

Regulations made by the Welsh Ministers, laid before Senedd Cymru under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of Senedd Cymru within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.

WELSH STATUTORY INSTRUMENTS

2020 No. 1040 (W. 230)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus Restrictions) (No. 2)
(Wales) (Amendment) (No. 13) (Llanelli etc.) Regulations 2020**

<i>Made</i>	- - - -	<i>at 1.31 p.m. on 25 September 2020</i>
<i>Laid before Senedd Cymru</i>		<i>at 5.30 p.m. on 25 September 2020</i>
<i>Coming into force</i>	- -	<i>at 6.00 p.m. on 26 September 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 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 the amendments made 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. The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 13) (Llanelli etc.) Regulations 2020 and they come into force at 6.00 p.m. on 26 September 2020.

⁽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.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

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

- (2) In regulation 12(6), for “regulation 12ZA” substitute “regulations 12ZA and 12ZB”.
- (3) After regulation 12ZA insert—

“Application of certain restrictions to “bring your own” premises

12ZB. Regulations 12(2B) to (2E) and 12ZA(2) to (4) apply to open premises not authorised for the sale or supply of alcohol for consumption on the premises, but which allow customers to consume their own alcohol in the premises, as they apply to open premises that are authorised for the sale or supply of alcohol for consumption on the premises.”

- (4) In Schedule 4A, in paragraph 1, after paragraph (f) insert—

- “(g) the area comprising the following electoral divisions(3) in the county of Carmarthenshire—
 - (i) Bigyn;
 - (ii) Bynea;
 - (iii) Dafen;
 - (iv) Elli;
 - (v) Felinfoel;
 - (vi) Glanymor;
 - (vii) Hendy;
 - (viii) Hengoed;
 - (ix) Llangennech;
 - (x) Lliedi;
 - (xi) Llwynhendy;
 - (xii) Tyisha;
 - (xiii) Swiss Valley.”

At 1.31 p.m. on 25 September 2020

Mark Drakeford
First Minister, one of the Welsh Ministers

(2) S.I. 2020/725 (W. 162), as amended by S.I. 2020/752 (W. 169), S.I. 2020/803 (W. 176), S.I. 2020/820 (W. 180), S.I. 2020/843 (W. 186), S.I. 2020/867 (W. 189), S.I. 2020/884 (W. 195), S.I. 2020/912 (W. 204), S.I. 2020/961 (W. 215), S.I. 2020/985 (W. 222), S.I. 2020/1007 (W. 224), S.I. 2020/1011 (W. 225), S.I. 2020/1022 (W. 227) and S.I. 2020/1035 (W. 229).

(3) The names and areas of which were specified (among other electoral divisions) by the County of Carmarthenshire (Electoral Arrangements) Order 1998 (S.I. 1998/3136).

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. 2) (Wales) Regulations 2020 (the “principal Regulations”). The amendments—

- (a) designate 13 electoral wards (referred to in legislation as electoral “divisions”) in the Llanelli area as a local health protection area that is subject to specific restrictions and requirements;
- (b) provides that for certain purposes (opening hours and requirement for customers to be seated) open premises which are not licensed to sell or supply alcohol, but which allow people to consume their own alcohol on the premises, are to be subject to the same requirements as premises which are authorised for the sale or supply of alcohol.

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.