
WELSH STATUTORY INSTRUMENTS

2020 No. 817 (W. 179)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2020

<i>Made</i>	- - - -	<i>at 5.35 p.m. on 30 July 2020</i>
<i>Laid before Senedd Cymru</i>		<i>31 July 2020</i>
<i>Coming into force</i>	- -	<i>at 11.59 p.m. on 30 July 2020</i>

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

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2020.

(2) These Regulations come into force at 11.59 p.m. on 30 July 2020.

(3) In these Regulations, the “International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020(2).

Amendments to the International Travel Regulations

2. The International Travel Regulations are amended in accordance with regulations 3, 6, 8 and 9.

Additions to the list of exempt countries and territories

3. In Part 1 of Schedule 3 (exempt countries and territories outside the common travel area), at the appropriate places insert—

“Estonia”

“Latvia”

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The function of making regulations under Part 2A is 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. 2020/574 (W. 132) as amended by S.I. 2020/595 (W. 136), S.I. 2020/714 (W. 160), S.I. 2020/726 (W. 163) and S.I. 2020/804 (W. 177).

“Saint Vincent and the Grenadines”

“Slovakia”

“Slovenia”.

Transitional provisions relating to regulation 3

4.—(1) Paragraph (2) applies where, immediately before 31 July 2020—

- (a) a person (“P”) was subject to an isolation requirement by virtue of having arrived in Wales from, or having been in, a country listed in regulation 3, and
- (b) P’s last day of isolation is 31 July 2020 or a day after that day.

(2) The addition of the countries listed in regulation 3 to Schedule 3 to the International Travel Regulations does not affect the isolation requirement as it applies to P, nor affect how P’s last day of isolation is determined under the International Travel Regulations.

(3) In this regulation, “isolation requirement” has the meaning given by regulation 10(2) of the International Travel Regulations; and references to P’s last day of isolation are to be interpreted in accordance with regulation 12 of those Regulations.

5.—(1) Paragraph (2) applies where a person (“P”)—

- (a) arrives in Wales on or after 31 July 2020, and
- (b) was in a country listed in regulation 3 within the period of 14 days ending with the day of P’s arrival in Wales.

(2) For the purposes of regulations 7(1) and 8(1) of the International Travel Regulations, the question of whether P has arrived in Wales from, or having been in, a non-exempt country or territory is, in relation to a country listed in regulation 3, to be determined by reference to whether the country was a non-exempt country when P was last there (and not by reference to the country’s status upon P’s arrival in Wales).

Removal of Luxembourg from the list of exempt countries and territories

6. In Part 1 of Schedule 3 (exempt countries and territories outside the common travel area), omit “Luxembourg”.

Transitional provision relating to Luxembourg

7.—(1) Paragraph (2) applies where a person (“P”)—

- (a) arrives in Wales on or after 31 July 2020, and
- (b) was last in Luxembourg—
 - (i) within the period of 14 days ending with the day of P’s arrival in Wales, and
 - (ii) before 31 July 2020.

(2) P is, by virtue of having been in Luxembourg, to be treated for the purposes of regulations 7(1) and 8(1) of the International Travel Regulations as having arrived in Wales from, or having been in, a non-exempt country or territory.

Additions to the list of specified sporting events

8.—(1) Schedule 4 (specified sporting events) is amended as follows.

(2) In paragraph 2, for “— test matches.” substitute—

“—

- (a) test matches;
 - (b) one day international matches;
 - (c) international T20 matches.”
- (3) In paragraph 4, for “— UEFA Champions League and Europa League fixtures.” substitute—
“—
- (a) UEFA Champions League and Europa League fixtures;
 - (b) international fixtures.”
- (4) In paragraph 5, at the end insert—
“(l) European Tour – Irish Challenge.”
- (5) In paragraph 6, at the end insert—
“(e) St Leger Festival;
(f) Dubai Future Champions Festival;
(g) QIPCO British Champions Day;
(h) The Showcase meeting, Cheltenham.”
- (6) In paragraph 9, for “— international fixtures.” substitute—
“—
- (a) international fixtures;
 - (b) European Professional Club Rugby fixtures;
 - (c) Guinness PRO14 fixtures.”
- (7) At the end insert—
“**11.** Athletics — London Marathon.
12. Field hockey — FIH Pro League fixtures.
13. Tennis — ATP Tour Finals.”

Meaning of “sewerage licensee”

9. In Part 2 of Schedule 2 (persons not required to comply with regulations 7 or 8), in paragraph 17(2)(b), for “has the meaning given in section 17BA(6) and 219(1)” substitute “means a person who is the holder of a sewerage licence under section 17BA(3)”.

At 5.35 p.m. on 30th July 2020

Mark Drakeford
The First Minister, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132)) (the “International Travel Regulations”). The International Travel Regulations have been previously amended by:

- the Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (S.I. 2020/595) (W. 136);
- the Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) Regulations 2020 (S.I. 2020/714) (W. 160);
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) Regulations 2020 (S.I. 2020/726) (W. 163); and
- the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/804) (W. 177).

The International Travel Regulations impose requirements on persons entering Wales after having been abroad. They include a requirement for persons arriving in Wales to isolate for a period determined in accordance with the Regulations. The requirements imposed by the International Travel Regulations are subject to exceptions, and certain categories of person are exempt from having to comply. Persons entering Wales after being in one or more of the countries and territories listed in Schedule 3 to the International Travel Regulations are not required to isolate. The countries and territories listed in Schedule 3 are referred to as “exempt countries and territories”.

Regulation 3 of these Regulations amends the International Travel Regulations to add Estonia, Latvia, Saint Vincent and the Grenadines, Slovakia and Slovenia to the Schedule 3 list of exempt countries and territories.

Regulations 4 and 5 make transitional provision in connection with the change in the countries’ status as exempt countries. These regulations address potential areas of doubt in terms of the effect of the amendments made by regulation 3 on the operation of requirements to isolate imposed by the International Travel Regulations.

Regulation 4 applies where a person is already in Wales and subject to an isolation requirement at the point the amendments in regulation 3 take effect.

In such a case, regulation 4 confirms that the addition of the countries listed in regulation 3 to Schedule 3 to the International Travel Regulations does not curtail the person’s isolation requirement; the person will still have to isolate until the end of the isolation period as initially determined when the person arrived in Wales.

Regulation 5 applies where a person arrives in Wales on or after 31 July 2020 after having been in one of the countries listed in regulation 3 in the 14 days prior to arriving in Wales.

In such a case, for the purpose of determining whether the person is subject to an isolation requirement under the International Travel Regulations, the question of whether the person arrived in Wales from, or having been in, a non-exempt country or territory is to be determined by reference to the status of the country when the person was there last.

This means that if a person leaves a country listed in regulation 3 before 31 July 2020, then arrives in Wales within 14 days (and on or after 31 July 2020), the person will, for the purposes of the International Travel Regulations, be treated as having arrived from, or having been in, a non-exempt country or territory.

Regulation 6 amends the International Travel Regulations to remove Luxembourg from the list of exempt countries and territories.

Regulation 7 makes transitional provision relating to Luxembourg's change of status. If a person arrives in Wales on or after 31 July 2020 having last been in Luxembourg before that date and within 14 days of arriving in Wales, the person is to be treated for the purposes of regulations 7(1) and 8(1) of the International Travel Regulations as having arrived from, or having been in, a non-exempt country or territory. The person may, therefore, be subject to isolation requirements under the International Travel Regulations.

Regulation 8 adds further events and fixtures to the list of sporting events in Schedule 4 to the International Travel Regulations.

In accordance with regulation 10(4) of the International Travel Regulations, a person that would otherwise be required to isolate in accordance with regulation 7 or 8 of those Regulations may leave the premises at which they are isolating in order to compete etc. at these sporting events.

Regulation 9 of these Regulations corrects the definition of a "sewerage licensee" in Schedule 2 to the International Travel Regulations.

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.