



Llywodraeth Cymru  
Welsh Government

ATISN 15646

24 November 2021

Dear

**ATISN 15646 – COVID passports**

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) received on 11 October. You asked –

*1 - Details of the scientific evidence, used by the First Minister of Wales, which justified the introduction of vaccine passports.*

*2 - Details of any safeguards, included in legislation passed by the Welsh Government, aimed at protecting the rights of individuals, in order to comply with the Nuremberg Code. With specific reference to the legislation on vaccine passports.*

*3 - Details on the safeguards and exemptions, for those Welsh citizens who are unable to comply with the vaccine passport rules and regulations.*

**Response**

In response to Question 1. The regulations confirming the mandatory use of the Covid pass in higher risk events and venues came into force in Wales from the 11 October. However, this is not a vaccine passport and the system in Wales, will allow individuals who want to attend these venues to either to show their covid pass to demonstrate that they are fully vaccinated or to show evidence that they have received a negative lateral flow test within the previous 48 hours.

1-There are a range of publically available documents, including within the UK:

- SAGE:
  - [NERVTAG: Immunity certification, 9 December 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/nervtag-immunity-certification-9-december-2020)
  - [NERVTAG: Immunity certification update, 4 February 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/nervtag-immunity-certification-update-4-february-2021)
  - [S1082 SAGE 79 Minutes.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/98484/S1082_SAGE_79_Minutes.pdf)
- UK Government:
  - [COVID-19 Response: Autumn and Winter Plan 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/covid-19-response-autumn-and-winter-plan-2021)
  - [COVID-Status Certification Review: Report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/covid-status-certification-review-report)



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- Scottish Government: [Coronavirus \(COVID-19\) vaccine certification: evidence paper - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/evidence-papers/2021/01/coronavirus-vaccine-certification-evidence-paper-1/pages/1-30.aspx)
- Technical Advisory Cell advice to Welsh Government is published on the website here: [Advice on coronavirus from the Technical Advisory Cell | GOV.WALES](https://gov.wales/technical-advisory-cell)
- The debate in the Senedd, and accompanying Explanatory Memorandum, are publically available: [SL\(6\)053 - The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2021 \(senedd.wales\)](https://www.senedd.wales/SL(6)053-The-Health-Protection-(Coronavirus-Restrictions)-(No.-5)-(Wales)-(Amendment)-(No.-17)-Regulations-2021)

The Covid pass has been in use for international travel for quite some time, and it has been required over the summer for access to many events and premises across the UK, including in England. The rationale for its use across the UK and internationally has been accepted by all governments in the UK on this basis (NI now also recommending for high risk venues). Similar schemes are in widespread use across the EU and beyond.

In response to Question 2 relating to the cost benefit analysis, the Summary Impact Assessment document below includes an economic impact assessment and was considered by Ministers as part of the previous 21 day restriction review process.

2- We can confirm that The Human Rights Act was considered when The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 17) Regulations 2021 were drafted and signed by the First Minister. The summary impact assessment for the regulations have been published and can be found at <https://gov.wales/impact-assessments-coronavirus>

3- There are no individuals who would not be able to comply with the Covid pass rules and regulations. As outlined in the response to question 1, the Covid pass is not a vaccine passport and the system in Wales, will allow individuals who want to attend these venues to either to show their Covid pass to demonstrate that they are fully vaccinated or to show evidence that they have received a negative lateral flow test within the previous 48 hours.

### **Next Steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
CARDIFF,  
CF10 3NQ  
Email: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,

Wycliffe House,  
Water Lane,  
Wilmslow,  
CHESHIRE,  
SK9 5AF

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely,