
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.

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (S.I. 2020/1609 (W. 335)) (“the principal Regulations”) to insert new regulation 18B into the principal Regulations to provide that no person may leave the place where they are living for the purposes of work where it is reasonably practicable for the person to work from home. New regulation 42A is inserted into the principal Regulations to provide for an offence of failing to comply with the regulation 18B requirement.

A related provision is inserted into regulation 16 of the principal Regulations to provide that the reasonable measures that a person responsible for regulated premises may take under that regulation include allowing or requiring persons who ordinarily work at the premises to work from home.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. In accordance with the Code, a regulatory impact assessment as to the likely cost and benefit of complying with these Regulations has not been carried out, due to the need to put them in place urgently to deal with a serious and imminent threat to public health.