

## SCHEDULE 2

### Tier 2 restrictions

## PART 1

### Restrictions on gatherings

#### **Organisation or facilitation of gatherings**

3.—(1) No person may hold, or be involved in the holding of, a relevant gathering in the Tier 2 area.

(2) For the purposes of sub-paragraph (1) a person who only participates in a gathering by attending it is not to be taken as being involved in the holding of the gathering.

(3) A gathering is a “relevant gathering” for the purposes of this paragraph if it falls within sub-paragraph (4) or (5).

(4) A gathering falls within this sub-paragraph if it—

- (a) consists of more than 30 persons,
- (b) takes place indoors, and
- (c) would be a gathering of the kind mentioned in section 63(1) of the Criminal Justice and Public Order Act 1994 (powers to remove persons attending or preparing for a rave) if it took place in the open air.

(5) A gathering falls within this sub-paragraph if it does not fall within sub-paragraph (4) and it—

- (a) consists of more than 30 persons,
- (b) takes place—
  - (i) in a private dwelling,
  - (ii) on a vessel, or
  - (iii) on land which satisfies the condition in sub-paragraph (6), and
- (c) is not a gathering in relation to which any of the exceptions set out in paragraph 4, 5 or 6 (so far as capable of applying to the gathering) applies.

(6) Land satisfies the condition in this sub-paragraph if it is a public outdoor place which is not—

- (a) operated by a business or a charitable, benevolent or philanthropic institution, or
- (b) part of premises used for the operation of a business, a charitable, benevolent or philanthropic institution or a public body.

(7) In sub-paragraph (5)(b)(ii) “vessel” does not include government vessels, vessels used for public transport or houseboats.

(8) In applying for the purposes of sub-paragraph (5)(c) the exceptions set out in paragraph 4, the following do not apply—

- (a) paragraph 4(4)(a), so far as relating to gatherings in public outdoor places operated by public bodies, and
- (b) paragraph 4(4)(b).