

WELSH STATUTORY INSTRUMENTS

2020 No. 1609 (W. 335)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales) Regulations 2020**

Approved in Senedd Cymru

Made - - - - *at 5.45 p.m. on 18
December 2020*
Laid before Senedd Cymru *at 10.00 p.m. on 18
December 2020*
*Coming into force in accordance with regulation 1(3)
and (4)*

^{M1}The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984 .

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

Modifications etc. (not altering text)

C1 Regulations applied (11.2.2022 at. 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel\) \(Wales\) Regulations 2022 \(S.I. 2022/126\)](#), regs. 1(2), **12(2)** (with reg. 19)

Marginal Citations

M1 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#). The functions under these sections are conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

PART 1

Introduction, review and expiry

Title, application and coming into force

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020.

(2) These Regulations apply in relation to Wales.

(3) These Regulations, other than Part 6, come into force on [^{F1}20 December 2020].

(4) Part 6 comes into force on 23 December 2020.

Textual Amendments

F1 Words in reg. 1(3) substituted (19.12.2020 at 11.59 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/1610\)](#), regs. 1(2), **2(2)**

Commencement Information

I1 Reg. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Review

2. The Welsh Ministers must review the need for the restrictions and requirements imposed by these Regulations, and whether those restrictions and requirements are proportionate to what the Welsh Ministers seek to achieve by them—

(a) by 7 January 2021;

(b) at least once in the period from 8 January 2021 to 28 January 2021;

(c) at least once in each subsequent period of 21 days.

Commencement Information

I2 Reg. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Expiry

3. These Regulations expire at the end of the day on [^{F2}30 May 2022].

Textual Amendments

F2 Words in [reg. 3](#) substituted (7.5.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2022 \(S.I. 2022/512\)](#), regs. 1(2), **2**

Commencement Information

I3 Reg. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

PART 2

Levels of restrictions on gathering, travelling, and on use of premises of businesses and services

Levels of restrictions

4.—(1) Schedules 1 to 4 set out restrictions and requirements that may apply in an area in relation to—

- (a) gatherings;
- (b) organising events;
- ^{F3}(c)

(d) the use of premises of specified businesses or services that are ordinarily open to the public.

(2) The restrictions and requirements set out in Schedule 1 apply in relation to an Alert Level 1 area.

(3) The restrictions and requirements set out in Schedule 2 apply in relation to an Alert Level 2 area.

(4) The restrictions and requirements set out in Schedule 3 apply in relation to an Alert Level 3 area.

(5) The restrictions and requirements set out in Schedule 4 apply in relation to an Alert Level 4 area.

(6) Schedule 5 sets out which one of Schedules 1 to 4 apply to an area by specifying a level for that area.

[^{F4}(6ZA) But Schedule 5 may provide that none of Schedules 1 to 4 apply to an area by specifying that no alert level applies to the area.]

^{F5}(6A)

^{F6}(6B)

^{F7}(7)

(8) In these Regulations—

- (a) an “Alert Level 1 area” is an area specified in the table in Schedule 5, where the table indicates it is an Alert Level 1 area;
- (b) an “Alert Level 2 area” is an area specified in the table in Schedule 5, where the table indicates it is an Alert Level 2 area;
- (c) an “Alert Level 3 area” is an area specified in the table in Schedule 5, where the table indicates it is an Alert Level 3 area;
- (d) an “Alert Level 4 area” is an area specified in the table in Schedule 5, where the table indicates it is an Alert Level 4 area.

Textual Amendments

F3 Reg. 4(1)(c) omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(2)(a)**

F4 Reg. 4(6ZA) inserted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(3)**

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F5** Reg. 4(6A) omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(2)**
- F6** Reg. 4(6B) omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(2)**
- F7** Reg. 4(7) omitted (9.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), **8(2)**

Commencement Information

- I4** Reg. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

F8 **PART 3**

Requirement to isolate etc.

Textual Amendments

- F8** Pt. 3 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(2)** (with reg. 3)

CHAPTER 1

Requirement to isolate etc. where person tests positive for coronavirus or has close contact with such person

Interpretation of Part

5.

Requirement to isolate: adult with coronavirus

6.

Requirement to isolate: child with coronavirus

7.

Requirement to isolate after close contact: adult

8.

Requirement to isolate after close contact: child

9.

Requirement to isolate after close contact with person with Omicron variant: child

9A.

Isolation requirements: general exceptions

10.

Transitional provision: isolation requirements

10A.

Transitional provision: isolation requirements

10B.

Transitional provision: isolation requirements

10C.

Transitional provision: isolation requirements

10D.

Isolation requirements: exception for participants in a testing scheme

11.

Requirement to isolate: specific provision for people who are in Wales on 22 January 2021 and who have been in the Democratic Republic of the Congo or the United Republic of Tanzania in the previous 10 days

11A.

Requirement to isolate: specific provision for people who are in Wales on 29 January 2021 and who have been in certain countries in the previous 10 days

11AA.

Isolation requirements: specific exception for people who have been in certain countries

11B.

Requirement on persons with responsibility for children

12.

Withdrawing a notice which requires isolation

13.

Withdrawing a notification that close contact was with person with Omicron variant

13A.

CHAPTER 2

Information

Power to use and disclose information

14.

^{F9}**PART 3A**

Travel restrictions etc.

Textual Amendments

F9 Pt. 3A omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(3)**

Restriction on international travel

14A.

International travel declaration form

14B.

^{F10}**PART 4**

Taking preventative measures in regulated premises

Textual Amendments

F10 Pt. 4 omitted (except reg 15(1)) (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(3)**

Regulated premises ^{F11}...

- 15.—(1) For the purposes of these Regulations, the following are “regulated premises”—
- (a) premises of businesses or services listed in Schedule 7, to the extent that that the public have or are permitted access to the premises;
 - (b) a vehicle used to provide a public transport service;
 - (c) other premises where work is being carried out.

^{F10}(2)

Textual Amendments

F11 Words in [reg. 15](#) heading omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(4)**

Commencement Information

I5 Reg. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

Requirement to take all reasonable measures to minimise the risk of exposure to coronavirus

^{F10}**16.**

Specific measures applicable to licensed premises

^{F12}**16ZA.**

Textual Amendments

F12 Reg. 16ZA omitted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(3)**

Specific measures applicable to retail premises

^{F13}**16ZB.**

Textual Amendments

F13 Reg. 16ZB omitted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(3)**

Specific measures applicable to [^{F14}specified hospitality and entertainment venues and premises] at which specified events are held

^{F15}**16A.**

Textual Amendments

F14 Words in [reg. 16A](#) heading substituted (15.11.2021 at 7.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 19\) Regulations 2021 \(S.I. 2021/1248\)](#), regs. 1(2), **2(a)**

F15 Reg. 16A omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(6)**

Specific measures applicable to licensed premises

^{F16}**17.**

Textual Amendments

F16 Reg. 17 omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(13)**

Specific measures applicable to retail premises

^{F17}17A.

Textual Amendments

F17 Reg. 17A omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(13)**

Guidance about taking reasonable measures

^{F10}18.

^{F18}PART 4A

Taking preventative measures when election campaigning

Textual Amendments

F18 Pt. 4A omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(3)** (with reg. 3)

Requirement to take all reasonable measures to minimise the risk of exposure to coronavirus when election campaigning

18A.

^{F19}PART 4B

Requirement to work from home where practicable

Textual Amendments

F19 Pt. 4B omitted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(5)**

Requirement to work from home where practicable

^{F19}18B.

PART 5

Face coverings

Requirement to wear face covering on public transport

^{F20}19.

Textual Amendments

F20 Reg. 19 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(4)** (with reg. 3)

Requirement to wear face covering in certain indoor public places

20.—(1) A person (“P”) must wear a face covering in indoor public areas of [^{F21}—

^{F22}(a)

^{F22}(b)

^{F22}(c)

^{F22}(d)

^{F22}(e)

^{F22}(f)

^{F22}(g)

(h) premises used for the provision of medical, health or dental services, audiology, chiropody, chiropractor, osteopath, optometry, physiotherapy or acupuncture services, or other medical or health services including services relating to mental health;

(i) premises used for the provision of a social care service, including care home services, secure accommodation services, residential family centre services and adult day care services;

^{F23}(j)]

(2) But this is not required—

(a) where P is a child under the age of 11;

^{F24}(aa)

(b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (3).

(3) The circumstances in which P has a reasonable excuse to not wear a face covering include—

(a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);

(b) where P is undertaking an activity and wearing a face covering during that activity may be considered to be a risk to P's health;

(c) where P has to remove the face covering to communicate with a person who has difficulty communicating (in relation to speech, language or otherwise);

(d) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to P or others;

- (e) where P is at the premises to avoid injury, or to escape a risk of harm, and does not have a face covering;
- (f) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, where reasonably necessary;
- (g) where P is asked to remove the face covering by an enforcement officer;
- ^{F25}(h)

[^{F26}(i) in relation to premises described in paragraph (1)(i), where P is resident in the premises.]

[^{F27}(3A) Paragraph (1) does not apply—

- (a) when the public do not have access to the premises;
- (b) where P is in premises where food or drink is sold, or otherwise provided, for consumption on the premises.]

[^{F28}(4) For the purposes of [^{F29}paragraph (3A)(b)], where—

- (a) a business (“business A”) sells, or otherwise provides, food or drink for consumption on the business premises,
- (b) business A forms part of a larger business (“business B”), and
- (c) business B also carries on its business on the premises, but does not sell, or otherwise provide, food or drink for consumption on those premises,

P is to be treated as being in premises where food or drink is sold, or otherwise provided, for consumption on the premises only where P is in the part of the premises at which business A carries on its business.]

^{F30}(5)

^{F31}(6)

[^{F32}(7) For the purposes of paragraph (1)(i), a “social care service” has the same meaning as a “regulated service” in section 2(1) of the Regulation and Inspection of Social Care (Wales) Act 2016.]

Textual Amendments

- F21** Reg. 20(1)(a)-(j) substituted for words in reg. 20(1) (28.2.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/180\)](#), regs. 1(2), **2(2)(a)**
- F22** Reg. 20(1)(a)-(g) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(5)(a)(i)** (with reg. 3)
- F23** Reg. 20(1)(j) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(5)(a)(ii)** (with reg. 3)
- F24** Reg. 20(2)(aa) omitted (28.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/180\)](#), regs. 1(2), **2(2)(b)**
- F25** Reg. 20(3)(h) omitted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(6)(b)**
- F26** Reg. 20(3)(i) inserted (28.2.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/180\)](#), regs. 1(2), **2(2)(c)**
- F27** Reg. 20(3A) inserted (28.2.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/180\)](#), regs. 1(2), **2(2)(d)**

- F28** Reg. 20(4) inserted (7.8.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(16)(c)**
- F29** Words in reg. 20(4) substituted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(e)**
- F30** Reg. 20(5) omitted (28.2.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(f)**
- F31** Reg. 20(6) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(5)(b)** (with reg. 3)
- F32** Reg. 20(7) inserted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(h)**

Commencement Information

- I6** Reg. 20 in force at 20.12.2020, see reg. 1(3)

Guidance about requirements to wear face coverings

- F33** **21.**

Textual Amendments

- F33** Reg. 21 omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(6)** (with reg. 3)

F34 **PART 6**

Provision of education in school

Textual Amendments

- F34** Pt. 6 omitted (28.8.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 16) Regulations 2021 (S.I. 2021/970), regs. 1(2), **2(5)**

Provision of education in school to certain pupils when school premises are closed

- 22.**

Failure to comply with regulation 22

- 23.**

Interpretation of this Part

- 24.**

PART 7

Enforcement

Enforcement officers

25.—^{F35}(1)

(2) For the purposes of regulations ^{F36}... [^{F37}20, 27 to 29, 31 to 34,] 36 and 47, an “enforcement officer” means—

- (a) a constable,
- (b) a police community support officer,
- (c) a person designated by—
 - (i) the Welsh Ministers, or
 - (ii) a local authority,
 for the purposes of these Regulations (but see paragraph (3)), or
- (d) a person designated by the Welsh Ministers or a local authority under—
 - (i) regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M2} as a relevant person (within the meaning given by that regulation),
 - (ii) regulation 17(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 for the purposes of those Regulations,
 - (iii) regulation 21(2) of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020 for the purposes of those Regulations, or
 - (iv) under regulation 25(2) of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020,
 (but see paragraph (3)).

(3) A person designated by a local authority may exercise an enforcement officer's functions only—

- (a) in relation to a contravention (or alleged contravention) of a requirement in—
 - ^{F38}(i)
 - (ii) paragraph 7(1) ^{F39}... of Schedule 1,
 - (iii) paragraph 7(1) ^{F40}... of Schedule 2,
 - (iv) paragraph 7(1), 8(1) or [^{F41}9(1)] of Schedule 3, or
 - (v) paragraph 7(1), 8(1), 9(1) [^{F42}, 10(1) or 11(3)] of Schedule 4, or

^{F43}(b)

Textual Amendments

F35 Reg. 25(1) omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(5)(a)**

F36 Word in reg. 25(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(5)**

F37 Words in reg. 25(2) substituted (28.3.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(7)** (with reg. 3)

- F38** Reg. 25(3)(a)(i) omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(5)(b)(i)**
- F39** Words in reg. 25(3)(a)(ii) omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(4)(a)**
- F40** Words in reg. 25(3)(a)(iii) omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(4)(b)**
- F41** Word in reg. 25(3)(a)(iv) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(4)(c)**
- F42** Words in reg. 25(3)(a)(v) substituted (22.12.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1623\)](#), regs. 1(2), **2(2)**
- F43** Reg. 25(3)(b) omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(5)(b)(ii)**

Commencement Information

- I7** Reg. 25 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

- M2** [S.I. 2020/353](#) (W. 80).

Enforcement of requirement to take preventative measures

^{F44}**26.**

Textual Amendments

- F44** Reg. 26 omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(6)**

Compliance notices

27.—(1) An enforcement officer may give a compliance notice to a person if the officer has reasonable grounds for suspecting that the person is contravening a requirement in—

- ^{F45}(za)
- ^{F46}(a)
- (b) paragraph 7(1) ^{F47}... of Schedule 1,
- (c) paragraph 7(1) ^{F48}... of Schedule 2,
- (d) paragraph 7(1), 8(1) or [^{F49}9(1)] of Schedule 3, or
- (e) paragraph 7(1), 8(1), 9(1) [^{F50}, 10(1) or 11(3)] of Schedule 4.

(2) A compliance notice may specify measures that the person to whom it is given must take as soon as is reasonably practicable so as to prevent that person from continuing to contravene the requirement.

Textual Amendments

- F45** Reg. 27(1)(za) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(8)** (with reg. 3)
- F46** Reg. 27(1)(a) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(8)** (with reg. 3)
- F47** Words in reg. 27(1)(b) omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(5)(a)**
- F48** Words in reg. 27(1)(c) omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(5)(b)**
- F49** Word in reg. 27(1)(d) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(5)(c)**
- F50** Words in reg. 27(1)(e) substituted (22.12.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1623\)](#), regs. 1(2), **2(3)**

Commencement Information

- I8** Reg. 27 in force at 20.12.2020, see [reg. 1\(3\)](#)

Powers of removal and dispersal: gatherings and being away from home

28.—(1) Paragraph (2) applies where an enforcement officer has reasonable grounds for suspecting that a person is participating in a gathering in a private dwelling in contravention of—

^{F51}(a)

^{F51}(b)

(c) paragraph 1(1) of Schedule 3, or

(d) paragraph 2(1) of Schedule 4.

(2) The enforcement officer may—

(a) direct the gathering to disperse;

(b) if the officer has reasonable grounds to suspect that the person does not live at the dwelling—

(i) direct the person to leave the dwelling;

(ii) remove the person from the dwelling.

(3) Paragraph (4) applies where an enforcement officer has reasonable grounds for suspecting that a person is participating in a gathering in a place other than a private dwelling in contravention of—

(a) paragraph 2(1) ^{F52}... of Schedule 1,

(b) paragraph 2(1) ^{F53}... of Schedule 2,

(c) paragraph 2(1) or [^{F54}3(1)] of Schedule 3, or

(d) paragraph 2(1) of Schedule 4.

(4) The enforcement officer may—

(a) direct the gathering to disperse;

(b) direct the person to leave the place where the gathering is taking place;

(c) remove the person from that place.

(5) Where an enforcement officer has reasonable grounds for suspecting that a person is away from the place where the person is living in contravention of paragraph 1(1) of Schedule 4, the officer may—

- (a) direct the person to return to the place where the person is living;
- (b) remove the person to that place.

Textual Amendments

- F51** Reg. 28(1)(a)(b) omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(6)(a)**
- F52** Words in reg. 28(3)(a) omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(6)(b)(i)**
- F53** Words in reg. 28(3)(b) omitted (21.1.2022 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/55\)](#), regs. 1(2), **2(3)**
- F54** Word in reg. 28(3)(c) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(6)**

Commencement Information

- I9** Reg. 28 in force at 20.12.2020, see reg. 1(3)

Powers relating to travel restrictions

^{F55}**29.**

Textual Amendments

- F55** Reg. 29 omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(6)**

Powers relating to contravention of isolation requirement

^{F56}**30.**

Textual Amendments

- F56** Reg. 30 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(9)** (with reg. 3)

Powers relating to offence of possessing false or misleading evidence relating to vaccination or coronavirus test results

^{F57}**30A.**

Textual Amendments

F57 Reg. 30A omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(10)**

Powers relating to events

31.—(1) Paragraph (2) applies where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is—

- ^{F58}(a)
- (b) involved in organising an event in contravention of (or which the officer considers likely to be in contravention of) paragraph 4 of Schedule 1, paragraph 4 of Schedule 2, [^{F59}paragraph 5 of Schedule 3] or paragraph 4 of Schedule 4.

(2) The enforcement officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to stop the event;
- (b) remove P from the location of the event;
- (c) direct any person to leave the event;
- (d) remove any person from the event;
- (e) where the event has not started—
 - (i) direct P to follow such instructions as the officer considers necessary in order to stop the event from taking place;
 - (ii) remove P from the proposed location of the event.

(3) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is involved in organising an event authorised under paragraph 5 of Schedule 1, paragraph 5 of Schedule 2 [^{F60} paragraph 6 of Schedule 3]^{F61}... or paragraph 5 of Schedule 4 which the officer considers is being held in contravention of a requirement, restriction or other condition specified in relation to the authorisation, the officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to secure compliance with the requirement, restriction or other condition;
- (b) direct P to follow such instructions as the officer considers necessary in order to stop the event;
- (c) remove P from the location of the event;
- (d) direct any person to leave the event;
- (e) remove any person from the event.

Textual Amendments

F58 Reg. 31(1)(a) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(10)** (with reg. 3)

F59 Words in reg. 31(1)(b) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(7)(a)**

F60 Words in reg. 31(3) inserted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(7)(b)**

F61 Words in reg. 31(3) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(3)**

Commencement Information

I10 Reg. 31 in force at 20.12.2020, see [reg. 1\(3\)](#)

Enforcement of face covering requirements

32.—^{F62}(1)

^{F63}(2)

(3) Where an enforcement officer has reasonable grounds to suspect that a person is contravening (or is about to contravene) regulation 20(1), the officer may—

- (a) direct the person not to enter the premises;
- (b) remove the person from the premises.

Textual Amendments

F62 [Reg. 32\(1\)](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(11)** (with [reg. 3](#))

F63 [Reg. 32\(2\)](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(11)** (with [reg. 3](#))

Commencement Information

I11 Reg. 32 in force at 20.12.2020, see [reg. 1\(3\)](#)

Enforcement: children

33.—(1) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) in respect of whom the officer may exercise a power under this Part is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take such action in respect of P as the officer considers appropriate, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.

(2) For the purposes of paragraph (1), I has responsibility for a child if I—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child.

Commencement Information

I12 Reg. 33 in force at 20.12.2020, see [reg. 1\(3\)](#)

Power of entry

34.—(1) An enforcement officer may enter premises, if the officer—

- (a) has reasonable grounds for suspecting that a requirement imposed by these Regulations is being, has been or is about to be contravened on the premises, and
 - (b) considers it necessary to enter the premises for the purpose of ascertaining whether the requirement is being, has been or is about to be contravened.
- (2) An enforcement officer entering premises in accordance with paragraph (1) may take such other persons, equipment and materials onto the premises as appears to the officer to be appropriate.
- (3) An enforcement officer entering premises in accordance with paragraph (1)—
- (a) if asked by a person on the premises, must show evidence of the officer's identity and outline the purpose for which the power is exercised;
 - (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the officer found them.
- (4) An enforcement officer may enter premises which are wholly or mainly used as a private dwelling only if the enforcement officer is a constable.

Commencement Information

I13 Reg. 34 in force at 20.12.2020, see [reg. 1\(3\)](#)

Power of police to conduct road checks

35.—(1) For the purposes of this regulation, a “road check” means the exercise in a locality of the power conferred by section 163 of the Road Traffic Act 1988^{M3} in such a way as to stop, during the period for which the exercise of that power in that locality continues, all vehicles or vehicles selected by any criterion.

(2) A constable may conduct a road check for the purpose of ascertaining whether a vehicle is carrying a person who the constable reasonably believes—

- (a) has committed, or
- (b) intends to commit,

an offence under these Regulations.

(3) A road check must be authorised by a constable of the rank of superintendent or above.

(4) But a road check may be authorised by a constable below that rank if the constable considers it necessary as a matter of urgency.

(5) A constable may authorise a road check if the constable has reasonable grounds to believe that a person referred to in paragraph (2) is, or is about to be, in the locality in which vehicles would be stopped.

(6) An authorisation must be in writing and must specify—

- (a) the locality in which vehicles are to be stopped;
- (b) the period, not exceeding 7 days, during which the road check may take place;
- (c) whether the road check is to be conducted—
 - (i) continuously throughout the period, or
 - (ii) at particular times during the period (in which case the authorisation must specify those times);
- (d) the name of the constable giving the authorisation.

(7) Where a road check is authorised under paragraph (4)—

- (a) the period specified in paragraph (6)(b) may not exceed 2 days;

- (b) the constable giving the authorisation must, as soon as is reasonably practicable after giving it, inform a constable of the rank of superintendent or above that it has been given.
- (8) A constable of the rank of superintendent or above may give authorisation in writing for a road check to continue for a further period, not exceeding 7 days, beyond the period for which the road check was initially authorised.
- (9) Where a vehicle is stopped in a road check, the person in charge of the vehicle at the time when it is stopped is entitled to obtain a written statement of the purpose of the road check by applying in writing—
 - (a) to the police force responsible for the locality where the road check is conducted, and
 - (b) no later than the end of the period of 12 months from the day on which the vehicle was stopped.

Commencement Information

I14 Reg. 35 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

M3 1988 c. 52, as amended by the [Road Traffic Act 1991 \(c. 40\)](#) and the [Traffic Management Act 2004 \(c. 18\)](#).

Enforcement: supplemental provision

36.—(1) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this Part.

- (2) Action taken under paragraph (1) may include—
 - (a) requiring a person to give any information or answer any question the officer considers—
 - (i) necessary to enable the officer to determine whether to exercise a power conferred on the officer by this Part, or
 - (ii) is otherwise relevant to the exercise of such a power;
 - (b) directing a person to follow such instructions as the officer considers necessary.
- (3) A constable may use reasonable force in the exercise of a power under—
 - (a) regulation 28(2)(b)(ii), (4)(c) or (5)(b);
 - ^{F64}(b)
 - ^{F65}(c)
 - (d) regulation 31(2)(b) (d) or (e)(ii), or (3)(c) or (e);
 - (e) regulation [^{F66}32(3)(b)];
 - (f) regulation 34(1).

(4) An enforcement officer may only exercise a power under this Part if the officer considers that it is necessary and proportionate to do so.

(5) In this Part and Part 8 references to a requirement include references to a restriction.

Textual Amendments

- F64** Reg. 36(3)(b) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022](#) (S.I. 2022/388), regs. 1(2), **2(12)(a)** (with reg. 3)
- F65** Reg. 36(3)(c) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022](#) (S.I. 2022/388), regs. 1(2), **2(12)(a)** (with reg. 3)
- F66** Word in reg. 36(3)(e) substituted (28.3.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022](#) (S.I. 2022/388), regs. 1(2), **2(12)(b)** (with reg. 3)

Commencement Information

- I15** Reg. 36 in force at 20.12.2020, see [reg. 1\(3\)](#)

PART 8

Offences and penalties

CHAPTER 1

Offences

Offences relating to gatherings and being away from home

37.—(1) A person who contravenes a requirement in—

- (a) paragraph [^{F67}2(1)] of Schedule 1,
- (b) paragraph [^{F68}2(1) ^{F69}...] or (3) of Schedule 2,
- (c) paragraph 1(1) [^{F70}2(1) or 3(1)] of Schedule 3, or
- (d) paragraph 1(1) or 2(1) of Schedule 4,

commits an offence.

^{F71}(2)

Textual Amendments

- F67** Words in [reg. 37\(1\)\(a\)](#) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021](#) (S.I. 2021/1485), regs. 1(2), **2(7)(a)(i)**
- F68** Words in [reg. 37\(1\)\(b\)](#) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021](#) (S.I. 2021/1485), regs. 1(2), **2(7)(a)(ii)**
- F69** Word in [reg. 37\(1\)\(b\)](#) omitted (21.1.2022 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2022](#) (S.I. 2022/55), regs. 1(2), **2(4)(a)**
- F70** Words in [reg. 37\(1\)\(c\)](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021](#) (S.I. 2021/502), regs. 1(2), **2(8)**
- F71** [Reg. 37\(2\)](#) omitted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022](#) (S.I. 2022/83), regs. 1(2), **2(8)**

Commencement Information

I16 Reg. 37 in force at 20.12.2020, see [reg. 1\(3\)](#)

Travel restriction offences

^{F72}**38.**

Textual Amendments

F72 Reg. 38 omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(7)**

Offences relating to organising events

39.—(1) A person who contravenes a requirement in—

- (a) paragraph 4 of Schedule 1,
- (b) paragraph 4 of Schedule 2,
- (c) [^{F73}paragraph 5] of Schedule 3, or
- (d) paragraph 4 of Schedule 4,

commits an offence.

^{F74}(2)

^{F75}(3)

Textual Amendments

F73 Words in reg. 39(1)(c) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(9)**

F74 Reg. 39(2) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(13)** (with reg. 3)

F75 Reg. 39(3) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(13)** (with reg. 3)

Commencement Information

I17 Reg. 39 in force at 20.12.2020, see [reg. 1\(3\)](#)

Offences relating to isolation requirements and contact tracing

^{F76}**40.**

Textual Amendments

F76 Reg. 40 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(14)** (with reg. 3)

Offence of possessing false or misleading evidence relating to vaccination or coronavirus test results

^{F77}40A.

Textual Amendments
F77 Reg. 40A omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(11)**

Offence of failing to wear a face covering

41. A person who contravenes the requirement in regulation ^{F78}... 20(1) commits an offence.

Textual Amendments
F78 Words in [reg. 41](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(15)** (with [reg. 3](#))

Commencement Information
I18 Reg. 41 in force at 20.12.2020, see [reg. 1\(3\)](#)

Offences relating to businesses and services

42.—(1) A person who, without reasonable excuse, contravenes a requirement in—

- (a) [^{F79}paragraph 7(1)] of Schedule 1,
- (b) [^{F80}paragraph 7(1)] of Schedule 2,
- (c) paragraphs 7(1), 8(1) or [^{F81}9(1)] of Schedule 3, or
- (d) paragraphs 7(1), 8(1), 9(1) [^{F82}, 10(1) or 11(3)] of Schedule 4,

commits an offence.

^{F83}(2)
^{F84}(3)
^{F84}(4)
^{F84}(5)

Textual Amendments
F79 Words in [reg. 42\(1\)\(a\)](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(10)(a)**
F80 Words in [reg. 42\(1\)\(b\)](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(10)(b)**
F81 Word in [reg. 42\(1\)\(c\)](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(10)(c)**

- F82** Words in reg. 42(1)(d) substituted (22.12.2020 at 12.01 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1623), regs. 1(2), **2(4)**
- F83** Reg. 42(2) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(16)** (with reg. 3)
- F84** Reg. 42(3)-(5) omitted (18.4.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/450), regs. 1(2), **2(7)**

Commencement Information

- I19** Reg. 42 in force at 20.12.2020, see [reg. 1\(3\)](#)

Offence of failing to work from home where reasonably practicable to do so

^{F85}**42A.**

Textual Amendments

- F85** Reg. 42A omitted (28.1.2022 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/83), regs. 1(2), **2(9)**

Obstruction and contravention of directions and compliance notices

43.—(1) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

(2) A person who, without reasonable excuse—

(a) contravenes a direction given—

(i) by an enforcement officer under Part 7, or

^{F86}(ii)

(b) fails to comply with a compliance notice given by an enforcement officer under regulation 27(1),

commits an offence.

Textual Amendments

- F86** Reg. 43(2)(a)(ii) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(17)** (with reg. 3)

Commencement Information

- I20** Reg. 43 in force at 20.12.2020, see [reg. 1\(3\)](#)

Penalty

44. An offence under these Regulations is punishable on summary conviction by a fine.

Commencement Information

- I21** Reg. 44 in force at 20.12.2020, see [reg. 1\(3\)](#)

Arrest without warrant

45. Section 24 of the Police and Criminal Evidence Act 1984 ^{M4} applies in relation to an offence under these Regulations as if the reasons in subsection (5) included—

- (a) to maintain public health;
- (b) to maintain public order.

Commencement Information

I22 Reg. 45 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

M4 1984 c. 60. Section 24 was substituted by section 110(1) of the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).

Offences committed by bodies corporate etc.

46.—(1) If an offence under these Regulations committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(2) In paragraph (1), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(3) Proceedings for an offence under these Regulations alleged to have been committed by a partnership may be brought in the name of the partnership instead of in the name of any of the partners.

(4) Proceedings for an offence under these Regulations alleged to have been committed by an unincorporated body other than a partnership may be brought in the name of the body instead of in the name of any of its members and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if that body were a body corporate.

(5) Section 33 of the Criminal Justice Act 1925 ^{M5} and Schedule 3 to the Magistrates' Courts Act 1980 ^{M6} apply in proceedings for an offence brought against a partnership or an unincorporated body other than a partnership as they apply in relation to a body corporate.

(6) A fine imposed on a partnership on its conviction for an offence under these Regulations is to be paid out of the partnership assets.

(7) A fine imposed on an unincorporated body other than a partnership on its conviction for an offence under these Regulations is to be paid out of the funds of the body.

Commencement Information

I23 Reg. 46 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

M5 1925 c. 86.
M6 1980 c. 43.

CHAPTER 2

Fixed penalties

Fixed penalty notices

47.—(1) An enforcement officer may issue a fixed penalty notice to a person the officer reasonably believes—

- (a) has committed an offence under these Regulations, and
- (b) is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

- (a) a local authority, or
- (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation,

as the notice may specify.

(3) The Welsh Ministers may designate themselves under paragraph (2)(b).

(4) A person designated by the Welsh Ministers for the purposes of receiving payment under—

- (a) regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) regulation 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020,
- (c) regulation 31 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020, or
- (d) regulation 37 of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020

is to be treated as if designated for the purposes of receiving payment under this regulation.

(5) Where a local authority is specified in the notice it must be the authority (or as the case may be, one of the authorities) in whose area the offence is alleged to have been committed.

(6) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

Commencement Information

I24 Reg. 47 in force at 20.12.2020, see [reg. 1\(3\)](#)

Amount of fixed penalty: general

48.—(1) Unless regulation [^{F87}50 or 52] applies, the amount of a fixed penalty is—

- (a) £60, or
- (b) if £30 is paid before the end of the period of 14 days following the date of the notice, £30.

(2) But if the person to whom such a fixed penalty notice is issued has already received a relevant fixed penalty notice—

- (a) paragraph (1) does not apply, and
- (b) the amount specified as the fixed penalty is—
 - (i) in the case of the second relevant fixed penalty notice received, £120;
 - (ii) in the case of the third relevant fixed penalty notice received, £240;
 - (iii) in the case of the fourth relevant fixed penalty notice received, £480;
 - (iv) in the case of the fifth relevant fixed penalty notice received, £960;
 - (v) in the case of the sixth and any subsequent relevant fixed penalty notice received, £1,920.
- (3) In paragraph (2), “relevant fixed penalty notice” means—
 - (a) a fixed penalty notice where the amount of fixed penalty is determined under this regulation;
 - (b) a fixed penalty notice under—
 - (i) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
 - (ii) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 other than a notice to which regulation 21(7A) of those Regulations applies,
 - (iii) the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020 other than a notice to which regulation 31(8) of those Regulations applies,
 - (iv) the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 other than a notice to which regulation 39, 40, 41 or 42 of those Regulations applies,
 - (v) the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020^{M7}.

<p>Textual Amendments</p> <p>F87 Words in reg. 48(1) substituted (28.3.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), 2(18) (with reg. 3)</p>
<p>Commencement Information</p> <p>I25 Reg. 48 in force at 20.12.2020, see reg. 1(3)</p>
<p>Marginal Citations</p> <p>M7 S.I. 2020/1011 (W. 225).</p>

Amount of fixed penalty: participating in a large gathering at a private dwelling

^{F88}**49.**

<p>Textual Amendments</p> <p>F88 Reg. 49 omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), 2(19) (with reg. 3)</p>

Amount of fixed penalty: international travel requirements

^{F89}**49A.**

Textual Amendments

F89 Reg. 49A omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(9)**

Amount of fixed penalty: organising an event

50.—(1) Where a fixed penalty notice is issued in respect of an alleged offence under regulation 39(1), the amount of the fixed penalty is £500.

(2) But if the person to whom a fixed penalty notice is issued in respect of such an alleged offence has already received a relevant fixed penalty notice—

- (a) paragraph (1) does not apply, and
- (b) the amount of the fixed penalty is—
 - (i) in the case of the second such fixed penalty notice received, £1,000;
 - (ii) in the case of the third such fixed penalty notice received, £2,000;
 - (iii) in the case of the fourth and any subsequent such fixed penalty notice received, £4,000.

(3) In paragraph (2), “relevant fixed penalty notice” means—

- (a) a fixed penalty notice where the amount of fixed penalty is determined under this regulation;
- (b) a fixed penalty notice under the [Health Protection \(Coronavirus Restrictions\) \(No. 4\) \(Wales\) Regulations 2020](#) to which regulation 40 of those Regulations applies.

Commencement Information

I26 Reg. 50 in force at 20.12.2020, see [reg. 1\(3\)](#)

Amount of fixed penalty: organising an unlicensed music event

^{F90}**51.**

Textual Amendments

F90 Reg. 51 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(20)** (with reg. 3)

Amount of fixed penalty: business-related offences

52.—(1) This regulation applies to a fixed penalty notice issued in respect of an alleged offence under regulation 42(1) ^{F91}... ^{F92}... (an “alleged business offence”).

(2) Where a fixed penalty notice is issued in respect of an alleged business offence, the amount of the fixed penalty is £1,000.

(3) But if the person to whom a fixed penalty notice is issued in respect of an alleged business offence has already received a relevant fixed penalty notice—

- (a) paragraph (2) does not apply, and
- (b) the amount of the fixed penalty is—

- (i) in the case of the second such fixed penalty notice received, £2,000;
 - (ii) in the case of the third such fixed penalty notice received, £4,000;
 - (iii) in the case of the fourth and any subsequent such fixed penalty notice received, £10,000.
- (4) In paragraph (3), “relevant fixed penalty notice” means—
- (a) a fixed penalty notice issued in respect of an alleged business offence;
 - (b) a fixed penalty notice under the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 to which regulation 42 of those Regulations applies.

Textual Amendments

- F91** Word in reg. 52(1) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(21)** (with reg. 3)
- F92** Words in reg. 52(1) omitted (18.4.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2022 \(S.I. 2022/450\)](#), regs. 1(2), **2(8)**

Commencement Information

- I27** Reg. 52 in force at 20.12.2020, see reg. 1(3)

Fixed penalties: form and procedure

- 53.**—(1) A fixed penalty notice must—
- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
 - (b) state the period during which (because of regulation 47(6)(a)) proceedings will not be taken for the offence;
 - (c) specify the amount of the fixed penalty determined under regulation 48^{F93} ..., ^{F94} ... 50^{F93} ... or 52 (as the case may be);
 - (d) state the name and address of the person to whom the fixed penalty may be paid;
 - (e) specify permissible methods of payment.
- (2) Whatever other method may be specified under paragraph (1)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (1)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (3) Where a letter is sent as mentioned in paragraph (2), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- (4) In any proceedings, a certificate—
- (a) that purports to be signed by or on behalf of the person with responsibility for the financial affairs of—
 - (i) the local authority, or
 - (ii) the person designated under regulation 47(2)(b),
 specified in the fixed penalty notice to which the proceedings relate, and
 - (b) which states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,
- is evidence of the facts stated.

Textual Amendments

- F93** Words in [reg. 53\(1\)\(c\)](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), [regs. 1\(2\)](#), **2(22)** (with [reg. 3](#))
- F94** Word in [reg. 53\(1\)\(c\)](#) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), [regs. 1\(2\)](#), **2(10)**

Commencement Information

- I28** [Reg. 53](#) in force at 20.12.2020, see [reg. 1\(3\)](#)

Fixed penalty notices: prohibition of double jeopardy

54.—(1) Where the same, or largely the same, act or omission by a person may give rise to a reasonable belief that the person has committed more than one offence under these Regulations, a fixed penalty notice may be issued to the person only in respect of one of the alleged offences.

^{F95}(2)

Textual Amendments

- F95** [Reg. 54\(2\)](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), [regs. 1\(2\)](#), **2(23)** (with [reg. 3](#))

Commencement Information

- I29** [Reg. 54](#) in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 3

Proceedings

Self-incrimination

55.—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.

(2) Where the information is used in proceedings other than for an offence under these Regulations or section 5 of the Perjury Act 1911^{M8} (false statements made otherwise than on oath)—

- (a) no evidence relating to the information may be adduced by or on behalf of the prosecution, and
 - (b) no question relating to the information may be asked by or on behalf of the prosecution.
- (3) Paragraph (2) does not apply if, in the proceedings—
- (a) evidence relating to the information is adduced by or on behalf of the person who provided it, or
 - (b) a question relating to the information is asked by or on behalf of that person.

(4) In this regulation, “relevant information” means—

- (a) information which is relevant information for the purposes of regulation 14;
- (b) information, or the answer to a question, given in response to a requirement imposed under regulation 36(1);

- (c) anything contained in a document or electronic records produced in response to a requirement imposed under paragraph 8(1) of Schedule 8.

Commencement Information

I30 Reg. 55 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

M8 1911 c. 6. Section 5 was amended by section 1(2) of the [Criminal Justice Act 1948 \(c. 58\)](#).

Prosecutions

56.—(1) No proceedings for an offence under these Regulations may be brought other than by—

- (a) the Director of Public Prosecutions,
- (b) any person designated by the Welsh Ministers, or
- (c) in relation to proceedings for [^{F96}an offence mentioned in paragraph (1A)], a local authority.

[^{F97}(1A) The offences referred to in paragraph (1)(c) are—

- (a) an offence under regulation 42 ^{F98}...;
- (b) an offence under regulation 43(1) where the person carrying out a function under these Regulations is an enforcement officer designated by a local authority;
- (c) an offence under regulation 43(2)(a)(i) or (b) where the enforcement officer giving the direction or compliance notice is a person designated by a local authority.]

(2) A person designated by the Welsh Ministers under—

- (a) regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) regulation 22 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020,
- (c) regulation 32 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020, or
- (d) regulation 46 of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020,

is to be treated as if designated under this regulation.

Textual Amendments

F96 Words in [reg. 56\(1\)\(c\)](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), [regs. 1\(2\)](#), [2\(11\)\(a\)](#)

F97 [Reg. 56\(1A\)](#) inserted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), [regs. 1\(2\)](#), [2\(11\)\(b\)](#)

F98 Words in [reg. 56\(1A\)\(a\)](#) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), [regs. 1\(2\)](#), [2\(24\)](#) (with [reg. 3](#))

Commencement Information

I31 Reg. 56 in force at 20.12.2020, see [reg. 1\(3\)](#)

PART 9

General

Interpretation

57.—(1) In these Regulations—

- (a) “alcohol” has the meaning given by section 191 of the Licensing Act 2003 ^{M9};
- (b) “alternative wedding ceremony” means a ceremony—
 - (i) based on a person's faith or belief or lack of belief, to mark the union of two people, other than a ceremony for the purposes of solemnising a marriage or forming a civil partnership,

- (ii) held in regulated premises, and

- (iii) organised by a charitable, benevolent or philanthropic institution;

- (c) “carer” means a person who provides care for the person assisted where—

- (i) the carer is entitled to an assessment under section 24 of the Social Services and Well-being (Wales) Act 2014 ^{M10},

- (ii) the care is part of the provision of community care services under Part 4 of the Social Services and Well-being (Wales) Act 2014, or

- (iii) the care is provided by a care provider registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 ^{M11};

- (d) “child” means a person who is aged under 18;

[^{F99}(da) “close contact service” means a service which is ordinarily provided by any of the following—

- (i) hair salons and barbers;

- (ii) nail and beauty salons including tanning and electrolysis services;

- (iii) body piercings and tattooing services;]

^{F100}(e)

^{F101}(f)

- (g) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

[^{F102}(ga) “COVID-19” is the official designation of the disease which can be caused by coronavirus;]

[^{F103}(h) “elite athlete” means an individual who—

- (i) derives a living from competing in a sport,

- (ii) is designated as an elite athlete by the Sports Council for Wales for the purposes of—

- (aa) these Regulations,

- (bb) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,

- (cc) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020,

- (dd) the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020, or
- (ee) the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020,

[^{F104}(iii) is a “domestic elite sportsperson” or an “international elite sportsperson” within the meaning given by—

- (aa) paragraph 44(2) of Schedule 4 to the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021;
- (bb) paragraph 42(2) of Schedule 4 to the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Regulations 2021;
- (cc) paragraphs 58 and 59 of Schedule 4 to the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021;]]

- (i) “elite sporting event” means a sporting event at which only elite athletes are competing;
- (j) “face covering” means a covering of any type which covers a person's nose and mouth;
- (k) “food and drink business” means—
 - (i) bars (including bars in members' clubs);
 - (ii) public houses;
 - (iii) cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs);
- (l) “holiday site” means any land in Wales on which a mobile home or caravan is stationed for the purposes of human habitation (including any land in Wales used in conjunction with that land), in respect of which the relevant planning permission or the site licence for the land—
 - (i) is expressed to be granted for holiday use only, or
 - (ii) requires that there are times of the year when no mobile home or caravan may be stationed on the site for human habitation;
- (m) “holiday or travel accommodation” means accommodation in—
 - (i) camping sites;
 - (ii) holiday sites;
 - (iii) hotels and bed and breakfast accommodation;
 - (iv) other holiday accommodation (including holiday apartments, hostels and boarding houses);
- (n) “local authority” means the council of a county or county borough in Wales;
- (o) “parental responsibility” has the same meaning as in the Children Act 1989 ^{M12};
- (p) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (q) “premises” includes any building or structure and any land;
- (r) “public transport service” means a service provided to the general public for the carriage of passengers by road, railway, tramway, air or water;
- (s) “regulated premises” has the meaning given by regulation 15(1);
- ^{F105}(t)
- (u) “single adult household” means—
 - (i) a household comprising of 1 adult (and any number of children), or

- (ii) a household comprising of—
 - (aa) 1 adult who has caring responsibilities for 1 or more other adults in the household,
 - (bb) the adult or adults being cared for,
 - (cc) no other adults, and
 - (dd) any number of children;
- (v) “vehicle” includes an aircraft, a cable car, a train, a tram and a vessel;
- (w) “vulnerable person” includes—
 - (i) any person aged 70 or older;
 - (ii) any person under 70 who has an underlying health condition;
 - (iii) any person who is pregnant;
 - (iv) any child;
 - (v) any person who is a vulnerable adult within the meaning given by section 60(1) of the Safeguarding Vulnerable Groups Act 2006 ^{M13}.

(2) For the purposes of determining whether or not a site is a holiday site in accordance with paragraph (1)(l), any provision of the relevant planning permission or of the site licence which permits the stationing of a mobile home on the land for human habitation all year round is to be ignored if the mobile home is authorised to be occupied by—

- (a) the person who is the owner of the site, or
- (b) a person employed by that person who does not occupy the mobile home under an agreement to which Part 4 of the Mobile Homes (Wales) Act 2013 ^{M14} applies.

(3) In these Regulations, references to a “private dwelling”—

- (a) include a houseboat and any garden, yard, passage, stair, outhouse or other appurtenance of the dwelling;
- (b) do not include the following—
 - (i) holiday or travel accommodation;
 - (ii) accommodation in a care home service, secure accommodation service or residential family centre service, within the meaning given to those terms by Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 ^{M15};
 - (iii) criminal justice accommodation.

(4) For the purposes of these Regulations—

- (a) there is a gathering when two or more people are in the same place in order to do something together;
- (b) an event is an occasion—
 - (i) which is planned or scheduled for a particular purpose, and
 - (ii) at which any number of people are in the same place for that purpose, whether or not they are participating in a gathering [^{F106}at the event].

[^{F107}(4A) For the purposes of these Regulations, where an event includes the playing of a team sport, members of a team playing in the event and any person providing coaching or other assistance to the team, are to be treated as if working at the event.]

(5) For the purposes of these Regulations—

- (a) premises are indoors if they are enclosed or substantially enclosed within the meaning given by ^{F108}regulation 3 of the Smoke-free Premises and Vehicles (Wales) Regulations 2020];
- ^{F109}(aa) a vehicle, or a part of a vehicle, is indoors if it is enclosed within the meaning given by that regulation;]
- (b) premises are authorised for the sale or supply of alcohol where the premises have been granted or given an authorisation under the Licensing Act 2003, and “authorisation” has the meaning given by section 136(5) of that Act.
- (6) For the purposes of these Regulations, the premises of a cinema or theatre is a drive-in cinema or theatre if—
- (a) the premises are outdoors, and
- (b) persons attending the showing of a film or performance at the premises—
- (i) may only do so in an enclosed vehicle, and
- (ii) may not, in so far as is reasonably practicable, leave the vehicle while at the premises.
- (7) For the purposes of these Regulations, ^{F110}a gathering ^{F111}or event] is “regulated”] if—
- (a) it is organised by—
- (i) a business,
- (ii) a public body or a charitable, benevolent, educational or philanthropic institution,
- (iii) a club or political organisation, or
- (iv) the national governing body of a sport or other activity, and
- (b) the person organising it has—
- (i) carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999 ^{M16}, whether or not the person is subject to those Regulations, and
- (ii) complied with the requirements of ^{F112}Part 4].
- (8) For the purposes of paragraph (7)(b)—
- (a) regulation 3 of the Management of Health and Safety at Work Regulations 1999 applies as if the ^{F113}gathering]^{F114}or event] were an undertaking conducted by the person organising it;
- (b) ^{F115}Part 4] of these Regulations applies as if—
- (i) the place where the ^{F113}gathering]^{F114}or event] takes place were regulated premises ^{F116}within the meaning given by regulation 15], and
- (ii) the person organising the ^{F113}gathering]^{F114}or event] were the responsible person in relation to those regulated premises.
- ^{F117}(9) For the purposes of these Regulations, a ^{F118}... gathering or event is not to be treated as being otherwise than “outdoors” by reason only of—
- (a) the provision of indoor facilities for the sale ^{F119}or consumption of food and drink];
- (b) the provision of other indoor facilities necessary for the holding of the gathering or event.]

Textual Amendments

- F99** Reg. 57(1)(da) inserted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(12)(a)**

- F100** Reg. 57(1)(e) omitted (18.4.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/450), regs. 1(2), **2(9)**
- F101** Reg. 57(1)(f) omitted (18.4.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/450), regs. 1(2), **2(9)**
- F102** Reg. 57(1)(ga) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(5)(a)**
- F103** Reg. 57(1)(h) substituted (20.2.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/172), regs. 1(2), **2(3)**
- F104** Reg. 57(1)(h)(iii) substituted for reg. 57(1)(h)(iii)(iv)(v) (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(9)(a)**
- F105** Reg. 57(1)(t) omitted (12.4.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 7) Regulations 2021 (S.I. 2021/457), regs. 1(2), **2(12)(b)**
- F106** Words in reg. 57(4)(b)(ii) inserted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(11)(a)**
- F107** Reg. 57(4A) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(9)(b)**
- F108** Words in reg. 57(5)(a) substituted (1.3.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/210), regs. 1(3), **2(8)**
- F109** Reg. 57(5)(aa) inserted (7.8.2021 at the beginning of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(2), **2(21)**
- F110** Words in reg. 57(7) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(11)(b)**
- F111** Words in reg. 57(7) inserted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(a)(i)**
- F112** Words in reg. 57(7)(b)(ii) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(a)(ii)**
- F113** Word in reg. 57(8) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(11)(c)**
- F114** Words in reg. 57(8) inserted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(b)(i)**
- F115** Words in reg. 57(8)(b) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(b)(ii)(aa)**
- F116** Words in reg. 57(8)(b)(i) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(b)(ii)(bb)**
- F117** Reg. 57(9) inserted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(5)(c)**
- F118** Word in reg. 57(9) omitted (9.10.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 18) Regulations 2021 (S.I. 2021/1131), regs. 1(2), **2(5)**
- F119** Words in reg. 57(9)(a) substituted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(5)(b)**

Commencement Information

- I32** Reg. 57 in force at 20.12.2020, see reg. 1(3)

Marginal Citations

- M9** Section 191 has been amended by the [Policing and Crime Act 2017 \(c. 3\)](#) and [S.I. 2006/2407](#).
- M10** [2014 anaw 4](#).
- M11** [2016 anaw 2](#).
- M12** [1989 c. 41](#). See Part 1 of the Act, to which there have been various amendments, including by the [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#) and [S.I. 2019/1458](#).
- M13** Section 60 was amended by section 65 of the [Protection of Freedoms Act 2012 \(c. 9\)](#).
- M14** [2013 anaw 6](#), as amended by the [Housing \(Wales\) Act 2014 \(anaw 7\)](#).
- M15** [2016 anaw 2](#).
- M16** [S.I. 1999/3242](#). Regulation 3 was amended by [S.I. 2005/1541](#), [S.I. 2015/21](#) and [S.I. 2015/1637](#).

Revocation

- 58.** The following Regulations are revoked—
- the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020, other than regulation 48;
 - regulation 4 of the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (Wales) Regulations 2020 ^{M17};
 - regulation 6 of the Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 2) (Wales) Regulations 2020 ^{M18}.

Commencement Information

- I33** Reg. 58 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

- M17** [S.I. 2020/1237 \(W. 279\)](#) as amended by [S.I. 2020/1288 \(W. 286\)](#).
- M18** [S.I. 2020/1288 \(W. 286\)](#).

Consequential amendment

59. In regulation 19(10) of the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020, after sub-paragraph (d) insert—

- “(e) the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 if regulation 48 of those Regulations applies to the notice.”

Commencement Information

- I34** Reg. 59 in force at 20.12.2020, see [reg. 1\(3\)](#)

Mark Drakeford
First Minister, one of the Welsh Ministers

SCHEDULE 1

Regulation 4(2)

Alert Level 1 Restrictions

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

^{F120}1.

Textual Amendments

F120 Sch. 1 para. 1 omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)** (a)

Restriction on gatherings in public places

2.—^{F121}(1) No person may, without a reasonable excuse, participate in a gathering which takes place indoors other than in a private dwelling ^{F122}... which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.]

^{F123}(1A)

^{F124}(1B)

(2) In determining, for the purposes of ^{F125}sub-paragraph (1)], the number of persons participating in a gathering no account is to be taken of—

^{F126}(a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or]

(b) the carer of a person who is participating in the gathering.

(3) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

(a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or

(b) one of the circumstances in sub-paragraph (5) applies.

(4) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

(a) obtaining or providing medical assistance, or accessing veterinary services;

(b) working or providing voluntary or charitable services;

(c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;

(e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;

- (f) moving home;
 - (g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;
 - (h) accessing or receiving public services;
 - (i) accessing or receiving educational services.
- (5) The circumstances referred to in sub-paragraph (3)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
 - [^{F127}(e) participating in an indoor gathering [^{F128}at regulated premises] to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;]
 - (f) attending a place of worship;
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
 - [^{F129}(i) participating in, attending or facilitating a regulated gathering or event that takes place to any extent indoors ^{F130}...;]
 - ^{F131}(j)
 - ^{F132}(k)
 - ^{F133}(ka)
 - (l) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 5.
- [^{F134}(5A) For the purposes of this paragraph, a gathering in holiday or travel accommodation is to be treated as if it were a gathering in a private dwelling.]
- ^{F135}(6)

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

- F121** Sch. 1 para. 2(1) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(i)**
- F122** Words in Sch. 1 para. 2(1) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(i)**
- F123** Sch. 1 para. 2(1A) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(ii)**
- F124** Sch. 1 para. 2(1B) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(iii)**
- F125** Words in Sch. 1 para. 2(2) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(iii)**
- F126** Sch. 1 para. 2(2)(a) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(iv)(bb)**
- F127** Sch. 1 para. 2(5)(e) substituted (26.4.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021 (S.I. 2021/502), regs. 1(2), **2(12)(b)(i)**
- F128** Words in Sch. 1 para. 2(5)(e) substituted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(6)(a)(i)**
- F129** Sch. 1 para. 2(5)(i) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(aa)**
- F130** Words in Sch. 1 para. 2(5)(i) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(iv)**
- F131** Sch. 1 para. 2(5)(j) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(bb)**
- F132** Sch. 1 para. 2(5)(k) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(bb)**
- F133** Sch. 1 para. 2(5)(ka) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(v)**
- F134** Sch. 1 para. 2(5A) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(vi)**
- F135** Sch. 1 para. 2(6) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(vi)**

Commencement Information

- I35** Sch. 1 para. 2 in force at 20.12.2020, see reg. 1(3)

Extended households

^{F136}3.

Textual Amendments

- F136** Sch. 1 para. 3 omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(c)**

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^{F137}(1) No person may, without a reasonable excuse, be involved in organising an event unless—

(a) the event is regulated (see regulation 57(7)), ^{F138}and]

^{F139}(b)

(c) ^{F140}where the event is held to any extent indoors,] no more than the permitted number of people attend at any time.

(1A) The permitted number of people is—

(a) where every person attending is normally seated during the event, ^{F141}1000];

(b) otherwise, ^{F142}200].

(1B) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^{F143}(2) Sub-paragraph (1) does not apply to a person involved in organising—

(a) an event held at a private dwelling at which people do not participate in a gathering in contravention of ^{F144}regulation 37(2)];

(b) an event authorised by the Welsh Ministers under paragraph 5;

(c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;

(d) a funeral;

(e) an indoor gathering ^{F145}at regulated premises ^{F146}...] to—

(i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;

(ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;

^{F147}(f)

(g) a regulated gathering^{F148}... for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).

^{F149}(ga)

^{F150}(h) an event that is held to any extent indoors at regulated premises ^{F151}... and at which—

(i) no more than 6 people are in attendance, or

(ii) all of the people in attendance are members of the same household ^{F152}...;

^{F153}(i) an event that is held outdoors at which no more than 50 people are in attendance;]

[an event that is any of the following, where it is held in premises ordinarily used for that ^{F154}(ia) purpose—

(i) the showing of a film,

- (ii) an entertainment performance where no more than 200 people are in attendance or where it is held outdoors,
 - (iii) a market, or
 - (iv) a religious service;
- (ib) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services for the event;]
- ^{F155}(j)]
- ^{F155}(k)]
- [^{F156}(2A) In determining, for the purposes of sub-paragraph (2), the number of persons in attendance at an event, no account is to be taken of—
- (a) any children under the age of 11,
 - (b) the carer of any person in attendance, or
 - (c) any person working, or providing voluntary services, at the event.]
- (3) For the purposes of sub-paragraph (1)—
- (a) a person is not involved in organising an event if the person's only involvement is attending it;
 - (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than [^{F157}the permitted number of people are present at the event at any time];
- ^{F158}(c)
- ^{F158}(d)

Textual Amendments

- F137** Sch. 1 para. 4(1)-(1B) substituted for Sch. 1 para. 4(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(6)(c)(i)**
- F138** Word in Sch. 1 para. 4(1)(a) inserted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(aa)**
- F139** Sch. 1 para. 4(1)(b) omitted (17.7.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(bb)**
- F140** Words in Sch. 1 para. 4(1)(c) inserted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(cc)**
- F141** Word in Sch. 1 para. 4(1A)(a) substituted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(ii)(aa)**
- F142** Word in Sch. 1 para. 4(1A)(b) substituted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(ii)(bb)**
- F143** Sch. 1 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(6)(c)(ii)**
- F144** Words in Sch. 1 para. 4(2)(a) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(d)(i)**
- F145** Words in Sch. 1 para. 4(2)(e) substituted (8.6.2021 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 12\) Regulations 2021 \(S.I. 2021/686\)](#), regs. 1(2), **2(2)(a)**

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

F146	Words in Sch. 1 para. 4(2)(e) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722) , regs. 1(2), 2(6)(c)(i)(aa)
F147	Sch. 1 para. 4(2)(f) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862) , regs. 1(2), 2(4)(c)(iii)(aa)
F148	Words in Sch. 1 para. 4(2)(g) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485) , regs. 1(2), 2(10)(d)(ii)
F149	Sch. 1 para. 4(2)(ga) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862) , regs. 1(2), 2(4)(c)(iii)(aa)
F150	Sch. 1 para. 4(2)(h)-(j) inserted (8.6.2021 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/686) , regs. 1(2), 2(2)(c)
F151	Words in Sch. 1 para. 4(2)(h) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485) , regs. 1(2), 2(10)(d)(iii)
F152	Words in Sch. 1 para. 4(2)(h)(ii) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722) , regs. 1(2), 2(6)(c)(i)(cc)(ii)
F153	Sch. 1 para. 4(2)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485) , regs. 1(2), 2(10)(d)(iv)
F154	Sch. 1 para. 4(2)(ia)(ib) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722) , regs. 1(2), 2(6)(c)(i)(dd)
F155	Sch. 1 para. 4(2)(j)(k) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485) , regs. 1(2), 2(10)(d)(v)
F156	Sch. 1 para. 4(2A) inserted (8.6.2021 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/686) , regs. 1(2), 2(2)(d)
F157	Words in Sch. 1 para. 4(3)(b) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668) , regs. 1(2), 2(6)(c)(iii)
F158	Sch. 1 para. 4(3)(c)(d) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722) , regs. 1(2), 2(6)(c)(ii)
Commencement Information	
I36	Sch. 1 para. 4 in force at 20.12.2020, see reg. 1(3)

Authorised events

5.—^{F159}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

^{F160}(2)

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

(a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and

(b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

^{F161}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify [^{F162}regulation 16][^{F163}, 16ZA or 16ZB]

(requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.]

- (5) The Welsh Ministers must publish—
 - (a) an authorisation given under sub-paragraph (1), and
 - (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.
- (6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.
- (7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —
 - (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
 - (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

- F159** Sch. 1 para. 5(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(i)**
- F160** Sch. 1 para. 5(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(ii)**
- F161** Sch. 1 para. 5(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(iii)**
- F162** Words in Sch. 1 para. 5(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(22)**
- F163** Words in Sch. 1 para. 5(4A) inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(e)**

Commencement Information

- I37** Sch. 1 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F164}PART 3

Restrictions on travelling

Textual Amendments

- F164** Sch. 1 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(13)**

Restriction on travel to and from Alert Level 1 area

6.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

PART 4

Restrictions on certain businesses and services

Closure of premises used by certain businesses and services

7.—(1) A person responsible for carrying on or providing a business or service listed in paragraph 9 ^{F165}... must—

- (a) close to members of the public any premises operated as part of the business or service, and
- (b) not carry on the business or service at such premises otherwise than in accordance with this regulation.

(2) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast) or to rehearse ^{F166}... ;
- (d) the use of premises for the provision of services or information (including the sale, hire or delivery of goods or services)—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

(3) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Textual Amendments

F165 Words in Sch. 1 para. 7(1) omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(f)**

F166 Words in Sch. 1 para. 7(2)(c) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(4)(b)**

Commencement Information

I38 Sch. 1 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Restrictions on licensed premises

^{F167}8.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F167 Sch. 1 para. 8 omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(12)(f)**

Businesses or services whose premises must be closed

9. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

Commencement Information

I39 Sch. 1 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

F168 **10.**

Textual Amendments

F168 Sch. 1 para. 10 omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(g)**

F169 **11.**

Textual Amendments

F169 Sch. 1 para. 11 omitted (17.7.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(e)**

SCHEDULE 2

Regulation 4(3)

Alert Level 2 Restrictions

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

F170 **1.**

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Textual Amendments

F170 Sch. 2 para. 1 omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)** (a)

Restriction on gatherings in public places

2.—(1) No person may, without a reasonable excuse, participate in a gathering which—

[^{F171}(a) takes place indoors, ^{F172}... other than in a private dwelling, and]

(b) consists of more than [^{F173}6] people, not including—

(i) any children under the age of 11 [^{F174}, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households], or

(ii) the carer of a person who is participating in the gathering.

[^{F175}(2) But a person may participate in such a gathering if all the persons participating in the gathering are members of the same household.

^{F176}(2A)

^{F177}(3)

^{F178}(3A)

^{F179}(3B)

(4) For the purposes of sub-paragraphs (1) ^{F180}... and (3), a person has a reasonable excuse if—

(a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or

(b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

(a) obtaining or providing medical assistance, or accessing veterinary services;

(b) working or providing voluntary or charitable services;

(c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;

(e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;

(f) moving home;

(g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;

(h) accessing or receiving public services;

(i) accessing or receiving educational services.

[^{F181}(j) visiting a person who is resident in a care home, with the permission of the service provider.]

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (d) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;

[^{F182}(e) participating in [^{F183}a gathering at regulated premises] to—

- (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after [^{F184}1 December 2021];
- (ii) celebrate the life of a deceased person whose funeral is held on or after [^{F185}1 December 2021];]
- (f) attending a place of worship;
- (g) an elite athlete and is training or competing;
- (h) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
- (i) participating in or facilitating [^{F186}a regulated gathering that takes place [^{F187}to any extent] indoors and] at which—
 - (i) no more than [^{F188}30] people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F189}at the gathering], and
 - (ii) no alcohol is consumed;

^{F190}(j)

[^{F191}(k) participating in or facilitating an [^{F192}regulated gathering]^{F193}... for the development or well-being of [^{F194}children] (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays);]

(l) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 5.

(7) This paragraph does not apply to a person who is homeless.

[^{F195}(8) For the purposes of this paragraph, a gathering in holiday or travel accommodation is to be treated as if it were a gathering in a private dwelling.]

Textual Amendments

F171 Sch. 2 para. 2(1)(a) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(b)(i)**

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F172** Words in Sch. 2 para. 2(1)(a) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(a)(i)**
- F173** Word in Sch. 2 para. 2(1)(b) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(i)(aa)**
- F174** Words in Sch. 2 para. 2(1)(b)(i) inserted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(i)(bb)**
- F175** Sch. 2 para. 2(2)(2A) substituted for Sch. 2 para. 2(2) (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(ii)**
- F176** Sch. 2 para. 2(2A) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(a)(ii)**
- F177** Sch. 2 para. 2(3) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(iii)**
- F178** Sch. 2 para. 2(3A) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(iv)**
- F179** Sch. 2 para. 2(3B) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(v)**
- F180** Word in Sch. 2 para. 2(4) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(a)(iii)**
- F181** Sch. 2 para. 2(5)(j) inserted (26.4.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021 (S.I. 2021/502), regs. 1(2), **2(13)(b)(vi)**
- F182** Sch. 2 para. 2(6)(e) substituted (26.4.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021 (S.I. 2021/502), regs. 1(2), **2(13)(b)(vii)(aa)**
- F183** Words in Sch. 2 para. 2(6)(e) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(aa)**
- F184** Words in Sch. 2 para. 2(6)(e)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(bb)**
- F185** Words in Sch. 2 para. 2(6)(e)(ii) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(cc)**
- F186** Words in Sch. 2 para. 2(6)(i) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(iv)(aa)**
- F187** Words in Sch. 2 para. 2(6)(i) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(a)(i)**
- F188** Word in Sch. 2 para. 2(6)(i)(i) substituted (26.4.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021 (S.I. 2021/502), regs. 1(2), **2(13)(b)(vii)(bb)**

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F189** Words in Sch. 2 para. 2(6)(i)(i) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(iv)(bb)**
- F190** Sch. 2 para. 2(6)(j) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(a)(iv)**
- F191** Sch. 2 para. 2(6)(k) substituted (3.5.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/542), regs. 1(2), **2(4)(a)**
- F192** Words in Sch. 2 para. 2(6)(k) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(vi)**
- F193** Words in Sch. 2 para. 2(6)(k) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(viii)(aa)**
- F194** Word in Sch. 2 para. 2(6)(k) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(viii)(bb)**
- F195** Sch. 2 para. 2(8) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(ix)**

Commencement Information

- I40** Sch. 2 para. 2 in force at 20.12.2020, see reg. 1(3)

Extended households

- F196** 3.

Textual Amendments

- F196** Sch. 2 para. 3 omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(e)**

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^[F197]^[F198](1) No person may, without a reasonable excuse, be involved in organising an event ^[F199]held to any extent indoors.]]

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^[F200](2) Sub-paragraph (1) does not apply to a person involved in organising—

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of ^[F201]regulation 37(2);
- (b) an event authorised by the Welsh Ministers under paragraph 5;

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
- (d) a funeral;
- (e) [^{F202}a gathering at regulated premises], to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after [^{F203}1 December 2021];
 - (ii) celebrate the life of a deceased person whose funeral is held on or after [^{F204}1 December 2021];
- (f) a regulated gathering that takes place to any extent indoors and at which—
 - (i) no more than 30 people are in attendance, ^{F205}... and
 - (ii) no alcohol is consumed;

^{F206}(g)

(h) a regulated gathering ^{F207}... for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).

[^{F208}(i) an event that is held at regulated premises, other than at holiday or travel accommodation, and at which—

- (i) no more than 6 people are in attendance, or
- (ii) all of the people in attendance are members of the same household;

(j) an event that is any of the following, where it is held in premises ordinarily used for that purpose—

- (i) the showing of a film,
- (ii) an entertainment performance where no more than 200 people are in attendance ^{F209}....,
- (iii) a market, or
- (iv) a religious service;

(k) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services for the event;

^{F210}(l)

^{F211}(m)]]

[^{F212}(2A) In determining, for the purposes of sub-paragraph (2), the number of persons in attendance at an event, no account is to be taken of—

- (a) any children under the age of 11,
- (b) the carer of any person in attendance, or
- (c) any person working, or providing voluntary services, at the event.]

(3) For the purposes of sub-paragraph (1)—

(a) a person is not involved in organising an event if the person's only involvement is attending it;

^{F213}(b)

^{F214}(c)

^{F214}(d)

Textual Amendments

- F197** Sch. 2 para. 4(1)(1A) substituted for Sch. 2 para. 4(1) (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(b)(i)**
- F198** Sch. 2 para. 4(1) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(i)**
- F199** Words in Sch. 2 para. 4(1) substituted (21.1.2022 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(b)(i)**
- F200** Sch. 2 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(b)(ii)**
- F201** Words in Sch. 2 para. 4(2)(a) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(ii)**
- F202** Words in Sch. 2 para. 4(2)(e) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(aa)**
- F203** Words in Sch. 2 para. 4(2)(e)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(bb)**
- F204** Words in Sch. 2 para. 4(2)(e)(ii) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(cc)**
- F205** Words in Sch. 2 para. 4(2)(f)(i) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(a)(ii)**
- F206** Sch. 2 para. 4(2)(g) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(b)(ii)(aa)**
- F207** Words in Sch. 2 para. 4(2)(h) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(v)**
- F208** Sch. 2 para. 4(2)(i)-(m) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(a)(iv)**
- F209** Words in Sch. 2 para. 4(2)(j)(ii) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(b)(ii)(bb)**
- F210** Sch. 2 para. 4(2)(l) omitted (15.1.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) Regulations 2022 (S.I. 2022/39), regs. 1(2), **2(3)(b)(ii)**
- F211** Sch. 2 para. 4(2)(m) omitted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(vii)**
- F212** Sch. 2 para. 4(2A) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(b)**
- F213** Sch. 2 para. 4(3)(b) omitted (21.1.2022 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(b)(iii)**
- F214** Sch. 2 para. 4(3)(c)(d) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(c)**

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Commencement Information

I41 Sch. 2 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

Authorised events

5.—^{F215}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

^{F216}(2)

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

- (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
- (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

^{F217}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify ^{F218}regulation 16^{F219}, 16ZA or 16ZB] (requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.]

(5) The Welsh Ministers must publish—

- (a) an authorisation given under sub-paragraph (1), and
- (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.

(6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.

(7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —

- (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
- (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

F215 Sch. 2 para. 5(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(i)**

F216 Sch. 2 para. 5(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(ii)**

F217 Sch. 2 para. 5(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(iii)**

F218 Words in Sch. 2 para. 5(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(23)**

F219 Words in Sch. 2 para. 5(4A) inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(e)**

Commencement Information

I42 Sch. 2 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

F220 **PART 3**

Restrictions on travelling

Textual Amendments

F220 Sch. 2 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(14)**

Restriction on travel to and from Alert Level 2 area

6.

PART 4

Restrictions on certain businesses and services

Closure of premises used by certain businesses and services

7.—(1) A person responsible for carrying on or providing a business or service listed in paragraph 9 ^{F221}... must—

- (a) close to members of the public any premises operated as part of the business or service, and
- (b) not carry on the business or service at such premises otherwise than in accordance with this regulation.

(2) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast) or to rehearse ^{F222}... ;
- (d) the use of premises for the provision of services or information (including the sale, hire or delivery of goods or services)—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

(3) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Textual Amendments

F221 Words in Sch. 2 para. 7(1) omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(f)**

F222 Words in Sch. 2 para. 7(2)(c) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(5)(b)**

Commencement Information

I43 Sch. 2 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Restrictions on licensed premises

^{F223}8.

Textual Amendments

F223 Sch. 2 para. 8 omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(13)(f)**

Businesses or services whose premises must be closed

9. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

Commencement Information

I44 Sch. 2 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F224}10.

Textual Amendments

F224 Sch. 2 para. 10 omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(g)**

^{F225}11.

Textual Amendments

F225 Sch. 2 para. 11 omitted (26.12.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)** (g)

[^{F226}SCHEDULE 3

Regulation 4(4)

Alert Level 3 Restrictions

Textual Amendments

F226 Sch. 3 substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(14)**

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

1.—(1) No person may, without a reasonable excuse, participate in a gathering in a private dwelling unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (e) moving home;
 - (f) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (g) accessing or receiving educational services.
- (6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) working or providing voluntary or charitable services, or obtaining services from a person working or providing voluntary or charitable services;
 - (d) participating in a gathering of no more than 4 people where all the persons in the gathering—
 - (i) live in the same premises, and
 - (ii) share toilet, washing, dining or cooking facilities with each other.
- (7) This paragraph does not apply to a person who is homeless.

Restriction on gatherings in holiday or travel accommodation

2.—(1) No person may, without reasonable excuse, participate in a gathering which takes place in holiday or travel accommodation unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents

and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child.

- (6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) working or providing voluntary or charitable services;
 - (d) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (e) participating in an indoor gathering of no more than 15 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,at which no alcohol is consumed;
 - (f) participating in an outdoor gathering of no more than 30 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
 - (g) participating in or facilitating [^{F227}a regulated gathering that takes place [^{F228}to any extent] indoors and] at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F229}at the gathering], and
 - (ii) no alcohol is consumed;
 - (h) participating in or facilitating [^{F230}a regulated gathering that takes place ^{F231}... outdoors and] at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F232}at the gathering], and
 - (ii) no alcohol is consumed;
 - (i) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.
- (7) This paragraph does not apply to a person who is homeless.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Textual Amendments

- F227** Words in Sch. 3 para. 2(6)(g) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021](#) (S.I. 2021/583), regs. 1(2), **2(14)(a)(i)(aa)**
- F228** Words in Sch. 3 para. 2(6)(g) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021](#) (S.I. 2021/668), regs. 1(2), **2(8)(a)(i)**
- F229** Words in Sch. 3 para. 2(6)(g)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021](#) (S.I. 2021/583), regs. 1(2), **2(14)(a)(i)(bb)**
- F230** Words in Sch. 3 para. 2(6)(h) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021](#) (S.I. 2021/583), regs. 1(2), **2(14)(a)(ii)(aa)**
- F231** Words in Sch. 3 para. 2(6)(h) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021](#) (S.I. 2021/668), regs. 1(2), **2(8)(a)(ii)**
- F232** Words in Sch. 3 para. 2(6)(h)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021](#) (S.I. 2021/583), regs. 1(2), **2(14)(a)(ii)(bb)**

Restriction on gatherings in public places

3.—(1) No person may, without a reasonable excuse, participate in a gathering in premises to which neither paragraph 1 nor 2 applies unless all the persons participating in the gathering are members of the same household.

(2) But a person may participate in such a gathering—

- (a) outdoors in regulated premises if the gathering consists of no more than 6 persons;
- (b) outdoors other than in regulated premises if—
 - (i) the gathering consists of no more than 6 persons, or
 - (ii) all the persons participating in the gathering are members of the same extended household.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

- (d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
 - (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (f) moving home;
 - (g) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (h) accessing or receiving public services;
 - (i) accessing or receiving educational services;
 - (j) visiting a person who is resident in a care home, with the permission of the service provider.
- (6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
 - (e) participating in an indoor gathering of no more than 15 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,
at which no alcohol is consumed;
 - (f) participating in an outdoor gathering of no more than 30 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
 - (g) attending a place of worship;
 - (h) an elite athlete and is training or competing;
 - (i) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (j) participating in or facilitating [^{F233}a regulated gathering that takes place [^{F234}to any extent] indoors and] at which—
- (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F235}at the gathering], and
 - (ii) no alcohol is consumed;
- (k) participating in or facilitating [^{F236}a regulated gathering that takes place ^{F237}... outdoors and] at which—
- (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F238}at the gathering, unless the gathering] is organised for the purposes of protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
 - (ii) no alcohol is consumed;
- (l) participating in or facilitating [^{F239}a regulated gathering] for the development or well-being of persons who were aged under 18 on 31 August 2020 (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays);
- (m) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.
- (7) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F233** Words in Sch. 3 para. 3(6)(j) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(aa)**
- F234** Words in Sch. 3 para. 3(6)(j) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(i)**
- F235** Words in Sch. 3 para. 3(6)(j)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(bb)**
- F236** Words in Sch. 3 para. 3(6)(k) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(aa)**
- F237** Words in Sch. 3 para. 3(6)(k) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(ii)**
- F238** Words in Sch. 3 para. 3(6)(k)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(bb)**
- F239** Words in Sch. 3 para. 3(6)(l) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(cc)**

Extended households

- 4.—(1) 2 households may agree to be treated as an extended household.

(2) In addition to the 2 households who may agree to be treated as an extended household under sub-paragraph (1), 1 well-being needs household may also agree to be treated as part of that extended household.

(3) To agree to be treated as an extended household, all members of the households must agree.

(4) A household may only agree to be treated as being in 1 extended household at any one time.

(5) Where a household has agreed to be treated as an extended household with any other households under paragraph 3 of Schedule 1 (“the previous extended household”), it may make an agreement under this paragraph only with those other households, unless a period of at least 10 days has expired since any member of the household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household.

(6) Where households have agreed to be treated as an extended household under—

(a) paragraph 3 of Schedule 2,

(b) paragraph 4 of Schedule 3A [^{F240}(despite its revocation by the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021)], or

(c) paragraph 3 of Schedule 4,

those households are to be treated as having agreed to be treated as an extended household under this paragraph.

(7) A household ceases to be treated as part of an extended household if any member of the household ceases to agree to be treated as part of the extended household.

(8) Sub-paragraph (9) applies where—

(a) a person who would be, or is, a member of an extended household is a child, and

(b) a person who has parental responsibility for the child (“P”) is a member of the child’s household.

(9) Where this sub-paragraph applies—

(a) the agreement required by sub-paragraph (3) is to be given by P (and not the child), and

(b) a household ceases to be treated as part of an extended household in accordance with sub-paragraph (7) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).

(10) If a household ceases to be treated as part of an extended household, the household may not agree to be treated as part of an extended household with any other household unless a period of at least 10 days has expired since any member of the household last participated in a gathering with any member of another household in reliance on being treated as part of an extended household with that household.

(11) In this Schedule, references to an extended household are references to an extended household formed under or by virtue of this paragraph.

(12) In this paragraph, “well-being needs household” means—

(a) a single adult household;

(b) a household comprising of 1 or more children and no adults.

Textual Amendments

F240 Words in Sch. 3 para. 4(6)(b) inserted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(a)**

PART 2

Restrictions on organising events

Prohibition on organising events

5.—^[F241](1) No person may, without a reasonable excuse, be involved in organising an event unless—

- (a) the event is regulated (see regulation 57(7)),
- (b) the event is held outdoors, and
- (c) no more than 30 people attend at any time.

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^[F242](2) Sub-paragraph (1) does not apply to a person involved in organising—

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of paragraph 1;
- (b) an event authorised by the Welsh Ministers under paragraph 6;
- (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
- (d) a funeral;
- (e) an indoor gathering of no more than 15 people at regulated premises, or an outdoor gathering of no more than 30 people at such premises, not counting (in either case) persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
- (f) a regulated gathering that takes place to any extent indoors and at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, at the gathering, and
 - (ii) no alcohol is consumed;
- (g) a regulated gathering that takes place outdoors and at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, at the gathering, unless the gathering is organised for the purposes of protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
 - (ii) no alcohol is consumed;
- (h) a regulated gathering, in premises other than holiday or travel accommodation, for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).]

(3) For the purposes of sub-paragraph (1)—

- (a) a person is not involved in organising an event if the person's only involvement is attending it;

(b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than [^{F243}30 people are present at the event at any time];

[^{F244}(c) where—

- (i) a market, or
- (ii) a religious service,

is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;

(d) the following are not to be treated as events—

- (i) the showing of a film at a drive-in cinema;
- (ii) a performance at a drive-in theatre;
- (iii) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event.]

Textual Amendments

F241 Sch. 3 para. 5(1)(1A) substituted for Sch. 3 para. 5(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(i)**

F242 Sch. 3 para. 5(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(ii)**

F243 Words in Sch. 3 para. 5(3)(b) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(iii)**

F244 Sch. 3 para. 5(3)(c)(d) substituted for Sch. 3 para. 5(3)(c) (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(c)**

Authorised events

6.—[^{F245}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

[^{F246}(2)]

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

- (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
- (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

[^{F247}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify [^{F248}regulation 16] (requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.]

(5) The Welsh Ministers must publish—

- (a) an authorisation given under sub-paragraph (1), and
- (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.
- (7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —
- (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
 - (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

- F245** Sch. 3 para. 6(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(i)**
- F246** Sch. 3 para. 6(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(ii)**
- F247** Sch. 3 para. 6(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(iii)**
- F248** Words in Sch. 3 para. 6(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(24)**

PART 3

Restrictions on certain businesses and services

CHAPTER 1

Businesses or services whose premises are required to be closed but to which limited access may be allowed

Closure of indoor premises of food and drink businesses

7.—(1) A person responsible for carrying on a business which is listed in paragraphs 11 to 13 (food and drink businesses) must close to members of the public any part of its premises which is indoors and used for the consumption of food or drink.

- (2) Sub-paragraph (1) does not prevent—
- (a) the use of premises for—
 - (i) the sale of food and drink for consumption off the premises, or
 - (ii) services providing food or drink to homeless people;
 - (b) the provision of room service at a hotel or other accommodation (where the hotel or other accommodation continues to operate in accordance with the exceptions allowed by paragraph 8);
 - (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food or drink;
 - (d) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
 - (e) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises.

(3) Sub-paragraph (1) does not apply to—

- (a) cafés and canteens at a hospital, care home, school or within accommodation provided for students;
- (b) canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence.

(4) For the purposes of sub-paragraph (1), an indoor area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

(5) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Closure of holiday or travel accommodation that is not self-contained

8.—(1) A person responsible for carrying on a business which is listed in paragraphs 14 to 17 (holiday or travel accommodation) must—

- (a) close to members of the public any premises operated as part of the business, and
- (b) not carry on business at such premises otherwise than in accordance with this paragraph.

(2) But sub-paragraph (1) does not prevent the use of premises for the provision of accommodation—

- (a) in a camping site or holiday site, provided that the only shared facilities used by guests at the camping site or holiday site are water points and waste disposal points, or
- (b) in separate and self-contained premises.

(3) And sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the provision of accommodation for any persons staying in that accommodation when this paragraph most recently began to apply to the area in which the accommodation is situated and who—

- (i) are unable to return to their main residence, or
- (ii) are using the accommodation as their main residence;

(d) the use of premises to carry on the business by providing information or other services—

- (i) through a website, or otherwise by on-line communication,
- (ii) by telephone, including enquiries by text message, or
- (iii) by post.

(4) Premises are separate and self-contained for the purposes of this paragraph only if—

- (a) they are provided for persons who are members of the same household or extended household, and
- (b) none of the following are shared with the members of any other household—

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (i) kitchens,
 - (ii) sleeping areas,
 - (iii) bathrooms, or
 - (iv) indoor communal areas.
- (5) In this paragraph—
- (a) a reception area is not to be treated as a shared facility for the purposes of sub-paragraph (2) (a);
 - (b) “communal areas” includes any area of the premises that is open to the public, but does not include a reception area or corridors, lifts and staircases used to access other parts of the premises.
- (6) Where—
- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
 - (b) business A forms part of a larger business (“business B”),
- the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

CHAPTER 2

Businesses or services whose premises are required to be closed

Closure of businesses and services

9.—(1) A person responsible for carrying on a business or providing a service which is listed in paragraphs 18 to 35 must—

- (a) close to members of the public any premises operated as part of the business or service, and
- (b) not carry on the business or service at such premises otherwise than in accordance with this paragraph.

(2) In its application to a business or service listed in paragraphs 27 (funfairs, amusement parks and theme parks), 28 (holiday, leisure activity or events businesses), 29 (museums and galleries), 32 (trampoline parks and centres), ^{F249}... 34 (venues for events or conferences (including venues for weddings)) and 35 (visitor attractions), sub-paragraph (1) does not apply to—

- (a) a public outdoor area of the premises, or
- (b) a public indoor area of the premises where it is necessary for the indoor area to be open—
 - (i) to allow access to a public outdoors area,
 - (ii) for health and safety reasons, or
 - (iii) to ensure that the requirements in Part 4 of these Regulations are complied with in relation to the premises.

(3) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast) or to rehearse;

- (d) the use of premises for the provision of goods or services (including their sale, hire, collection or delivery) in response to an order or enquiry made—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post;
- (e) the use of premises for the provision of information—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

[^{F250}(4) Despite sub-paragraph (1), a person responsible for carrying on a business or providing a service listed in paragraph 28 (holiday, leisure activity or events businesses) may open the indoor areas of its premises to the public, but only for the purposes of facilitating [^{F251}a regulated gathering] for the development or well-being of persons who were aged under 18 on 31 August 2020 (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).]

(5) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Textual Amendments

- F249** Words in Sch. 3 para. 9(2) omitted (3.5.2021 immediately before the start of the day) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/542), regs. 1(2), **2(5)(b)(i)**
- F250** Sch. 3 para. 9(4) substituted (3.5.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/542), regs. 1(2), **2(5)(b)(ii)**
- F251** Words in Sch. 3 para. 9(4) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(14)(e)**

CHAPTER 3

Businesses and services whose premises are exempt from the requirement to close

[^{F252}Exemption from the requirement to be closed: venues for weddings and celebrations of life of deceased

10. Despite the preceding provisions of this Part—

- (a) premises used as a venue for the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony, or the celebration of such an event, may open to the public—
 - (i) to the extent that this is required for the purposes of the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony at the premises, or the celebration of such an event at the premises;

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (ii) for the purposes of enabling a person to visit the premises, by appointment, with a view to booking the premises for the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony, or for the celebration of such an event;
- (b) premises used as a venue for the celebration of the life of a deceased person may open to the public to the extent that this is required for such a celebration at the premises.]

Textual Amendments

F252 Sch. 3 para. 10 substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(f)**

CHAPTER 4

List of closed or partially closed premises

Closed or partially closed premises

Food and drink businesses

- 11. Bars (including bars in members' clubs).
- 12. Public houses.
- 13. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday or travel accommodation

- 14. Camping sites.
- 15. Holiday sites.
- 16. Hotels and bed and breakfast accommodation.
- 17. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Leisure and social etc.

- 18. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.
- 19. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).
- 20. Cinemas, other than drive in cinemas.
- 21. Concert halls and theatres, other than drive in theatres.
- 22. Casinos.
- 23. Bingo halls.
- 24. Amusement arcades.
- 25. Bowling alleys.
- 26. Indoor play centres or areas.
- 27. Funfairs, amusement parks and theme parks.

28. Holiday, leisure activity or events businesses.

29. Museums and galleries.

30. Ice skating rinks.

31. Trampoline parks and centres.

32. Indoor skate parks and centres.

[^{F253}33. Steam rooms.]

Textual Amendments

F253 Sch. 3 para. 33 substituted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), 2(5)(c)

34. Venues for events or conferences (including venues for weddings).

35. Visitor attractions.]

^{F254}SCHEDULE 3A

Regulation 4(6A)

Textual Amendments

F254 Sch. 3A omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), 2(6)

SCHEDULE 4

Regulation 4(5)

Alert Level 4 Restrictions

PART 1

Restrictions on movement and gathering with others

Requirement to stay at home

1.—(1) No person may, without a reasonable excuse, leave the place where they are living or remain away from that place.

(2) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

(a) the person leaves or remains away from the place where they are living for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or

(b) one of the circumstances in sub-paragraph (4) applies.

- (3) Examples of purposes for which it may be reasonably necessary for a person to leave or remain away from the place where they are living include—
- (a) obtaining supplies from a business or service listed in paragraphs 55 to 66 , including—
 - (i) food and medical supplies for those in the same household or extended household (including animals in the household or extended household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household or extended household, or the household of a vulnerable person;
 - (b) obtaining or providing medical assistance, or accessing veterinary services;
 - (c) working or providing voluntary or charitable services;
 - (d) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (e) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
 - (f) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (g) moving home;
 - (h) obtaining money from or depositing money with any business or service listed in paragraph 39(g) of Schedule 7;
 - (i) viewing a property in connection with the purchase, sale, letting or rental of the property;
 - (j) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (k) accessing or receiving public services;
 - (l) accessing or receiving educational services.
- (4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony —
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
 - (e) attending a place of worship;
 - (f) exercising, either—
 - (i) alone,
 - (ii) with other members of the person's household or extended household, ^{F255} ...

- (iii) with the person's carer [^{F256}, or]
 - [^{F257}(iv) with 1 other person who is not a member of the person's household or extended household or the person's carer, and any children under the age of 11 who are members of either person's household;]
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at—
 - (i) an elite sporting event, or
 - (ii) a sporting event taking place outside Wales;
 - (i) travelling to vote in an election;
 - (j) travelling to or from, or is present at, a place where a member of their extended household is living.
- (5) In sub-paragraph (4)(f)—
- (a) exercise must start and finish at the place where the person is living or where a member of the person's extended household is living, or
 - (b) where, for reasons of physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010), the person needs to exercise in another place, exercise must take place in an area local to the place where the person is living.
- (6) This paragraph does not apply to a person who is homeless.

Textual Amendments

F255 Word in Sch. 4 para. 1(4)(f)(ii) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(i)**

F256 Word in Sch. 4 para. 1(4)(f)(iii) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(ii)**

F257 Sch. 4 para. 1(4)(f)(iv) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(iii)**

Commencement Information

I45 Sch. 4 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Requirement not to gather with other people

- 2.—(1) No person may, without a reasonable excuse, gather with any other person apart from—
- (a) members of their household,
 - (b) their carer, or
 - (c) a person they are providing care to.
- (2) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—
- (a) the person is gathering with other people for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
 - (b) one of the circumstances in sub-paragraph (4) applies.
- (3) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (a) obtaining or providing medical assistance, or accessing veterinary services;
 - (b) working or providing voluntary or charitable services;
 - (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (d) providing, receiving or accessing care or assistance, including childcare or relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
 - (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this sub-paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (f) moving home;
 - (g) viewing a property in connection with the purchase, sale, letting or rental of the property;
 - (h) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (i) accessing or receiving public services;
 - (j) accessing or receiving educational services;
 - (k) avoiding illness, injury or other risk of harm.
- (4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (c) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
 - (d) attending a place of worship;
 - (e) an elite athlete and is training or competing;
 - (f) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
 - (g) participating in a gathering with members of their extended household at a place where members of the extended household are living;
 - (h) participating in a gathering of no more than 4 people where all the persons in the gathering—
 - (i) live in the same premises, and
 - (ii) share toilet, washing, dining or cooking facilities with each other;
- [^{F258}(i) exercising outdoors, except in a private dwelling, with—
- (i) members of the person’s extended household, [^{F259}or]
 - [1 other person and any children under the age of 11 who are members of either
- ^{F260}(ii) person’s household,]

together with any carer of a person participating who is present.]

(5) This paragraph does not apply to a person who is homeless.

Textual Amendments

F258 Sch. 4 para. 2(4)(i) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(b)**

F259 Word in Sch. 4 para. 2(4)(i)(i) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(b)(i)**

F260 Sch. 4 para. 2(4)(i)(ii) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(b)(ii)**

Commencement Information

I46 Sch. 4 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Extended households

3.—(1) A [^{F261}well-being needs] household and another household may agree to be treated as an extended household.

(2) To agree to be treated as an extended household, all [^{F262}members of the households] must agree.

(3) A household may only agree to be treated as being in 1 extended household [^{F263}at any one time].

(4) Where a [^{F264}well-being needs] household has agreed to be treated as an extended household with up to—

- (a) 3 other households under paragraph 3 of Schedule 1, or
- (b) 2 other households under—
 - (i) paragraph 3 of Schedule 2, or
 - (ii) paragraph 3 of Schedule 3,

[^{F265}(“the previous extended household”),] an agreement under this paragraph may be made only between the [^{F264}well-being needs] household and 1 of those other households [^{F266}unless a period of at least 10 days has expired since any member of the [^{F264}well-being needs] household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household].

(5) A household ceases to be treated as [^{F267}part of] an extended household if any ^{F268}... member of the household ceases to agree to be treated as [^{F267}part of] the extended household.

[^{F269}(5A) Sub-paragraph (5B) applies where—

- (a) a person who would be, or is, a member of an extended household is a child, and
- (b) a person who has parental responsibility for the child (“P”) is a member of the child’s household.

(5B) Where this sub-paragraph applies—

- (a) the agreement required by sub-paragraph (2) is to be given by P (and not the child), and

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (b) a household ceases to be treated as part of an extended household in accordance with subparagraph (5) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).]

(6) If a household ceases to be treated as ^{F270}part of] an extended household, the household may not agree to be treated as ^{F270}part of] an extended household with any other household ^{F271}unless a period of at least 10 days has expired since any member of the household last participated in a gathering with any member of another household in reliance on being treated as part of an extended household with that household].

(7) In this Schedule, references to an extended household are references to an extended household formed under or by virtue of this paragraph.

^{F272}(8) In this paragraph, “well-being needs household” means—

- (a) a single adult household;
 (b) a household comprising of 1 or more children and no adults.]

Textual Amendments

- F261** Words in Sch. 4 para. 3(1) substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(a)**
- F262** Words in Sch. 4 para. 3(2) substituted (13.3.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(i)**
- F263** Words in Sch. 4 para. 3(3) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(i)**
- F264** Words in Sch. 4 para. 3(4) substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(a)**
- F265** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(ii)(aa)**
- F266** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(ii)(bb)**
- F267** Words in Sch. 4 para. 3(5) substituted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iii)**
- F268** Word in Sch. 4 para. 3(5) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(ii)**
- F269** Sch. 4 para. 3(5A)(5B) inserted (13.3.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(iii)**
- F270** Words in Sch. 4 para. 3(6) substituted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iv)(aa)**
- F271** Words in Sch. 4 para. 3(6) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iv)(bb)**
- F272** Sch. 4 para. 3(8) inserted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(b)**

Commencement Information

- I47** Sch. 4 para. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^[F273](1) No person may, without a reasonable excuse, be involved in organising an event unless—

- (a) the event is regulated (see regulation 57(7)),
- (b) the event is held outdoors, and
- (c) no more than 30 people attend at any time.

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^[F274](2) Sub-paragraph (1) does not apply to a person involved in organising—

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of paragraph 2;
- (b) an elite sporting event authorised by the Welsh Ministers under paragraph 5;
- (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
- (d) a funeral.]

(3) For the purposes of sub-paragraph (1)—

- (a) a person is not involved in organising an event if the person's only involvement is attending it;
- (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than ^[F275]30 people are present at the event at any time];

^[F276](c) where—

- (i) a market, or
- (ii) a religious service,

is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event.]

Textual Amendments

F273 Sch. 4 para. 4(1)(1A) substituted for Sch. 4 para. 4(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(a)**

F274 Sch. 4 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(b)**

F275 Words in Sch. 4 para. 4(3)(b) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(c)**

F276 Sch. 4 para. 4(3)(c) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(c)**

Commencement Information

I48 Sch. 4 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Authorised elite sporting events

5.—(1) The Welsh Ministers may give authorisation in writing for an elite sporting event to be held.

- (2) An authorisation under sub-paragraph (1)—
 - (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
 - (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.
- (3) The Welsh Ministers must publish—
 - (a) an authorisation given under sub-paragraph (1), and
 - (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to the event.
- (4) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.
- (5) An authorisation may be withdrawn under sub-paragraph (4) only if the Welsh Ministers —
 - (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
 - (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Commencement Information
 I49 Sch. 4 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

F277 PART 3

Restrictions on travel

Textual Amendments
 F277 Sch. 4 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021](#) (S.I. 2021/457), [regs. 1\(2\)](#), [2\(17\)\(a\)](#)

Restriction on travel to Alert Level 4 area

6.

F278 **PART 3A**

Restrictions on attending schools and further education institutions

Textual Amendments

F278 Sch. 4 Pt. 3A omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(b)**

Restriction on attending school premises

6A.

Restriction on attending further education premises

6B.

Enforcement

6C.

Interpretation of Part 3A

6D.

PART 4

Restrictions on certain businesses and services

CHAPTER 1

Business and services whose premises must be closed but to which limited access may be allowed

Closure of food and drink businesses

7.—(1) A person responsible for carrying on a business which is listed in paragraphs 12 to 14 (food and drink businesses) must—

- (a) close to members of the public any premises operated as part of the business, and
- (b) not carry on business at such premises otherwise than in accordance with this paragraph.

(2) Sub-paragraph (1) does not prevent—

- (a) the use of premises for—
 - (i) the sale of food and drink for consumption off the premises, or
 - (ii) services providing food or drink to homeless people;
- (b) the provision of room service at a hotel or other accommodation (where the hotel or other accommodation continues to operate in accordance with the exceptions allowed by paragraph 8);
- (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food or drink;

(d) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises.

(3) For the purposes of sub-paragraph (1), an indoor area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

(4) Where—

(a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and

(b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information

I50 Sch. 4 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Closure of holiday or travel accommodation

8.—(1) A person responsible for carrying on a business which is listed in paragraphs 15 to 18 (holiday or travel accommodation) must—

- (a) close to members of the public any premises operated as part of the business, and
- (b) not carry on business at such premises otherwise than in accordance with this regulation.

(2) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (c) the provision of accommodation for any persons staying in that accommodation when this paragraph most recently began to apply to the area in which the accommodation is situated and who—

- (i) are unable to return to their main residence, or
- (ii) are using the accommodation as their main residence;

- (d) the use of premises to carry on the business by providing information or other services—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including enquiries by text message, or
 - (iii) by post.

(3) Where—

(a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and

(b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information

I51 Sch. 4 para. 8 in force at 20.12.2020, see [reg. 1\(3\)](#)

Closure of community centres ^{F279} ...

9.—(1) A person responsible for premises that are of a kind listed in [^{F280}paragraph 19] must ensure that the premises are closed to members of the public, except for the uses permitted by [^{F281}sub-paragraph (2)].

(2) A community centre may be open—

- (a) to provide essential voluntary services, or
- (b) to provide public services upon the request of the Welsh Ministers or a local authority.

^{F282}(3)

^{F282}(4)

(5) In this paragraph, “public services” includes the provision of food banks or other support for homeless or vulnerable people, childcare, blood donation sessions or support in an emergency.

Textual Amendments

F279 Words in Sch. 4 para. 9 heading omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(i)**

F280 Words in Sch. 4 para. 9(1) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(ii)(aa)**

F281 Words in Sch. 4 para. 9(1) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(ii)(bb)**

F282 Sch. 4 para. 9(3)(4) omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(iii)**

Commencement Information

I52 Sch. 4 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 2

Businesses or services whose premises are required to be closed

Closure of businesses and services

10.—(1) A person responsible for carrying on a business or providing a service which is listed in paragraphs 21 to 48 must—

- (a) close to members of the public any premises operated as part of the business or service, and
- (b) not carry on the business or service at such premises otherwise than in accordance with this paragraph.

(2) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises;
- (b) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (c) the use of premises to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast) or to rehearse for such a broadcast;
 - (d) the use of premises for the provision of goods or services (including their sale, hire, collection or delivery) in response to an order or enquiry made—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post;
 - (e) the use of premises for the provision of information—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.
- (3) Where—
- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
 - (b) business A forms part of a larger business (“business B”),
- the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information

I53 Sch. 4 para. 10 in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 3

Business and services whose premises are exempt from the requirement to close

Exemption from the requirement to be closed

11.—(1) Despite the preceding provisions of this Part, premises operated by businesses or services listed in paragraphs 49 to 66 may continue to be open.

(2) And shopping centres, shopping arcades and markets may be open to the public to the extent that this is required for access to a business or service listed in paragraphs 49 to 66.

(3) A person responsible for premises authorised for the sale or supply of alcohol for consumption off the premises may not sell or supply alcohol between 10.00 p.m. and 6.00 a.m.

(4) Sub-paragraph (3) does not allow the person responsible for the premises to sell or supply alcohol in contravention of an authorisation granted or given in respect of the premises.

Commencement Information

I54 Sch. 4 para. 11 in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 4

List of closed premises

Closed premises

Food and drink businesses

12. Bars (including bars in members' clubs).

Commencement Information

I55 Sch. 4 para. 12 in force at 20.12.2020, see [reg. 1\(3\)](#)

13. Public houses.

Commencement Information

I56 Sch. 4 para. 13 in force at 20.12.2020, see [reg. 1\(3\)](#)

14. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday or travel accommodation

Commencement Information

I57 Sch. 4 para. 14 in force at 20.12.2020, see [reg. 1\(3\)](#)

15. Camping sites.

Commencement Information

I58 Sch. 4 para. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

16. Holiday sites.

Commencement Information

I59 Sch. 4 para. 16 in force at 20.12.2020, see [reg. 1\(3\)](#)

17. Hotels and bed and breakfast accommodation;

Commencement Information

I60 Sch. 4 para. 17 in force at 20.12.2020, see [reg. 1\(3\)](#)

18. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Public services etc.

Commencement Information

I61 Sch. 4 para. 18 in force at 20.12.2020, see [reg. 1\(3\)](#)

19. Community centres.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

.....
Commencement Information
I62 Sch. 4 para. 19 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F283}**20.**

.....
Textual Amendments
F283 Sch. 4 para. 20 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021](#) (S.I. 2021/457), regs. 1(2), **2(17)(c)**

21. Libraries and archive services.

Personal services etc.

.....
Commencement Information
I63 Sch. 4 para. 21 in force at 20.12.2020, see [reg. 1\(3\)](#)

22. Hair salons and barbers.

.....
Commencement Information
I64 Sch. 4 para. 22 in force at 20.12.2020, see [reg. 1\(3\)](#)

23. Nail and beauty salons including tanning and electrolysis services.

.....
Commencement Information
I65 Sch. 4 para. 23 in force at 20.12.2020, see [reg. 1\(3\)](#)

24. Body piercings and tattooing services.

Leisure and social etc.

.....
Commencement Information
I66 Sch. 4 para. 24 in force at 20.12.2020, see [reg. 1\(3\)](#)

25. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

.....
Commencement Information
I67 Sch. 4 para. 25 in force at 20.12.2020, see [reg. 1\(3\)](#)

26. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

Commencement Information

I68 Sch. 4 para. 26 in force at 20.12.2020, see [reg. 1\(3\)](#)

27. Cinemas.

Commencement Information

I69 Sch. 4 para. 27 in force at 20.12.2020, see [reg. 1\(3\)](#)

28. Concert halls and theatres.

Commencement Information

I70 Sch. 4 para. 28 in force at 20.12.2020, see [reg. 1\(3\)](#)

29. Casinos.

Commencement Information

I71 Sch. 4 para. 29 in force at 20.12.2020, see [reg. 1\(3\)](#)

30. Bingo halls.

Commencement Information

I72 Sch. 4 para. 30 in force at 20.12.2020, see [reg. 1\(3\)](#)

31. Amusement arcades.

Commencement Information

I73 Sch. 4 para. 31 in force at 20.12.2020, see [reg. 1\(3\)](#)

32. Bowling alleys.

Commencement Information

I74 Sch. 4 para. 32 in force at 20.12.2020, see [reg. 1\(3\)](#)

33. Indoor play centres or areas.

Commencement Information

I75 Sch. 4 para. 33 in force at 20.12.2020, see [reg. 1\(3\)](#)

34. Funfairs, amusement parks and theme parks.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Commencement Information

I76 Sch. 4 para. 34 in force at 20.12.2020, see [reg. 1\(3\)](#)

35. Holiday, leisure activity or events businesses.

Commencement Information

I77 Sch. 4 para. 35 in force at 20.12.2020, see [reg. 1\(3\)](#)

36. Museums and galleries.

Commencement Information

I78 Sch. 4 para. 36 in force at 20.12.2020, see [reg. 1\(3\)](#)

37. [^{F284}Ice skating] rinks.

Textual Amendments

F284 Words in [Sch. 4 para. 37](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), [regs. 1\(2\), 2\(16\)](#)

Commencement Information

I79 Sch. 4 para. 37 in force at 20.12.2020, see [reg. 1\(3\)](#)

38. Trampoline parks and centres.

Commencement Information

I80 Sch. 4 para. 38 in force at 20.12.2020, see [reg. 1\(3\)](#)

39. Enclosed or indoor skate parks and centres.

Commencement Information

I81 Sch. 4 para. 39 in force at 20.12.2020, see [reg. 1\(3\)](#)

40. Spas.

Commencement Information

I82 Sch. 4 para. 40 in force at 20.12.2020, see [reg. 1\(3\)](#)

41. Venues for events or conferences (including venues for weddings).

Commencement Information

I83 Sch. 4 para. 41 in force at 20.12.2020, see [reg. 1\(3\)](#)

42. Visitor attractions.

Sports and exercise.

Commencement Information

I84 Sch. 4 para. 42 in force at 20.12.2020, see [reg. 1\(3\)](#)

43. Sports or exercise facilities, including indoor fitness studios and gyms.

Commencement Information

I85 Sch. 4 para. 43 in force at 20.12.2020, see [reg. 1\(3\)](#)

44. Swimming pools.

Commencement Information

I86 Sch. 4 para. 44 in force at 20.12.2020, see [reg. 1\(3\)](#)

45. Sports courts, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).

Retail etc.

Commencement Information

I87 Sch. 4 para. 45 in force at 20.12.2020, see [reg. 1\(3\)](#)

46. Any business offering goods or services for sale or hire in retail premises.

Commencement Information

I88 Sch. 4 para. 46 in force at 20.12.2020, see [reg. 1\(3\)](#)

47. Shopping centres and shopping arcades.

Commencement Information

I89 Sch. 4 para. 47 in force at 20.12.2020, see [reg. 1\(3\)](#)

48. Estate or letting agents [^{F285}and developer sales offices].

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F285 Words in Sch. 4 para. 48 substituted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), 8(7)

Commencement Information

I90 Sch. 4 para. 48 in force at 20.12.2020, see [reg. 1\(3\)](#)

Exempt premises

Public services etc.

49. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, physiotherapy services, acupuncture services and other medical or health services, including services relating to mental health.

Commencement Information

I91 Sch. 4 para. 49 in force at 20.12.2020, see [reg. 1\(3\)](#)

50. Hospital libraries and libraries at educational establishments.

Commencement Information

I92 Sch. 4 para. 50 in force at 20.12.2020, see [reg. 1\(3\)](#)

51. Funeral directors.

Commencement Information

I93 Sch. 4 para. 51 in force at 20.12.2020, see [reg. 1\(3\)](#)

52. Veterinary surgeons.

Food and drink businesses

Commencement Information

I94 Sch. 4 para. 52 in force at 20.12.2020, see [reg. 1\(3\)](#)

53. Cafés and canteens at a hospital, care home, school or within accommodation provided for students.

Commencement Information

I95 Sch. 4 para. 53 in force at 20.12.2020, see [reg. 1\(3\)](#)

54. Canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence.

Retail etc.

Commencement Information

I96 Sch. 4 para. 54 in force at 20.12.2020, see [reg. 1\(3\)](#)

55. Businesses offering the following goods for sale or hire in a shop—

- (a) food or drink for consumption off the premises (including food for pets and other domestic animals);
- (b) products essential for the storage, preparation or consumption of food or drink;
- (c) products for the essential upkeep, maintenance or functioning of the home or a workplace;
- (d) pharmaceutical products, health and personal care products, baby products (including clothing), toiletries and cosmetics;
- (e) newspapers and magazines;
- (f) bicycles and products essential for the use and maintenance of bicycles,

but only for the purposes of selling or hiring those goods.

Commencement Information

I97 Sch. 4 para. 55 in force at 20.12.2020, see [reg. 1\(3\)](#)

56. Food markets, convenience stores, corner shops, pet shops, off licences and petrol stations.

Commencement Information

I98 Sch. 4 para. 56 in force at 20.12.2020, see [reg. 1\(3\)](#)

57. Supermarkets and other shops that sell multiple types of goods but only for the purposes of—

- (a) selling the goods listed in paragraph 55;
- (b) selling goods of a type ordinarily sold by any of the businesses listed in paragraph 56;
- (c) selling other goods—
 - (i) where it is not reasonably practicable to separate or demarcate those areas of a shop that ordinarily displays such goods from those areas that display the goods mentioned in paragraphs (a) and (b);
 - (ii) on an exceptional basis where the goods are required in an emergency or on compassionate grounds.

Commencement Information

I99 Sch. 4 para. 57 in force at 20.12.2020, see [reg. 1\(3\)](#)

58. Shops offering maintenance or repair services for telecommunications or information technology devices.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I100 Sch. 4 para. 58 in force at 20.12.2020, see [reg. 1\(3\)](#)

59. Building supplies and hardware stores.

Commencement Information

I101 Sch. 4 para. 59 in force at 20.12.2020, see [reg. 1\(3\)](#)

60. Banks, building societies and other financial services providers.

Commencement Information

I102 Sch. 4 para. 60 in force at 20.12.2020, see [reg. 1\(3\)](#)

61. Post offices.

Commencement Information

I103 Sch. 4 para. 61 in force at 20.12.2020, see [reg. 1\(3\)](#)

62. Car repair and MOT services.

Commencement Information

I104 Sch. 4 para. 62 in force at 20.12.2020, see [reg. 1\(3\)](#)

[^{F286}**62A.** Automatic car washes.]

Textual Amendments

F286 Sch. 4 para. 62A inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(d)**

63. Livestock markets or auctions.

Commencement Information

I105 Sch. 4 para. 63 in force at 20.12.2020, see [reg. 1\(3\)](#)

64. Laundrettes and dry cleaners.

Commencement Information

I106 Sch. 4 para. 64 in force at 20.12.2020, see [reg. 1\(3\)](#)

65. Taxi or vehicle hire businesses.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I107 Sch. 4 para. 65 in force at 20.12.2020, see [reg. 1\(3\)](#)

66. Agricultural or aquacultural supplies shops.

Commencement Information

I108 Sch. 4 para. 66 in force at 20.12.2020, see [reg. 1\(3\)](#)

SCHEDULE 5

Regulation 4(8)

[^{F287} Areas ^{F288} ...]

Textual Amendments

F287 Sch. 5 heading substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(10)**

F288 Words in Sch. 5 heading omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(7)(a)**

1. This is the table referred to in regulation 4(8)—

<i>Column 1</i>	<i>Column 2</i> <i>Area</i>	<i>Column 3</i> <i>Alert Level of Area</i>
1	The whole of Wales	[^{F289} No alert level]

Textual Amendments

F289 Words in Sch. 5 para. 1 substituted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(10)**

Commencement Information

I109 Sch. 5 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Temporary modifications

^{F290}**2.**

Textual Amendments

F290 Sch. 5 para. 2 omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(7)(b)**

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

F291 SCHEDULE 5A

Regulations 14A and 14B

Textual Amendments

F291 Sch. 5A omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(17)**

F292 SCHEDULE 6

Regulation 4(7)

Textual Amendments

F292 Sch. 6 omitted (9.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), **8(8)**

SCHEDULE 7

Regulation 15

Regulated premises

Food and drink businesses

Commencement Information

I110 Sch. 7 para. wrapper3n2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Commencement Information

I110 Sch. 7 para. wrapper3n2 in force at 20.12.2020, see [reg. 1\(3\)](#)

1. Bars (including bars in members' clubs).

Commencement Information

I111 Sch. 7 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

2. Public houses.

Commencement Information

I112 Sch. 7 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

3. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday and travel accommodation

Commencement Information

I113 Sch. 7 para. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

4. Camping sites.

Commencement Information

I114 Sch. 7 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

5. Holiday sites.

Commencement Information

I115 Sch. 7 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

6. Hotels and bed and breakfast accommodation.

Commencement Information

I116 Sch. 7 para. 6 in force at 20.12.2020, see [reg. 1\(3\)](#)

7. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Public services etc.

Commencement Information

I117 Sch. 7 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

8. Medical or health services.

Commencement Information

I118 Sch. 7 para. 8 in force at 20.12.2020, see [reg. 1\(3\)](#)

9. Recycling and waste centres.

Commencement Information

I119 Sch. 7 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

10. Community centres.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I120 Sch. 7 para. 10 in force at 20.12.2020, see [reg. 1\(3\)](#)

11. Libraries and archive services.

Commencement Information

I121 Sch. 7 para. 11 in force at 20.12.2020, see [reg. 1\(3\)](#)

12. Places of worship.

Commencement Information

I122 Sch. 7 para. 12 in force at 20.12.2020, see [reg. 1\(3\)](#)

13. Funeral directors.

Commencement Information

I123 Sch. 7 para. 13 in force at 20.12.2020, see [reg. 1\(3\)](#)

14. Crematoriums.

Commencement Information

I124 Sch. 7 para. 14 in force at 20.12.2020, see [reg. 1\(3\)](#)

15. Veterinary surgeons.

Personal services etc.

Commencement Information

I125 Sch. 7 para. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

16. Hair salons and barbers.

Commencement Information

I126 Sch. 7 para. 16 in force at 20.12.2020, see [reg. 1\(3\)](#)

17. Nail and beauty salons including tanning and electrolysis services.

Commencement Information

I127 Sch. 7 para. 17 in force at 20.12.2020, see [reg. 1\(3\)](#)

18. Body piercings and tattooing services.

Leisure and social etc.

Commencement Information

I128 Sch. 7 para. 18 in force at 20.12.2020, see [reg. 1\(3\)](#)

19. Cinemas.

Commencement Information

I129 Sch. 7 para. 19 in force at 20.12.2020, see [reg. 1\(3\)](#)

20. Concert halls and theatres.

Commencement Information

I130 Sch. 7 para. 20 in force at 20.12.2020, see [reg. 1\(3\)](#)

21. Casinos.

Commencement Information

I131 Sch. 7 para. 21 in force at 20.12.2020, see [reg. 1\(3\)](#)

22. Bingo halls.

Commencement Information

I132 Sch. 7 para. 22 in force at 20.12.2020, see [reg. 1\(3\)](#)

23. Amusement arcades.

Commencement Information

I133 Sch. 7 para. 23 in force at 20.12.2020, see [reg. 1\(3\)](#)

24. Bowling alleys.

Commencement Information

I134 Sch. 7 para. 24 in force at 20.12.2020, see [reg. 1\(3\)](#)

25. Indoor play centres or areas.

Commencement Information

I135 Sch. 7 para. 25 in force at 20.12.2020, see [reg. 1\(3\)](#)

26. Playgrounds.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

Commencement Information

I136 Sch. 7 para. 26 in force at 20.12.2020, see [reg. 1\(3\)](#)

27. Funfairs, amusement parks and theme parks.

Commencement Information

I137 Sch. 7 para. 27 in force at 20.12.2020, see [reg. 1\(3\)](#)

28. Holiday, leisure activity or events businesses.

Commencement Information

I138 Sch. 7 para. 28 in force at 20.12.2020, see [reg. 1\(3\)](#)

29. Museums and galleries.

Commencement Information

I139 Sch. 7 para. 29 in force at 20.12.2020, see [reg. 1\(3\)](#)

30. [^{F293}Ice skating] rinks.

Textual Amendments

F293 Words in [Sch. 7 para. 30](#) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), [regs. 1\(2\), 2\(18\)](#)

Commencement Information

I140 Sch. 7 para. 30 in force at 20.12.2020, see [reg. 1\(3\)](#)

31. Trampoline parks and centres.

Commencement Information

I141 Sch. 7 para. 31 in force at 20.12.2020, see [reg. 1\(3\)](#)

32. Indoor skate parks and centres.

Commencement Information

I142 Sch. 7 para. 32 in force at 20.12.2020, see [reg. 1\(3\)](#)

33. Spas.

Commencement Information

I143 Sch. 7 para. 33 in force at 20.12.2020, see [reg. 1\(3\)](#)

34. Venues for events or conferences (including venues for weddings).

Commencement Information

I144 Sch. 7 para. 34 in force at 20.12.2020, see [reg. 1\(3\)](#)

35. Visitor attractions.

Sports and exercise

Commencement Information

I145 Sch. 7 para. 35 in force at 20.12.2020, see [reg. 1\(3\)](#)

36. Sports or exercise facilities, including indoor fitness studios and gyms.

Commencement Information

I146 Sch. 7 para. 36 in force at 20.12.2020, see [reg. 1\(3\)](#)

37. Swimming pools.

Commencement Information

I147 Sch. 7 para. 37 in force at 20.12.2020, see [reg. 1\(3\)](#)

38. Sports courts, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).

Retail etc.

Commencement Information

I148 Sch. 7 para. 38 in force at 20.12.2020, see [reg. 1\(3\)](#)

39. Any business offering goods or services for sale or hire in retail premises, including—

- (a) auction houses;
- (b) car dealerships;
- (c) markets;
- (d) betting shops;
- (e) garden centres and plant nurseries;
- (f) pharmacies (including non-dispensing pharmacies) and chemists;
- (g) banks, building societies and other financial services providers;
- (h) post offices;

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (i) car repair and MOT services;
- (j) livestock markets or auctions;
- (k) laundrettes and dry cleaners;
- (l) petrol stations;
- (m) taxi or vehicle hire businesses.

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Commencement Information
I149 Sch. 7 para. 39 in force at 20.12.2020, see [reg. 1\(3\)](#)

40. Shopping centres and shopping arcades.

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Commencement Information
I150 Sch. 7 para. 40 in force at 20.12.2020, see [reg. 1\(3\)](#)

41. Storage and distribution facilities, including delivery drop off points.

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Commencement Information
I151 Sch. 7 para. 41 in force at 20.12.2020, see [reg. 1\(3\)](#)

42. Estate or letting agents, developer sales offices and show homes.

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Commencement Information
I152 Sch. 7 para. 42 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F294}SCHEDULE 8

Regulation 26

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Textual Amendments
F294 Sch. 8 omitted (18.4.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/450), regs. 1(2), **2(10)**

^{F295}SCHEDULE 9

Regulation 26

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Textual Amendments

F295 Sch. 9 omitted (18.4.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2022 (S.I. 2022/450), regs. 1(2), **2(10)**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2A of the Public Health (Control of Disease) Act 1984 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.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. The Regulations impose requirements and restrictions on individuals, businesses and others.

There are 9 Parts to the Regulations.

Part 1 provides that these Regulations come into force on 21 December 2020 (other than Part 6 which comes into force on 23 December 2020) and expire at the end of the day on 31 March 2021. It also provides that the Regulations must be reviewed regularly to ensure that the restrictions and requirements imposed remain proportionate.

Part 2 imposes restrictions on people gathering, on people travelling and on the use of premises of specified businesses or services that are ordinarily open to the public. Part 2 puts 4 different levels of restrictions in place that can apply depending on the circumstances. Which level applies is based on what the Welsh Ministers consider to be the appropriate and proportionate response to the incidence and spread of coronavirus.

Schedule 1 sets out the lowest level – **Alert Level 1** – restrictions; Schedule 2 sets out **Alert Level 2** restrictions; Schedule 3 sets out **Alert Level 3** restrictions and Schedule 4 the highest level – **Alert Level 4** – restrictions (under which there are strict limitations on people gathering and travelling, and most premises are required to close). Schedule 5 sets out which alert level applies to an area. At the time of making the Regulations the same alert level applies across the whole of Wales, but the Regulations can be amended to apply different alert levels on a regional or local basis (as well as amending the alert level for the whole of Wales).

A number of the restrictions refer to the concept of an “extended household”. This enables more than one household to agree to come together for the purposes of the rules by forming a larger, extended, household. In addition there are separate provisions that allow a single adult household (a person who lives alone or only with a child or adult they care for) to agree to come together for these purposes with another household. These arrangements are exclusive and must be agreed to by all of the adults in each household that forms an extended household.

A summary of the restrictions that apply at each alert level is provided below. All restrictions are subject to exceptions listed in the Regulations.

When **Alert Level 1** restrictions apply to an area:

gatherings indoors in people's homes are allowed only between up to 6 people, or more if all present are members of the same household or an extended household consisting of up to 3 households and a single adult household;

Changes to legislation: *There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)*

gatherings indoors (away from people's homes) are limited to 6 people (not including children under 11) or the members of 1 household if higher;

gatherings outdoors (including in people's gardens) are limited to 30 people (not including children under 11) or the members of 1 household or an extended household if higher;

different rules apply to gathering for activities that are formally organised, allowing more people (up to 50 indoors and up to 100 outdoors) to come together;

as an exception to the general prohibition on organising events, events involving up to 50 people in attendance at any one time indoors, or 100 people outdoors, are allowed;

larger scale events may also be allowed but only with the consent of the Welsh Ministers;

travelling is allowed within a Level 1 area and to and from another Level 1 area or any Level 2 areas, but travelling from a Level 1 area to any area of Wales which is at Level 3 or 4, or to any areas of high incidence of coronavirus elsewhere in the UK, is not allowed;

similarly travelling from a Level 3 or 4 area, or from any areas of high incidence of coronavirus elsewhere in the UK, to a Level 1 area is not allowed;

nearly all business premises that are ordinarily open to the public may continue to be open but premises licensed to sell alcohol may not do so after 10.00 p.m. and must close no later than 10.20 p.m.

When **Alert Level 2** restrictions apply to an area:

gatherings indoors in people's homes are allowed only between members of an extended household consisting of up to 2 households and a single adult household;

gatherings indoors (away from people's homes) are limited to 4 people (not including children under 11) or the members of 1 household if higher;

gatherings outdoors (including in people's gardens) are limited to 4 people (not including children under 11) or the members of 1 household or an extended household if higher;

different rules apply to gathering for activities that are formally organised, allowing more people (up to 15 indoors and up to 30 outdoors) to come together;

as an exception to the general prohibition on organising events, events involving up to 15 people in attendance at any one time indoors, or 30 people outdoors, are allowed;

larger scale events may also be allowed but only with the consent of the Welsh Ministers;

travelling is allowed within a Level 2 area and to and from another Level 2 area or any Level 1 areas, but travelling from a Level 2 area to any area of Wales which is at Level 3 or 4, or to any areas of high incidence of coronavirus elsewhere in the UK, is not allowed;

similarly travelling from a Level 3 or 4 area, or from any areas of high incidence of coronavirus elsewhere in the UK, to a Level 2 area is not allowed;

nearly all business premises that are ordinarily open to the public may continue to be open but premises licensed to sell alcohol may only serve alcohol with meals and may not serve alcohol after 10.00 p.m. (closing no later than 10.20 p.m.).

When **Alert Level 3** restrictions apply to an area:

gatherings in people's homes (indoors and outdoors) are allowed only between members of an extended household consisting of up to 2 households and a single adult household;

gatherings indoors (away from people's homes), or outdoors in regulated premises, are limited to 4 people (not including children under 11) or the members of 1 household if higher;

gatherings outdoors (away from people's homes or regulated premises) are limited to 4 people (not including children under 11) or the members of 1 household or an extended household if higher;

different rules apply to gathering for activities that are formally organised, allowing more people (up to 15 indoors and up to 30 outdoors) to come together;

as an exception to the general prohibition on organising events, events involving up to 15 people in attendance at any one time indoors, or 30 people outdoors, are allowed;

travelling is allowed within a Level 3 area but travelling from a Level 3 area to any other area of Wales, or to any areas of high incidence of coronavirus elsewhere in the UK, is not allowed;

similarly travelling from a Level 1, 2 or 4 area, or from any areas of high incidence of coronavirus elsewhere in the UK, to a Level 3 area is not allowed;

most premises that are ordinarily open to the public may continue to be open but premises used for entertainment or hospitality must either be closed or may open until 6.00 p.m. only – and premises licensed to sell alcohol may not sell alcohol for consumption on the premises.

When **Alert Level 4** restrictions apply to an area:

there is an overarching requirement to stay at home if you live in the area and not to travel to the area if you live outside;

most premises ordinarily open to the public are required to be closed.

The ability to come together for events and formally organised activities, and for premises to be open to the public, is subject to the need to take all “reasonable measures” to minimise the spread of, and exposure to, the coronavirus (see Part 5).

The restrictions on events are closely associated with the restrictions on gathering as people attending an event may also be gathering with others. An event is widely defined (in regulation 57(4)) as any occasion planned or scheduled for a particular purpose at which people are at the same place for that purpose (regardless of whether they are also gathering).

As an exception to this system, Schedule 6 makes specific provision modifying the restrictions relating to extended households (and travelling to meet members of an extended household) for the period between 23 and 27 December 2020 (with an additional day allowed before and after this period in the case of persons travelling from and to Northern Ireland).

Parts 3 to 6 impose further restrictions and requirements which generally apply in all circumstances.

Part 3 imposes requirements on people who have tested positive for coronavirus and their close contacts. Regulations 6 and 7 provide that adults and children who have tested positive for coronavirus must not leave the place they are living for 10 days (except in the circumstances provided for by regulation 10). Regulations 8 and 9 provide that people who have had “close contact” with someone who has tested positive for coronavirus must not leave the place they are living for 10 days (except in the circumstances provided for by regulation 10). The 10 day period of isolation begins either the day after a person tests positive, the day after the day which a person reports as the day they first experience symptoms or the day after a person has close contact. Regulation 11 provides an exception to the requirement to isolate if people test negative regularly in accordance with a formal scheme of testing. Regulation 12 relates to obligations of adults in respect of children required to isolate, regulation 13 enables notices given under this Part by contact tracers to be withdrawn and regulation 14 makes provision about the use of information held by contact tracers.

Part 4 makes provision for the purpose of minimising risk of exposure to coronavirus in premises open to the public and in workplaces. Regulation 16 applies to “regulated premises” and requires: (1) all reasonable measures to be taken to ensure that a distance of 2 metres is maintained between persons on the premises; (2) all other reasonable measures to be taken, for example to limit close face to face interaction and maintain hygiene; and (3) information to be provided to those entering or working at premises about how to minimise risk of exposure to coronavirus. It also specifies that not carrying out an activity, closing part of premises, allowing staff to isolate and collecting contact information from those on the premises may be reasonable measures.

Part 5 provides that face coverings must be worn on public transport, including taxis, and in certain indoor places, subject to listed exemptions and exceptions.

Changes to legislation: *There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)*

Part 6 provides for circumstances in which schools may be required to be open when they may otherwise be closed to allow children of critical workers or children who are vulnerable to attend.

Part 7 relates to the enforcement of the restrictions and requirements. Regulation 25 makes provision about those who can take enforcement action, regulation 26 makes further provision (in Schedules 8 and 9) about enforcing the need to take preventative measures under regulation 16, regulation 27 relates to compliance notices, and regulation 28 to powers of removal and dispersal. Regulations 29 to 32 relate specifically to enforcing the requirements in relation to travelling, isolation, events, and wearing a face covering; and regulation 33 relates to the requirements' application to children. Regulation 34 contains a power to enter premises, regulation 35 relates to police powers to conduct road checks and regulation 36 makes supplemental provision about the exercise of powers by enforcement powers.

Part 8 makes provision about offences and penalties. Regulations 37 to 43 in Chapter 1 provide that a person who, without a reasonable excuse, contravenes the restrictions or requirements referred to commits an offence. An offence is punishable by an unlimited fine (regulation 44). Chapter 2 allows for offences to be punished by way of fixed penalty notices and makes provision about how they are applied and Chapter 3 relates to proceedings for offences under the Regulations.

Part 9 contains defined terms (regulation 57), revokes previous Regulations and makes a consequential amendment.

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.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020.