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## 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”).

The amendments—

- provide that the whole of Wales moves from Alert Level 3 to Alert Level 2, meaning that the restrictions and requirements in Schedule 2 to the principal Regulations take effect;
- amend Schedule 2 to change the rule on gathering with others anywhere other than in people’s homes or in holiday or travel accommodation, so that 6 people from different households can meet (rather than 4);
- provide that the principal Regulations expire at the end of the day on 27 August 2021 (rather than 28 May 2021);
- disapply the restriction on leaving Wales to go to a destination outside the common travel area without a reasonable excuse and on presenting an international travel declaration form if doing so;
- relax the rules on service in cinemas, sports grounds and theatres so that customers only have to be seated when consuming food or drink (and not when ordering or being served);
- clarify that, for the purposes of the principal Regulations, an “organised activity” is a “gathering” by renaming it as a “regulated gathering”;
- amend the provision that enables the Welsh Ministers to authorise specific events so that they can authorise events at which any number of people can attend (including a number that is already permitted) and can modify the requirements to take reasonable measures to minimise the spread of coronavirus that would otherwise apply in accordance with regulations 16, 17 and 17A;
- clarify that the exception to the prohibition on large scale events that applies to the showing of a film, a theatrical performance, a market and a religious service only has effect where it takes place in premises ordinarily used for those purposes or outdoors (though at Alert Levels 3 and 4 this change only applies to markets and religious services).

The Regulations also amend the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020 (S.I. 2020/1011 (W. 235)) to change their expiry date to 27 August 2021.

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.