
WELSH STATUTORY INSTRUMENTS

2022 No. 450 (W. 109)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus Restrictions)
(No. 5) (Wales) (Amendment) (No. 9) Regulations 2022**

Approved by Senedd Cymru

<i>Made</i>	- - - -	<i>at 11.12 a.m. on 13 April 2022</i>
<i>Laid before Senedd Cymru</i>		<i>at 5.00 p.m. on 13 April 2022</i>
<i>Coming into force</i>	- -	<i>18 April 2022</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3)(c), 45F(2) and 45P(2) of the Public Health (Control of Disease) Act 1984(1).

These Regulations are made in response to the threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022.

(2) These Regulations come into force on 18 April 2022.

Amendment to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020(2) are amended as follows.

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- (1) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.
- (2) S.I. 2020/1609 (W. 335) as amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150),

- (2) In regulation 3, for “18 April 2022” substitute “9 May 2022”.
- (3) Omit Part 4, except paragraph (1) of regulation 15.
- (4) In the heading to regulation 15, omit “and responsible persons”.
- (5) In regulation 25—
 - (a) omit paragraph (1);
 - (b) in paragraph (3)—
 - (i) omit sub-paragraph (a)(i);
 - (ii) omit sub-paragraph (b).
- (6) Omit regulation 26.
- (7) In regulation 42, omit paragraphs (3) to (5).
- (8) In regulation 52(1), omit “, (3) or (4)”.
- (9) In regulation 57(1), omit sub-paragraphs (e) and (f). —
- (10) Omit Schedules 8 and 9.

At 11.12 a.m. on 13 April 2022

Mark Drakeford
First Minister, one of the Welsh Ministers

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 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 principal Regulations expire at the end of the day on 9 May 2022 (rather than 18 April 2022);
- omit Part 4 of the principal Regulations, which requires persons responsible for regulated premises to take all reasonable measures to minimise the risk of exposure to coronavirus at the premises (but Welsh Government guidance on minimising the risk of the transmission of coronavirus remains relevant).

The Regulations also make amendments that are consequential on the amendments set out above.

As amended by these Regulations, the principal Regulations continue to provide that 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 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.