
WELSH STATUTORY INSTRUMENTS

2021 No. 1248 (W. 320)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus Restrictions) (No. 5)
(Wales) (Amendment) (No. 19) Regulations 2021**

<i>Made</i>	- - - -	<i>at 8.27 p.m. on 9 November 2021</i>
<i>Coming into force</i>	- -	<i>at 7.00 a.m. on 15 November 2021</i>

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

In accordance with section 45Q(4)(2) of that Act, a draft of this instrument has been laid before and approved by a resolution of Senedd Cymru.

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.

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.

Title and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 19) Regulations 2021.

(2) These Regulations come into force at 7.00 a.m. on 15 November 2021.

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

2. In regulation 16A of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020⁽³⁾—

(1) 1984 c. 22. Section 45C was inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under this section 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) Section 45Q was inserted by section 129 of the Health and Social Care Act 2008.

(3) 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), S.I. 2021/542 (W. 154), S.I. 2021/583 (W. 160), S.I. 2021/668 (W. 169), S.I. 2021/686 (W. 172), S.I. 2021/722 (W. 183), S.I.

Status: This is the original version (as it was originally made).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

- (a) in the heading, for “premises where music is provided for dancing or” substitute “specified hospitality and entertainment venues and premises”;
- (b) in paragraph (2), after sub-paragraph (d) insert—
 - “(e) a cinema, other than a drive-in cinema;
 - (f) a concert hall or theatre, other than a drive-in theatre.”

At 8.27 p.m. on 9 November 2021

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 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 \(W. 335\)](#)) so as to provide that regulation 16A of those Regulations also applies to persons responsible for cinemas, concert halls and theatres. Those persons must now take reasonable measures to ensure that an adult is permitted to be present on the premises only if they have evidence of particular matters, including vaccination with an authorised vaccine.

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.