

# **SL(5)690 – The Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 3) (Wales) Regulations 2020**

## **Background and Purpose**

These Regulations amend the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (“the International Travel Regulations”) and the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 (“the No. 4 Regulations”).

In particular, these Regulations amend:

- the International Travel Regulations and the No. 4 Regulations to:
  - reduce the period for which a person is required to isolate from 14 days to 10 days; and
  - permit a child who is required to isolate to move to another household during the period of isolation, if this is in line with existing arrangements relating to custody and contact with the child’s parents; and
- the No. 4 Regulations to:
  - remove the ability for a contact tracer to disclose information about fixed penalties issued or criminal proceedings.

## **Procedure**

Made Affirmative

These Regulations were made by the Welsh Ministers before they were laid before the Senedd.

The Senedd must approve the Regulations within 28 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were made for them to continue to have effect.

## **Technical Scrutiny**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## **Merits Scrutiny**

The following three points are 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 Welsh Government's justification for any potential interference with human rights. In particular, we note the following paragraph in the Explanatory Memorandum:

*"The amendments contained in these Regulations do not change the engagement under the International Travel Regulations or the No. 4 Regulations of individual rights under the Human Rights Act 1998 and the European Charter of Fundamental Rights; the Government considers that they are justified for the purpose of preventing the spreading of infectious diseases and/or the interference is permitted on the basis that it is in pursuit of a legitimate aim, namely of protecting public health, and are proportionate."*

**2. 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 there has been no formal consultation on these Regulations. In particular, we note the following paragraph in the Explanatory Memorandum:

*"Given the serious and imminent threat arising from coronavirus and the need for an urgent public health response, there has been no public consultation in relation to these Regulations."*

**3. 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 that there is no equality impact assessment for these Regulations. However, we note the following paragraph in the Explanatory Memorandum:

*"There has been no regulatory impact assessment in relation to these Regulations due to the need to put them in place urgently to deal with a serious and imminent threat to public health. A summary of the impacts relating to the original self isolation duty can be found [here](#). The reduction in the self-isolation period is anticipated to have a positive equality and children's rights impact. It is anticipated to reduce the length of time children and young people spend away from face to face learning, reduce the impact on those with caring responsibilities (disproportionately women) and help to relieve the disruption for businesses."*

## Implications arising from exiting the European Union

None.

## Welsh Government response

A Welsh Government response is not required.



## Committee Consideration

The Committee considered the instrument at its meeting on 14 December 2020 and reports to the Senedd in line with the reporting points above.

