
WELSH STATUTORY INSTRUMENTS

2020 No. 1362 (W. 301)

PUBLIC HEALTH, WALES

The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 21) Regulations 2020

| | | |
|---------------------------------|---------|---|
| <i>Made</i> | - - - - | <i>at 2.14 p.m. on 27 November 2020</i> |
| <i>Laid before Senedd Cymru</i> | | <i>at 5.00 p.m. on 27 November 2020</i> |
| <i>Coming into force</i> | - - | <i>at 4.00 a.m. on 28 November 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.

PART 1

General

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 21) Regulations 2020.

(2) These Regulations come into force at 4.00 a.m. on 28 November 2020.

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

(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), S.I. 2020/804 (W. 177), S.I. 2020/817 (W. 179), S.I. 2020/840 (W. 185), S.I. 2020/868 (W. 190), S.I. 2020/886 (W. 196), S.I. 2020/917 (W. 205), S.I. 2020/942, S.I. 2020/944 (W. 210), S.I. 2020/962 (W. 216), S.I. 2020/981 (W. 220), S.I. 2020/1015 (W. 226), S.I. 2020/1042 (W. 231), S.I. 2020/1080 (W. 243), S.I. 2020/1098 (W. 249), S.I. 2020/1133 (W. 258), S.I. 2020/1165 (W. 263), S.I. 2020/1191 (W. 269), S.I. 2020/1223 (W. 277), S.I. 2020/1232 (W. 278), S.I. 2020/1237 (W. 279), S.I. 2020/1288 (W. 286) and S.I. 2020/1329 (W. 295).

PART 2

Amendments to the list of exempt countries and territories in Schedule 3 to the International Travel Regulations

Removal of countries from the list of exempt countries and territories

2. In Part 1 of Schedule 3 to the International Travel Regulations (exempt countries and territories outside the common travel area), omit the following entries—

“Estonia”

“Latvia”.

Transitional provision in connection with regulation 2

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

(a) arrives in Wales at or after 4.00 a.m. on 28 November 2020, and

(b) was last in a country listed in regulation 2—

(i) within the period of 14 days ending with the day of P’s arrival in Wales, and

(ii) before 4.00 a.m. on 28 November 2020.

(2) P is, by virtue of having been in a country listed in regulation 2 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 exempt countries and territories

4. In Part 1 of Schedule 3 to the International Travel Regulations (exempt countries and territories outside the common travel area), at the appropriate place insert—

“Aruba”

“Democratic Republic of Timor-Leste”

“Federated States of Micronesia”

“Independent State of Samoa”

“Kingdom of Bhutan”

“Kingdom of Tonga”

“Mongolia”

“Republic of Kiribati”

“Republic of Vanuatu”

“Solomon Islands”.

Transitional provision in connection with regulation 4

5.—(1) Paragraph (2) applies where, immediately before 4.00 a.m. on 28 November 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 or territory listed in regulation 4, and

(b) P’s last day of isolation is 28 November 2020 or a day after that day.

(2) The addition of the countries and territories listed in regulation 4 to Part 1 of 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) Paragraph (4) applies where a person (“P”)—
- (a) arrives in Wales at or after 4.00 a.m. on 28 November 2020, and
 - (b) was in a country or territory listed in regulation 4 within the period of 14 days ending with the day of P’s arrival in Wales.

(4) 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 or territory listed in regulation 4, to be determined by reference to whether the country or territory was a non-exempt country or territory when P was last there (and not by reference to the country’s or the territory’s status upon P’s arrival in Wales).

(5) 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.

PART 3

Amendments to Part 3 and removal of Part 3A of the International Travel Regulations and consequential amendment

Amendments to Part 3 (requirement to isolate etc.) of the International Travel Regulations

6.—(1) Part 3 (requirement to isolate etc.) of the International Travel Regulations is amended as follows.

- (2) In regulation 9(2)(b), for “38” substitute “39”.
- (3) Omit regulation 12A.

Saving provision in connection with regulation 6(3)

7. Where immediately before 4.00 a.m. on 28 November 2020 regulation 12A of the International Travel Regulations applies to a person, it continues to apply to that person despite its revocation by regulation 6(3).

Removal of Part 3A (travel from Denmark) of the International Travel Regulations and consequential amendment

- 8.—(1) Omit Part 3A (travel from Denmark) of the International Travel Regulations.
- (2) Regulation 14(1) in Part 4 of the International Travel Regulations is amended as follows—
- (a) in sub-paragraph (e), at the end insert “or”;
 - (b) in sub-paragraph (f), omit “or”;
 - (c) omit sub-paragraph (g).

PART 4

Amendment to Schedule 2 to the International Travel Regulations

Amendment to paragraph 13 of Schedule 2 (exempt persons)

9. In paragraph 13(2)(c) of Schedule 2 (exempt persons) to the International Travel Regulations, after “by” insert “the Welsh Ministers or”.

PART 5

Amendments to the list of sporting events in Schedule 4 to the International Travel Regulations

Additions to the list of specified sporting events

10.—(1) Schedule 4 (specified sporting events) to the International Travel Regulations is amended as follows.

(2) In paragraph 3, at the end insert—

“(n) Professional Darts Corporation – Ladbrookes Masters.”

(3) In paragraph 7, at the end insert—

“(m) Motorsport UK – British Rallycross Championship and Support Championship.”

(4) In paragraph 10, at the end insert—

“(l) World Snooker Tour – German Masters;

(m) World Snooker Tour – The Masters;

(n) World Snooker Tour – Players Championship;

(o) World Snooker Tour – Welsh Open.”

(5) After paragraph 24 insert—

“**25.** Swimming – British Swimming International Meet.”

At 2.14 p.m. on 27 November 2020

Vaughan Gething
Minister for Health and Social Services, 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);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/804) (W. 177);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/817) (W. 179);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/840) (W. 185);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/868) (W. 190);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/886) (W. 196);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/917) (W. 205);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 8) Regulations 2020 (S.I. 2020/944) (W. 210);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/962) (W. 216);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 10) Regulations 2020 (S.I. 2020/981) (W. 220);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 11) Regulations 2020 (S.I. 2020/1015) (W. 226);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 12) Regulations 2020 (S.I. 2020/1042) (W. 231);

the Transfer of Functions (Secretary of State for Foreign, Commonwealth and Development Affairs) Order (S.I. 2020/942);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 13) Regulations 2020 (S.I. 2020/1080) (W. 243);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 14) Regulations 2020 (S.I. 2020/1098) (W. 249);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 15) Regulations 2020 (S.I. 2020/1133) (W. 258);

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

the Health Protection (Coronavirus International Travel) (Wales) (Amendment) (No. 16) Regulations 2020 (S.I. 2020/1165) (W. 263);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 17) Regulations 2020 (S.I. 2020/1191) (W. 269);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 18) Regulations 2020 (S.I. 2020/1223) (W. 277);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 19) Regulations 2020 (S.I. 2020/1232) (W. 278);

the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (Wales) Regulations 2020 (S.I. 2020/1237) (W. 279);

the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 2) (Wales) Regulations 2020 (S.I. 2020/1288) (W. 286);

the Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 20) Regulations 2020 (S.I. 2020/1329) (W. 295).

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 those 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”.

Part 2 of these Regulations amends the list of exempt countries and territories. Regulation 2 amends the International Travel Regulations to remove the entries for Estonia and Latvia. Regulation 4 amends the International Travel Regulations to add Aruba, the Democratic Republic of Timor-Leste, the Federated States of Micronesia, the Independent State of Samoa, the Kingdom of Bhutan, the Kingdom of Tonga, Mongolia, the Republic of Kiribati, the Republic of Vanuatu and the Solomon Islands to the list of exempt countries and territories.

Regulations 3 and 5 of these Regulations make transitional provision in connection with these countries’ and territories’ change of status. The transitional provision addresses a potential area of doubt in terms of the effect on the operation of the International Travel Regulations, of the amendments made by regulations 2 and 4 of these Regulations.

Part 3 of these Regulations amends Part 3 and removes Part 3A of the International Travel Regulations and makes a consequential amendment to regulation 14 in Part 4 of those Regulations.

Regulation 6 amends Part 3 of the International Travel Regulations. Firstly, it makes a technical amendment to regulation 9 of the International Travel Regulations to include a reference to paragraph 39 of Schedule 2 to those Regulations. Secondly, it removes regulation 12A of the International Travel Regulations which imposes special rules on any person travelling from Denmark and members of that person’s household. Regulation 7 makes saving provision in connection with the removal of regulation 12A of the International Travel Regulations. The saving provision address a potential area of doubt in terms of the effect on the operation of the International Travel Regulations, of the amendments made by regulation 6(3) of these Regulations.

Regulation 8 removes Part 3A of the International Travel Regulations which prohibits the arrival in Wales of aircraft and vessels travelling directly from Denmark. It also makes a consequential amendment to regulation 14 in Part 4 of the International Travel Regulations to remove the offence committed by contravening the requirements of regulation 12B(1) in Part 3A of those Regulations.

Denmark is not included in the list of exempt countries and territories in Schedule 3 to the International Travel Regulations. Therefore, travellers from Denmark will continue to be required to isolate pursuant to those Regulations.

Part 4 of these Regulations – in regulation 9 – amends paragraph 13 of Schedule 2 to the International Travel Regulations to specify that the Welsh Ministers may designate work as “essential government work” for the purposes of the exemption to the requirement to isolate contained in that paragraph.

Part 5 of these Regulations – in regulation 10 – amends the list of sporting events in Schedule 4 to the International Travel Regulations.

A person who is subject to a requirement to isolate imposed by the International Travel Regulations is permitted to leave the place at which the person is isolating for a limited number of reasons. These exceptions to the requirement to isolate are set out in regulation 10 of the International Travel Regulations, and they include an exception permitting a person’s participation in a listed sporting event.

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.