

SL(5)621 – The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 12) Regulations 2020

Background and Purpose

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (“the International Travel Regulations”). 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 (“exempt countries and territories”) are not required to isolate. These Regulations amend the list of exempt countries and territories to remove Curacao, Denmark, Iceland and Slovakia, and make associated transitional provisions.

In addition, these Regulations:

1. add an exemption to the isolation requirements for UK-resident elite athletes (and persons providing elite athletes with coaching or other support) when returning from overseas training programmes;
2. make exceptions from the isolation requirements for elite athletes and support staff to attend medical screenings and for new signings to participate in competitions; and
3. insert additional events into the list of specified sporting events in Schedule 4, in order to except persons competing in (or providing coaching or other support to persons competing in) those events from the requirements to isolate.

Procedure

Negative.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vii) – that there appear to be inconsistencies between the meaning of its English and Welsh texts



In the Welsh language version of the Regulations, there is an incorrect cross reference in the heading preceding regulation 3, which reads:

'Darpariaeth drosiannol mewn cysylltiad â rheoliad 24'.

The reference to '*rheoliad 24*' should be a reference to '*rheoliad 2*'. The English version is correct.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

We note the breach of the 21-day rule (i.e. the rule that 21 days should pass between the date a negative resolution instrument is laid before the Senedd and the date the instrument comes into force), and the explanation for the breach provided by Rebecca Evans MS, Minister for Finance and Trefnydd, in a letter to the Llywydd dated 25 September 2020.

In particular, we note that the letter confirms as follows:

"Not adhering to the 21 day convention allows these Regulations to come into force at the earliest opportunity, and in view of the changing evidence on risk in relation to this disease this is considered necessary and justifiable in this case."

Implications arising from exiting the European Union

None.

Welsh Government response

Given the current circumstances regarding coronavirus, a Welsh Government response to the technical reporting point is required as soon as is reasonably practicable.

Committee Consideration

The Committee considered the instrument at its meeting on 5 October 2020 and reports to the Senedd in line with the reporting points above.

