS

2020 No. 1522 (W. 326)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus Restrictions)
(No. 4) (Wales) (Amendment) Regulations 2020**

Approved by Senedd Cymru

<i>Made</i>	- - - -	<i>at 4.52 p.m. on 11 December 2020</i>
<i>Laid before Senedd Cymru</i>		<i>at 8.00 p.m. on 11 December 2020</i>
<i>Coming into force</i>	- -	<i>at 14 December 2020</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 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 and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force on 14 December 2020.

⁽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.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020(2) are amended as follows.

- (2) In regulation 7(2)(c)—
 - (a) in paragraph (i), after “film” insert “at a drive-in cinema”;
 - (b) after that paragraph insert—
 - “(ia) a performance at a drive-in theatre;”.
- (3) In regulation 19, omit paragraph (1A).
- (4) In regulation 47, after paragraph (4) insert—
 - “(4A) For the purposes of these Regulations, the premises of a cinema or theatre is a drive-in cinema or theatre if—
 - (a) the premises are outdoors, and
 - (b) persons attending the showing of a film or performance at the premises—
 - (i) may only do so in an enclosed vehicle, and
 - (ii) may not, in so far as is reasonably practicable, leave the vehicle while at the premises.”
- (5) In Schedule 1—
 - (a) in paragraph 3, after “Theatres” insert “other than drive-in theatres”;
 - (b) in paragraph 6, after “amusement arcades” insert “, trampoline parks and centres, indoor skate parks and centres”;
 - (c) in paragraph 8, after “Cinemas” insert “other than drive-in cinemas”.

At 4.52 p.m. on 11 December 2020

Mark Drakeford
First Minister, one of the Welsh Ministers

(2) S.I. 2020/1219 (W. 276) as amended by S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286), S.I. 2020/1409 (W. 311) and S.I. 2020/1477 (W. 316).

EXPLANATORY NOTE

(This note is not part of the 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.

These Regulations make amendments to the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 ([S.I. 2020/1219 \(W. 276\)](#)) (the “principal Regulations”) to—

- (a) require all cinemas, funfairs, amusement parks, theme parks, museums, galleries and visitor attractions to be closed, whether indoors or outdoors;
- (b) clarify that trampoline parks and centres and indoor skate parks and centres must be closed;
- (c) (despite the requirements on certain business premises to be closed) allow drive-in cinemas and theatres to open subject to the requirement in the principal Regulations for all reasonable measures to be taken on business premises to minimise the risk of exposure to coronavirus.

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.