

Merits report for Statutory Instruments laid but not formally scrutinised by the Legislation, Justice and Constitution Committee in the Fifth Senedd

April 2021

Each of the following statutory instruments was laid before the Senedd at a point that did not allow them to be properly considered by the Fifth Senedd's Legislation, Justice and Constitution Committee.

Standing Orders include a requirement for there to be “a responsible committee” and for that committee to report on statutory instruments within 20 days of being laid.

In the Sixth Senedd, it is unlikely that the responsible Committee will be established in time to consider all statutory instruments laid (and not reported on) at the end of the Fifth Senedd within the 20-day reporting deadline. The 40-day deadline, within which the Senedd is able to annul instruments subject to the negative procedure, may also have passed before the incoming responsible Committee can consider these instruments.

In these circumstances, the instruments would not have been subject to any Senedd scrutiny procedure and the opportunity for Senedd Members to table motions to annul any of the instruments may be lost.



Therefore, the Legislation, Justice and Constitution Committee has agreed to report under Standing Order 21.3 that the Senedd should pay special attention to these Statutory Instruments because they give rise to an issue of public policy likely to be of interest to the Senedd (namely that they may by-pass the usual scrutiny arrangements for Statutory Instruments).

SL(5)797 - The Accounts and Audit (Wales) (Amendment) Regulations 2021

Procedure: Negative

These Regulations amend the Accounts and Audit (Wales) Regulations 2014 (“the 2014 Regulations”).

The 2014 Regulations made provision regarding the audit and accounts of local government bodies in Wales which are required to be audited by the Auditor General for Wales pursuant to section 13 of the *Public Audit (Wales) Act 2004*.

These Regulations provide that corporate joint committees established by Regulations made under Part 5 of the *Local Government and Elections (Wales) Act 2021* are subject to the provisions of the 2014 Regulations where relevant.

Date Made: 17 March 2021

Date Laid: 18 March 2021

Coming into force date: 8 April 2021

20 days ends: 16 May 2021

40 days ends: 4 June 2021

SL(5)800 - The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021

Procedure: Negative

These Regulations amend the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 (“the principal Regulations”). The principal Regulations apply to meetings of executives of county and county borough councils in Wales which are operating executive arrangements under Part 2 of the *Local Government Act 2000*.

These Regulations amend the principal Regulations to reflect the fact meetings of executives and their committees may be held partly or solely through remote means. They also require notices and agendas for executive meetings, reports

connected with those meetings, written statements of executive decisions, reports considered when taking executive decisions and background papers to be published on an authority's website, although background papers are not required to be published on the website of an authority if it would not be reasonably practicable to do so.

Date Made: 18 March 2021

Date Laid: 19 March 2021

Coming into force date: 1 May 2021

20 days ends: 17 May 2021

40 days ends: 5 June 2021

SL(5)801 - The Bee Diseases and Pests Control (Wales) (Amendment) Order 2021

Procedure: Negative

This Order amends the Bee Diseases and Pests Control (Wales) Order 2006 ("the 2006 Order") which makes provision for the control of pests and diseases affecting bees.

Article 2 inserts article 2A into the 2006 Order. Article 2A requires persons owning or in charge of a hive to report the presence of any species of Varroa mite in that hive to the Welsh Ministers.

Date Made: 17 March 2021

Date Laid: 19 March 2021

Coming into force date: 21 April 2021

20 days ends: 17 May 2021

40 days ends: 5 June 2021

SL(5)802 - The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 4) Regulations 2021

Procedure: Negative

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.

From 15 February 2021, the Welsh Government introduced a ban on travellers arriving into Wales if they had been in a “red list country” (those listed in Schedule 3A of the International Travel Regulations) in the previous 10 days. Travellers must arrive at one of the designated ports of entry in England (or Scotland) and remain there in managed isolation for 10 days before travelling on to Wales. In addition, for arrivals from “amber list countries” (those not in the Common Travel Area of Ireland, Isle of Man or the Channel Islands, or on the list of red list of countries) exemption from isolation was made more restrictive so that isolation for 10 days is required but a person may leave isolation for a limited period for work purposes.

These Regulations:

- remove Portugal and Mauritius from the red list, but add Oman, Qatar, Ethiopia and Somalia;
- amend the list of reasons to leave isolation for those who arrived from an amber list country;
- increase the isolation requirements for arrivals from red list countries;
- amend enforcement provisions for immigration officers and police in respect of people who have been in red list countries.

Date Made: 19 March 2021

Date Laid: 19 March 2021

Coming into force date: 20 March 2021

20 days ends: 17 May 2021

40 days ends: 5 June 2021

SL(5)803 - The Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021

Procedure: Negative

Section 60M(1) of the *Planning and Compulsory Purchase Act 2004* requires a corporate joint committee, to which Part 6 of that Act applies by virtue of regulations made under Part 5 of the *Local Government and Elections (Wales) Act 2021*, to prepare a strategic development plan (“SDP”) for its area.

These Regulations are split into 6 parts and make the following provision:

- Part 1 deals with general matters;
- Part 2 deals with the preparation and revision of an SDP;
- Part 3 deals with the steps that must be taken following revocation of an SDP;
- Part 4 makes provision for the review of an SDP every six years;
- Part 5 deals with the content and publication of an annual monitoring report;
- Part 6 provides for requirements as to the availability of documents.

Date Made: 18 March 2021

Date Laid: 22 March 2021

Coming into force date: 28 February 2022

20 days ends: 20 May 2021

40 days ends: 8 June 2021

SL(5)804 – The Agricultural Holdings (Units of Production) (Wales) Order 2021

Procedure: Negative

This Order prescribes units of production for the assessment of the productive capacity of agricultural land situated in Wales and sets out the amount which is to be regarded as the net annual income from each such unit for the year 12 September 2019 to 11 September 2020 for certain purposes of the *Agricultural Holdings Act 1986*.

Date Made: 19 March 2021

Date Laid: 22 March 2021

Coming into force date: 12 April 2021

20 days ends: 20 May 2021

40 days ends: 8 June 2021

SL(5)805 - The Sea Fishing (Penalty Notices) (Wales) (Amendment) Order 2021

Procedure: Negative

This Order amends the Sea Fishing (Penalty Notices) (Wales) Order 2019 (“the 2019 Order”) in consequence of amendments made by the *Fisheries Act 2020* (“the 2020 Act”).

The 2019 Order creates a scheme for the issuing and payment of penalty notices for specified offences related to sea fishing (“penalty offences”).

The 2020 Act makes provision for access of foreign vessels to fisheries in Wales and the Welsh zone, and for the licensing of fishing vessels by the Welsh Ministers. It also revokes provisions in other legislation which governed those matters. This Order therefore updates the list of penalty offences contained in the 2019 Order by removing references to offence provisions which have been revoked by provisions in the 2020 Act and including references to the relevant new provisions.

The 2020 Act also provides the Welsh Ministers with powers to make orders relating to the exploitation of sea fisheries resources and provides that a breach of those orders is an offence. This Order therefore adds that offence to the list of penalty offences specified in the 2019 Order.

Date Made: 22 March 2021

Date Laid: 23 March 2021

Coming into force date: 14 April 2021

20 days ends: 21 May 2021

40 days ends: 9 June 2021

SL(5)806 - The Government of Maintained Schools (Training Requirements for Governors) (Wales) (Amendment) Regulations 2021

Procedure: Negative

The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 (“the 2013 Regulations”) set out the training requirements for governors at maintained schools in Wales. Under the 2013 Regulations all newly appointed, re-appointed, newly elected or re-elected governors must attend training on school performance data within one year of

their appointment or election. Non-completion of the training would result in a six month suspension, and if the training was not completed within that six month suspension period ultimately the governor would be disqualified.

The purpose of the Regulations is to amend the definition of “school performance data training” in the 2013 Regulations so that it refers to the latest training document published by the Welsh Ministers for governors on understanding school performance data. The Regulations also provide that:

- any governor who has completed the training using the revised 2020 training document before these Regulations come into force is to be treated as meeting the school performance data training requirements under the 2013 Regulations;
- any governor who has completed the mandatory data training specified under the 2013 Regulations before these regulations come into force does not have to repeat the training in accordance with these Regulations.

Date Made: 19 March 2021

Date Laid: 23 March 2021

Coming into force date: 14 April 2021

20 days ends: 21 May 2021

40 days ends: 9 June 2021

SL(5)807 - Code of Practice on the Delivery of Autism Services

Procedure: Draft Negative

The Social Services and Well-being (Wales) Act 2014 ('the 2014 Act') provides the legal framework for improving the well-being of people who need care and support, and carers who need support.

The draft code was laid before the Senedd on 24 March 2021. In accordance with section 146 of the 2014 Act, if, before the end of a period of 40 days, the Senedd resolves not to approve the draft, the Welsh Ministers must not issue the code (or revised code) in the form of that draft. If no such resolution is made before the end of that period, the Welsh Ministers must issue the code (or revised code) in the form of the draft, and the code (or revised code) comes into force on the date appointed by order of the Welsh Ministers. According to the Explanatory

Memorandum, the intention is for the Code to come into force on 1 September 2021.

The code describes how local authorities must exercise their social services functions (which are defined in Schedule 2 to the 2014 Act) in accordance with the requirements in the code in relation to autistic people and their parents and carers who need care and support.

The code also applies to and constitutes guidance in respect of the exercise of health services functions by local health boards and NHS trusts in accordance with the National Health Service (Wales) Act 2006 and describes how the relevant health bodies must exercise their respective functions when providing services to autistic people, their parents and carers.

Date Made:

Date Laid: 24 March 2021

Coming into force date: on the date appointed by order of the Welsh Ministers

20 days ends: 22 May 2021

40 days ends: 10 June 2021

SL(5)808 - The Coronavirus Act 2020 (Residential Tenancies: Extension of Period of Protection from Eviction) (Wales) Regulations 2021

Procedure: Negative

Section 81 and Schedule 29 to the *Coronavirus Act 2020* (“the 2020 Act”) provide protection from eviction from a residential tenancy.

The Regulations amend paragraph 1(1) of Schedule 29 to the 2020 Act by extending until 30 June 2021 the relevant period during which Schedule 29 applies.

The effect of these changes will be to extend, for a further three months, the period during which landlords, in most circumstances, will need to provide tenants with increased notice before starting possession proceedings in the courts.

Date Made: 22 March 2021

Date Laid: 24 March 2021

Coming into force date: 31 March 2021

20 days ends: 22 May 2021

40 days ends: 10 June 2021

SL(5)809 - The Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) (Amendment) Regulations 2021

Procedure: Negative

These Regulations amend the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) Regulations 2021 to extend the temporary suspension of the requirement for meat preparations imported into Wales from establishments situated in the EEA member States, the Faroe Islands, Greenland or Switzerland to be deep frozen, by changing the date of 31 March 2021, and extending it to 30 September 2021. This aligns with the approach being taken by Defra and the Scottish Government.

Date Made: 22 March 2021

Date Laid: 24 March 2021

Coming into force date: 30 March 2021

20 days ends: 22 May 2021

40 days ends: 10 June 2021

SL(5)810 - The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) Regulations 2021

Procedure: Made Affirmative

The 2021 Regulations amend the 1 April 2021 date in paragraphs 5(3) and 6(1)(c) of Schedule 5 to the Trade in Animals and Related Products (Wales) Regulations 2011 (“the 2011 Regulations”) changing it to 1 July 2021. Schedule 5 was inserted into the 2011 Regulations by regulation 32 of the Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) Regulations 2020.

Paragraph 5(3) of Schedule 5 to the 2011 Regulations relates to the pre-notification requirement for relevant goods consisting of products of animal origin.

Paragraph 6(1)(c) of Schedule 5 relates to the requirement that relevant goods consisting of products of animal origins be accompanied by an appropriate health certificate for third country imports in the form published by the Welsh Ministers or the Secretary of State.

These amendments are needed to ensure alignment with changes being made shortly by the UK Government on a Great Britain basis to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. These proposed changes will in effect delay the introduction of documentary and physical checks at designated Border Control Posts.

Date Made: 22 March 2021

Date Laid: 24 March 2021

Coming into force date: 31 March 2021

28 day approval period ends: 27 May 2021

SL(5)811 - The Food, Animal Feed and Seeds (Miscellaneous Amendments and Transitional Provisions) (Wales) (EU Exit) Regulations 2021

Procedure: Negative

These Regulations amend the following Statutory Instruments relating to food and feed hygiene and safety, food compositional standards and labelling and seeds:

- The Food Hygiene (Wales) Regulations 2006;
- The Quick-frozen Foodstuffs (Wales) Regulations 2007;
- The Seed Marketing (Wales) Regulations 2012;
- The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013;
- The Honey (Wales) Regulations 2015;
- The Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016;
- The Caseins and Caseinates (Wales) Regulations 2016.

The amendments are required to address deficiencies arising from EU Exit and ensure that the statute book can operate effectively following the UK's exit from the EU.

Date Made: 23 March 2021
Date Laid: 24 March 2021
Coming into force date: 14 April 2021
20 days ends: 22 May 2021
40 days ends: 10 June 2021

SL(5)812 - The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (Wales) Order 2021

Procedure: Negative

The Town and Country Planning (General Permitted Development) Order 1995 (the “GPDO”), as amended, allows some development to be undertaken, within certain parameters, without the need to submit a planning application. This is known as “permitted development”.

This Order amends the GPDO to temporarily relax planning control for specified development. The Explanatory Memorandum indicates that this is being done to support the reopening of businesses and their efforts to create safe environments in light of the Covid-19 pandemic.

Date Made: 23 March 2021
Date Laid: 24 March 2021
Coming into force date: 30 April 2021
20 days ends: 22 May 2021
40 days ends: 10 June 2021

SL(5)813 - The Countryside Access (Local Access Forums) (Wales) (Coronavirus) Regulations 2021

Procedure: Negative

These Regulations amend the Countryside Access (Local Access Forums) (Wales) Regulations 2001 to make temporary provision in relation to the administration of Local Access Forums to ensure that they are able to continue to meet and take decisions during the period of disruption caused by the coronavirus pandemic.

Date Made: 24 March 2021
Date Laid: 26 March 2021
Coming into force date: 1 May 2021

20 days ends: 24 May 2021

40 days ends: 12 June 2021

SL(5)814 - The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2021

Procedure: Negative

The *Regulation and Inspection of Social Care (Wales) Act 2016* ('the 2016 Act') provides the statutory framework for the regulation and inspection of social care services and the regulation of the social care workforce in Wales.

These Regulations, made under the 2016 Act, make changes to the Regulated Services (Annual Returns) (Wales) Regulations 2017. Their purpose is to delay, until 26 May 2022, the requirement for providers of regulated services to submit an annual return to the Welsh Ministers (in practice, Care Inspectorate Wales) in respect of any the financial years 2018-19, 2019-20 and 2020-21 during which they have been registered under the 2016 Act. The Regulations also reduce the required content for the annual returns for the financial years 2018-19, 2019-20 and 2020-21.

Date Made: 24 March 2021

Date Laid: 26 March 2021

Coming into force date: 16 April 2021

20 days ends: 24 May 2021

40 days ends: 12 June 2021

SL(5)815 - The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2021

Procedure: Made Affirmative

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 ("the principal Regulations") to move the whole of Wales to Alert Level 3 and to temporarily modify how Alert Level 3 operates (until the end of the day of 11 April 2021). This is achieved by inserting a new Schedule 3A into the principal Regulations, and making necessary amendments to the principal Regulations to ensure that references to Schedule 3 are treated as if replaced by references to Schedule 3A.

The effect is that every part of Wales is an Alert Level 3 area from immediately before the beginning of the day on 27 March 2021.

The temporary Alert Level 3 restrictions under Schedule 3A are different in a number of respects from the Schedule 3 restrictions that would usually apply to an Alert Level 3 area. The temporarily modified Alert Level 3 restrictions provide (among other things) that until the end of the day on 11 April 2021:

- Stay local restrictions are lifted in Wales and replaced with restrictions on leaving or entering Wales without a reasonable excuse.
- Self-contained accommodation can reopen. Accommodation can only be let to members of the same household and their support bubble.
- Up to 6 people (not including children under 11 or carers) from no more than 2 households may gather outdoors. This includes in private gardens.
- Outdoor organised activities for children under 18 will be allowed.
- Outdoor spaces of a scheduled monument or a registered historic park or garden, can reopen.
- Libraries and archives can reopen.

The Regulations also amend Schedule 5 to the principal Regulations to make temporary modifications to enable the enforcement of the restrictions in Schedule 3A.

Date Made: 26 March 2021

Date Laid: 26 March 2021

Coming into force date: 27 March 2021

28 day approval period ends: 31 May 2021

SL(5)817 - The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 5) Regulations 2021

Procedure: Negative

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.

From 15 February 2021 the Welsh Government introduced a ban on travellers arriving into Wales if they had been in a “red list country” (those listed in Schedule 3A of the International Travel Regulations) in the previous 10 days. Travellers must arrive at one of the designated ports of entry in England (or Scotland) and remain there in managed isolation for 10 days before travelling on to Wales. In addition, for arrivals from “amber list countries” (those not in the Common Travel Area of Ireland, Isle of Man or the Channel Islands, or on the list of red list of countries) exemption from isolation was made more restrictive so that isolation for 10 days is required but a person may leave isolation for a limited period for work purposes.

These Regulations:

- add Bangladesh, Kenya, Pakistan and the Philippines to the red list of countries;
- allow hauliers who have been in a “red list” country to enter Wales;
- introduce a bespoke testing arrangement for UK and non-UK hauliers;
- allow boarding school students to isolate at school if they have arrived from a “red list” country;
- allow a person to leave isolation after 14 days if a test result has not been returned from the laboratory.

Date Made: 8 April 2021

Date Laid: 8 April 2021

Coming into force date: 9 April 2021

20 days ends: 26 May 2021

40 days ends: 15 June 2021

SL(5)818 - The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 7) Regulations 2021

Procedure: Made Affirmative

The Regulations amend

- The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (“the principal Regulations”);

- The Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) Regulations 2020 (“the Public Health Information Regulations”).

These Regulations amend the principal Regulations to temporarily modify how Alert Level 3 operates in Wales. The period of the temporary modifications already in place (see SL SL(5)815 - The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2021) has been extended until the end of the day on 25 April 2021.

In particular these Regulations make further temporary modifications:

- removing the restrictions on canvassing for elections, although canvassers are subject to a duty to take all reasonable measures to minimise the risk of exposure to, and spread of, coronavirus when carrying out this activity and, when taking those measures they must have regard to guidance issued by the Welsh Ministers;
- permitting non-essential retail to reopen;
- permitting close contact services to reopen, including mobile services in people’s homes such as mobile hairdressers (a new definition of close contact services has been included at regulation 57(1)(da));
- removing the restrictions to now allow for wedding ‘show-arounds’ by appointment in premises used as venues for wedding, civil partnership and alternative wedding ceremonies, or for celebrations of the same, which are otherwise required to close;
- removing restrictions so as to allow crematoriums to be fully open.

These Regulations remove the current restrictions on travel within the UK and into/from the Common Travel Area (CTA), and place new restrictions and requirements on international travel (which apply in all Alert Levels). This includes:

- restrictions to prohibit international travel without a reasonable excuse. A person who attempts to travel to a destination outside the CTA without a reasonable excuse is guilty of an offence and may be subject to a Fixed Penalty of £5,000;
- a person who is at an embarkation point (for example, an airport) and is seeking to leave the CTA and has a reasonable excuse for doing so, must now, if requested, provide a completed international travel declaration form stating the reasons for travelling. A person who fails to complete a

declaration form (or who provides false or misleading information on the form) may be subject to a Fixed Penalty of £60.

Other technical, minor and consequential amendments, including to provide for the enforcement of the new provisions on international travel, are also made by these Regulations.

In consequence of the amendments described in relation to international travel, the Regulations also amend the Public Health Information Regulations. The Public Health Information Regulations ensure that travellers are made aware of the travel requirements and public health guidance that are in force in Wales. The Public Health Information Regulations are amended so that operators of relevant services departing from Wales to a destination outside the CTA are required to advise travellers of the restriction on leaving Wales to such a destination, and the requirement to complete an international travel declaration form. This information is to be provided at the time of booking and at least 24 hours prior to the scheduled departure.

Date Made: 9 April 2021

Date Laid: 9 April 2021

Coming into force date: 12 April 2021

28 day approval period ends: 3 June 2021

SL(5)819 - The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021

Procedure: Negative

These Regulations (“the 2021 Regulations”) amend:

- The Education (Fees and Awards) (Wales) Regulations 2007;
- The Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015;
- The Education (Student Support) (Wales) Regulations 2017;
- The Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017;
- The Education (Student Support) (Wales) Regulations 2018;

- The Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018;
- The Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019.

The above-mentioned regulations underpin the system of financial support for students who are ordinarily resident in Wales and taking designated courses of higher education, set out the categories of person who are eligible for home fee status, authorise rules of eligibility in relation to certain awards connected to education and training and set out the categories of person who are able to benefit from capped tuition fees.

The 2021 Regulations make amendments related to EU Exit which are necessary as a result of the Withdrawal Agreements and to implement the Welsh Government's policy on student finance for the 2021/22 academic year.

Date Made: 19 April 2021

Date Laid: 22 April 2021

Coming into force date: 25 April 2021

20 days ends: 26 May 2021

40 days ends: 15 June 2021

SL(5)820 - The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 6) Regulations 2021

Procedure: Negative

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.

From 15 February 2021 the Welsh Government introduced a ban on travellers arriving into Wales if they had been in a "red list country" in the previous 10 days. Travellers must arrive at one of the designated ports of entry in England (or Scotland) and remain there in managed isolation for 10 days before travelling on to Wales.

These Regulations add India to the "red list" of countries. These Regulations also allow couriers of human blood, tissues and organs who have been in a "red list"

country to enter Wales and allow health or care professionals who have been in a “red list” country to enter Wales and isolate in Wales.

Date Made: 22 April 2021

Date Laid: 22 April 2021

Coming into force date: 23 April 2021

20 days ends: 26 May 2021

40 days ends: 15 June 2021

SL(5)821 - The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021

Procedure: Made Affirmative

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (“the principal Regulations”) to temporarily modify how Alert Level 3 operates in Wales. The period of the temporary modifications already in place (see SL(5)818 - The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 7) Regulations 2021) is extended until the end of the day on 2 May 2021.

These Regulations make further temporary modifications:

From 24 April 2021:

- The restrictions on gathering with others outdoors are relaxed to allow a maximum of 6 people (not including children under 11 or carers) to gather from no more than 6 households.

From 26 April 2021:

- People may gather outdoors for the purposes of participating in formally organised activities involving up to 30 people (this involves a designated person being responsible for the activity, all reasonable measures being taken to minimise the spread of coronavirus while undertaking the activity and no consumption of alcohol). Formally organised activities can include protesting and picketing, which can take place without a limit on the number of people present at all Alert Levels apart from Alert Level 4.
- Certain businesses including visitor attractions and swimming pools will be allowed to reopen their premises for outdoor activities, including the

consumption of food and drink outdoors (from 6.00 am onwards that day).

- Provided the act took place on or after 26 March 2020, outdoors gatherings of up to 30 people are allowed to celebrate the solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony, or the life of a deceased person.
- People gathering when working in people's homes, for example by tradespeople, is allowed without it needing to be necessary or without the need for a "reasonable alternative" (unless at Alert Level 4).
- "Pilot" events may now be organised with the permission of the Welsh Ministers.

Date Made: 23 April 2021

Date Laid: 23 April 2021

Coming into force date: 24 and 26 April 2021 (see above)

28 day approval period ends: 3 June 2021