

2020 No. 232 (W. 54)

PUBLIC HEALTH, WALES

**The Health Protection
(Notification) (Wales)
(Amendment) Regulations 2020**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Notification) (Wales) Regulations 2010 (“the 2010 Regulations”) which place obligations on various persons for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination.

Regulation 2(2) inserts “Coronavirus Disease 2019 (COVID-19)” into Schedule 1 to the 2010 Regulations for the purposes of adding this to the list of “Diseases and Syndromes” for which there is a duty upon medical practitioners to notify a relevant local authority if a patient they are attending is believed to have such a disease or syndrome. This extends to the notification of suspected disease, infection or contamination in a dead body.

Regulation 2(3) inserts “Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)” into Schedule 2 to the 2010 Regulations for the purposes of adding this to the list of “Causative agents” for which there is a duty upon operators of diagnostic laboratories to notify a relevant local authority if they identify an agent, or evidence of such an agent, in a human sample.

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.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

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(Notification) (Wales)
(Amendment) Regulations 2020

Made 5 March 2020

*Laid before the National Assembly for
Wales* 6 March 2020

Coming into force 6 March 2020

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 13, 45C(1), (2) and (3)(a), 45F(2)(a) and (b), 45P(2) and 60A of the Public Health (Control of Disease) Act 1984⁽¹⁾.

In accordance with section 45Q(3) of the Public Health (Control of Disease) Act 1984, the Welsh Ministers declare that they are of the opinion that these Regulations do not contain provision made by virtue of section 45C(3)(c) of that Act which imposes or enables the imposition of a special restriction or

(1) 1984 c. 22. Functions of the Secretary of State under section 13, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672 and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). Functions exercised under sections 45C(1), (2) and (3)(a), 45F(2)(a) and (b), 45P(2) and 60A of the Public Health (Control of Disease) Act 1984 (“the 1984 Act”) are exercisable in relation to Wales by the Welsh Ministers by virtue of section 45T(6) of that Act which defines “the appropriate Minister” as being the Welsh Ministers as respects Wales for the purposes of Part 2A of that Act, and section 60A(6) of that Act which defines “the appropriate Minister” as being the Welsh Ministers in relation to Wales for the purposes of section 60A of that Act. Sections 45C, 45F, 45P and 45T were inserted into the 1984 Act by section 129 of the Health and Social Care Act 2008 (c. 14) (“the 2008 Act”), and section 60A was inserted into the 1984 Act by section 130 of, and paragraph 16 of Schedule 11 to, the 2008 Act.

requirement⁽¹⁾ or any other restriction or requirement which has or would have a significant effect on a person's rights.

Title and commencement

1. The title of these Regulations is the Health Protection (Notification) (Wales) (Amendment) Regulations 2020 and they come into force on 6 March 2020.

Amendments to the Health Protection (Notification) (Wales) Regulations 2010

2.—(1) The Health Protection (Notification) (Wales) Regulations 2010⁽²⁾ are amended as follows.

(2) In Schedule 1 (notifiable diseases and syndromes), after “Cholera” insert “Coronavirus Disease 2019 (COVID-19)”.

(3) In Schedule 2 (causative agents), after “SARS coronavirus” insert “Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)”.

Vaughan Gething

Minister for Health and Social Services, one of the
Welsh Ministers

5 March 2020

(1) See section 45C(6) of the 1984 Act for the meaning of “special restriction or requirement”.

(2) S.I. 2010/1546 (W. 144).