



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Section 45C of the Public Health (Control of Disease) Act 1984
The Public Health (Protection from Eviction) (Wales)
(Coronavirus) Regulations 2021**

DATE **08 January 2021**

BY **Julie James, Minister for Housing and Local Government**

Section 45C of the Public Health (Control of Disease) Act 1984 ('the 1984 Act') enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

As Minister for Housing and Local Government, and using the powers under section 45C of the 1984 Act, I have today laid before the Senedd regulations in response to the serious and imminent threat to public health which is posed by the incidence and spread of Covid 19.

The Regulations come into force on 11 January and will expire at the end of the day on 31 March 2021.

The Regulations replicate in substance the Public Health (Protection from Eviction) (Wales) (Coronavirus) Regulations 2020 that expire on 11 January and prevent, except in specified circumstances, attendance at a dwelling-house for the purpose of executing a writ or warrant of possession, executing a writ or warrant of restitution or delivering a notice of eviction. The specified circumstances are where the court is satisfied that: the claim is against trespassers who are persons unknown; or where the order for possession was made wholly or partly on the grounds of anti-social behaviour, serious offences, nuisance, domestic violence; or, in cases where the person attending is satisfied that the dwelling-house is unoccupied at the time of attendance, and the possession order was made wholly or partly on the grounds of the death of the occupant.

The purpose of the Regulations is to contribute to the public health response to coronavirus by preventing the enforcement of evictions except in the most serious circumstances. The impact of evictions and homelessness on the incidence and spread of Covid 19 remains of

great concern. Homelessness places people in situations where they are at much greater risk of both contracting the virus and transmitting it to others. The current Alert Level 4 restrictions may make it more difficult for those facing eviction to access services, including advice and support services as organisations may be closed or running at a reduced capacity. Securing alternative accommodation which is already more limited during the winter period, may also present increased practical difficulties. In a situation where there is widespread and increasing community transmission of the virus, and with the pressures placed on public services generally, the likelihood that evictions will result in homelessness remains raised.

The Regulations will be subject to a review cycle during the period that they are in force to ensure the restrictions and requirements remain proportionate. The first review must take place in the period between the Regulations coming into force and the 28 January 2021 in order to align with the review timings in the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. They must then be reviewed at least once in each subsequent three weekly period.

A copy of the Regulations and the accompanying Explanatory Memorandum can be viewed [here](#) and [here](#).