

**GOVERNMENT RESPONSE: THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS)  
(FUNCTIONS OF LOCAL AUTHORITIES ETC.) (WALES) REGULATIONS 2020**

1. This is a Government response to the draft report of the Legislation, Justice and Constitution Committee dated 24 September 2020.

**Merits scrutiny points:**

*Point 3: guidance*

2. The draft Report notes a number of matters relating to the Regulations which would benefit from further guidance, or existing guidance being updated.
3. Welsh Government public health officials have worked closely with Directors of Public Protection Wales (DPPW) to develop procedures for using the new powers. The procedures will be produced as documented guidance in due course.

*Point 4: persons that own and occupy premises, and those that are responsible for premises*

4. The draft Report seeks to understand whether there is a distinction in the treatment of notices and, if so, why such a distinction is required.
5. In respect of premises directions and event directions, the phrase “otherwise responsible for the premises” appears in regulation 11 only. This is to allow the procedural step of giving the direction to be completed where it appears to the person giving the direction that there is someone on the premises who is responsible for those premises at the time the direction is given but who may not be the owner or occupier. Nevertheless it is thought appropriate that steps to give prior notice and appeal rights in respect of those kinds of directions ought to be aimed at those with a clear interest in the direction (i.e. persons carrying on businesses at the premises concerned, those organising an event at which an event direction is aimed or the owner or occupier of the premises to which either type of direction relates).
6. Public place directions have more general application to any land to which the public have access. It therefore seems appropriate for there to be a broader category of persons who should be given prior notice (where reasonably practicable) and who may appeal against a direction applying generally to a place which may contain numerous premises.