
WELSH STATUTORY INSTRUMENTS

2020 No. 574

**The Health Protection (Coronavirus,
International Travel) (Wales) Regulations 2020**

PART 4

Enforcement and offences

Enforcement of requirement to isolate

[^{F1}13.—(1) Where an authorised person has reasonable grounds to believe that a person (“P”) has left, or is outside of, the place where P is isolating in contravention of regulation 7(3) or 8(3) (b) the authorised person may—

- (a) direct P to return to the premises where P is residing;
- (b) where the authorised person is a constable, remove P to the premises where P is residing;
- (c) where the authorised person is a constable and it is not practicable or appropriate in the circumstances to take the action in sub-paragraph (a) or (b), remove P to premises secured by the Welsh Ministers which are suitable for P to reside in for the purposes of regulation 7(3) or 8(3)(b).

(2) Where an authorised person has reasonable grounds to believe that P is a person who falls within regulation 12E(3A), an authorised person may do any of the following for the purpose of ensuring that P complies with a requirement in regulations 7 and 8—

- (a) give a direction to P, including a direction—
 - (i) that P remain in a particular area of a port to await transportation to a specified premises;
 - (ii) that P move to a particular place to board transportation to a specified premises;
 - (iii) that P board transportation to travel to specified premises;
 - (iv) that P remain in the premises where P is residing;
- (b) remove P to a specified premises.

(3) Where an authorised person has reasonable grounds to believe that P is a person who falls within regulation 12E(3A) and that P has committed an offence under regulation 14(1)(g), the authorised person may—

- (a) require P to produce their passport or travel document for examination,
- (b) detain P for up to three hours,
- (c) search P and any baggage belonging to P or under P’s control, or any vehicle in which P has travelled, for evidence, other than items subject to legal privilege, that relates to the possible commission of an offence under regulation 14(1)(g), and
- (d) seize and retain any document or article recovered by a search under sub-paragraph (c).

(4) Paragraph (3) does not confer a power to detain or search an unaccompanied child.

Status: Point in time view as at 08/06/2021. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020, Section 13. (See end of Document for details)

(5) Any search under paragraph (3) must be conducted by an authorised person of the same gender as P.

(6) Paragraph (3) does not confer a power to conduct an intimate search.

(7) An authorised person exercising the power in paragraph (1)(b) or (c), (2)(b) or (3) may use reasonable force, if necessary, in the exercise of the power.

(8) Where P is a child, and has left or is outside of, the premises where they are residing and is accompanied by an individual who has responsibility for them—

(a) an authorised person may direct that individual to take P to the premises where P is residing, and

(b) that individual must, so far as reasonably practicable, ensure that P complies with any direction given by an authorised person to P.

(9) Where P is a child, and an authorised person has reasonable grounds to believe that P is repeatedly failing to comply with a requirement in regulation 7 or 8, the authorised person may direct any individual who has responsibility for P to ensure, so far as reasonably practicable, that P so complies.

(10) An authorised person may take such other action as the authorised person considers necessary and proportionate to facilitate the exercise of a power conferred on the authorised person by this regulation.

(11) An authorised person may only exercise a power conferred on the authorised person by this regulation if the authorised person considers that it is a necessary and proportionate means of ensuring compliance with a requirement in regulation 7 or 8.

(12) For the purposes of this regulation—

“authorised person” (“*person awdurdodedig*”) means—

(a) a constable, or

(b) for the purposes of paragraphs (2), (3) and (10) only, an immigration officer;

“specified premises” (“*mangre benodedig*”) means a premises specified under regulation 7 or a premises deemed suitable under regulation 8.]

Textual Amendments

F1 Reg. 13 substituted (20.3.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/361\)](#), regs. 1(2), 5

Status:

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Changes to legislation:

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