

WELSH STATUTORY INSTRUMENTS

2020 No. 595

The Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020

PART 3

Offences, penalties and prosecutions

Offences

6.—(1) A person who contravenes a requirement in regulation 3(1) or (3), [^{F1}regulation 3A(2) or ^{F2}...] or regulation 4 commits an offence.

(2) It is a defence to a charge of committing the offence of contravening the requirement in [^{F3}[^{F4}regulation 3(1), regulation 3A(2) ^{F5}...]] or regulation 4 to show that the person had a reasonable excuse for the contravention.

(3) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine.

Textual Amendments

- F1** Words in reg. 6(1) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **3(5)(a)**
- F2** Word in reg. 6(1) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **24(a)**
- F3** Words in reg. 6(2) inserted (12.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1521\)](#), regs. 1(2), 7
- F4** Words in reg. 6(2) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **3(5)(b)**
- F5** Words in reg. 6(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/584\)](#), regs. 1(2), **24(b)**

Commencement Information

- I1** Reg. 6 in force at 17.6.2020, see reg. 1(2)

Fixed penalty notices

7.—(1) An authorised person may issue a fixed penalty notice to any person (“P”) that the authorised person reasonably believes has committed an offence under regulation 6(1).

(2) A fixed penalty notice is a notice offering P the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

Status: Point in time view as at 30/11/2021.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020, PART 3. (See end of Document for details)

- (a) the Welsh Ministers, or
 - (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation.
- (3) Where a notice is issued under paragraph (1) in respect of an offence—
- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
 - (b) P may not be convicted of the offence if P pays the fixed penalty before the end of that period.
- (4) A fixed penalty notice must—
- (a) describe the circumstances alleged to constitute the offence,
 - (b) state the period during which (because of paragraph (3)(a)) proceedings will not be taken for the offence,
 - (c) specify the amount of the fixed penalty,
 - (d) state the name and address of the person to whom the fixed penalty may be paid, and
 - (e) specify permissible methods of payment.
- [^{F6}(5) The amount of fixed penalty specified under paragraph 4(c) is to be—
- (a) in the case of the first penalty notice received, £1000;
 - (b) in the case of the second penalty notice received, £2000;
 - (c) in the case of the third penalty notice received, £4000;
 - (d) in the case of the fourth and any subsequent fixed penalty notice received, £10,000.]
- (6) In any proceedings, a certificate—
- (a) that purports to be signed by or on behalf of—
 - (i) the Welsh Ministers, or
 - (ii) a person designated by the Welsh Ministers under paragraph (2)(b), and
 - (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,
- is evidence of the facts stated.

Textual Amendments

F6 Reg. 7(5) substituted (12.12.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Public Health Information to Travellers\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1521\)](#), regs. 1(2), **8**

Commencement Information

I2 Reg. 7 in force at 17.6.2020, see reg. 1(2)

Prosecutions

8. No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or an authorised person.

Commencement Information

I3 Reg. 8 in force at 17.6.2020, see reg. 1(2)

Status:

Point in time view as at 30/11/2021.

Changes to legislation:

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