
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in response to the ongoing danger to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. Section 45B of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of (amongst other things) preventing danger to public health from “vessels, aircraft, trains or other conveyances arriving at any place”.

The Regulations amend the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595 (W. 136)) (“the Public Health Information Regulations”) and the Health Protection (Coronavirus, International Travel, Pre-Departure Testing and Operator Liability) (Wales) (Amendment) Regulations 2021 (S.I. 2021/48 (W. 11)) (“the Operator Liability Regulations”).

The Public Health Information Regulations and the Operator Liability Regulations impose requirements on persons operating international passenger services arriving into Wales from outside the common travel area (“operators”).

In consequence of the revocation and replacement of the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) by the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2022 (S.I. 2022/126 (W. 41)), these Regulations make amendments to the Public Health Information Regulations and Operator Liability Regulations.

The Public Health Information Regulations are also amended to provide that operators need only provide specified information to passengers pre-departure and on-board an international passenger service. The Schedule is amended to update the information that must be provided to passengers.

In addition, the Operator Liability Regulations are amended to replace the current suite of obligations on operators with an obligation to maintain adequate processes and systems to ensure that passengers possess certain information or evidence. Operators are also required to retain such records and information as are required to show that they have maintained adequate systems and processes. Amendments are also made to ensure that a fixed penalty notice can be issued in respect of an ongoing breach of the new duty where a previous fixed penalty notice issued in respect of the breach has been paid.

There has been no regulatory impact assessment in relation to these Regulations due to the need to put them in place urgently to deal with a serious and imminent threat to public health.

<p>F1 Regulations revoked (18.3.2022 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel, Operator Liability and Public Health Information to Travellers etc.) (Wales) (Revocation) Regulations 2022 (S.I. 2022/315), reg. 1(2), Sch. para. 60</p>
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Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022 (revoked).