
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 Regulations amend the principal Regulations to provide that from 6.00 a.m. on 7 August 2021, no alert level applies to Wales. This means that none of the restrictions and requirements in Schedules 1 to 4 to the principal Regulations apply. The effect is that:

- there are no specific limits on the number of people who can gather together, including in private homes and in public places;
- there are no specific limits on the number of people that may attend regulated events at any time;
- there are no requirements for any particular types of businesses or services to close.

The restrictions and requirements in other parts (aside from Schedules 1 to 4) of the principal Regulations continue to apply, including requirements on persons responsible for regulated premises to take reasonable measures to minimise the risk of exposure to coronavirus at the premises, and requirements to wear face coverings on public transport and in particular indoor public places.

Despite the relaxation of the rules on people gathering and attending events, the reasonable measures (under regulation 16 of the principal Regulations) that continue to be required on regulated premises mean that those responsible for the premises may need to set limits on the numbers of people who can gather, and on the capacity of events.

These Regulations also amend the requirement in Part 3 of the principal Regulations for a person to isolate after being notified by a contact tracer that they have had close contact with a person who has tested positive for coronavirus. The Regulations insert a new exemption at regulation 10(5) of the principal Regulations to provide that adults are no longer required to isolate after such a notification if they have completed, in the United Kingdom, a course of doses of an authorised vaccine at least 14 days before they had the close contact, or are participating in a clinical trial in the United Kingdom of a vaccine against coronavirus. The amendments also omit regulation 9 of the principal Regulations so that there is no longer a requirement for persons aged under 18 to isolate after such a notification.

The Regulations also insert new regulation 10A into the principal Regulations to provide that where a child, or a person to whom the new exemption at regulation 10(5) applies, is required to isolate immediately before these Regulations come into force after being notified that they have had close contact with a person who has tested positive for coronavirus, the isolation requirement comes to an end at the beginning of the day on 7 August 2021.

There is no change to the requirements for persons to isolate after being notified that they have tested positive for coronavirus.

The Regulations also amend the principal Regulations to—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- provide that the principal Regulations expire at the end of the day on 26 November 2021 (rather than 27 August 2021);
- remove the specific requirement in regulation 16 of the principal Regulations for the person responsible for regulated premises to take all reasonable measures to ensure that a distance of 2 metres is maintained between any persons indoors on the premises (but the person responsible must continue to comply with the remainder of regulation 16 by taking all reasonable measures, based on a risk assessment, to minimise the risk of exposure to coronavirus at the premises, which may include physical distancing);
- remove the specific requirements in regulations 17 and 17A of the principal Regulations for persons responsible for licensed premises and retail premises to take particular measures to minimise the risk of exposure to coronavirus (but again, those persons must continue to comply with regulation 16 of the principal Regulations, and the measures that may be reasonable to take under that regulation may include measures that were previously specifically required to be taken under regulation 17 (for example, requiring customers to be seated when being served with food or drink in licensed premises) or regulation 17A (for example, limiting the number of customers who are on retail premises at any one time));
- remove the requirement to wear a face covering in indoor public areas of premises where food or drink is sold for consumption on the premises (but where different types of businesses also operate from such premises, face coverings must still be worn in those parts of the premises where food or drink is not sold for consumption on the premises).

The Regulations also make other minor amendments, including amendments that are consequential on the amendments set out above.

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 26 November 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.