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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1623 (W. 340)**

**PUBLIC HEALTH, WALES**

**The Health Protection (Coronavirus Restrictions)  
(No. 5) (Wales) (Amendment) (No. 2) Regulations 2020**

*Approved in Senedd Cymru*

<i>Made</i>	- - - -	<i>21 December 2020</i>
		<i>at 10.00 a.m. on 22</i>
<i>Laid before Senedd Cymru</i>		<i>December 2020</i>
		<i>at 12.01 a.m. on 22</i>
<i>Coming into force</i>	- -	<i>December 2020</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 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.

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. 2) Regulations 2020.

(2) These Regulations come into force at 12.01 a.m. on 22 December 2020.

**Amendment of 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).

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**Status:** This is the original version (as it was originally made).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

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- (2) In regulation 25(3)(a)(v), for “or 10(1)” substitute “, 10(1) or 11(3)”.
- (3) In regulation 27(1)(e), for “or 10(1)” substitute “, 10(1) or 11(3)”.
- (4) In regulation 42(1)(d), for “or 10(1)” substitute “, 10(1) or 11(3)”.

*Mark Drakeford*  
First Minister, one of the Welsh Ministers

21 December 2020

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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)) to make it an offence in an Alert Level 4 area for the person responsible for a business which is licensed for the sale or supply of alcohol for consumption off the premises to sell or supply alcohol between the hours of 10.00 p.m. and 6.00 a.m., and to make consequential amendments relating to the enforcement of that offence.

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.