

WELSH STATUTORY INSTRUMENTS

**2020 No. 1609**

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

**PART 7**

Enforcement

**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—

<sup>F1</sup>(a) .....

<sup>F1</sup>(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) <sup>F2</sup>... of Schedule 1,
- (b) paragraph 2(1) <sup>F3</sup>... of Schedule 2,
- (c) paragraph 2(1) or [<sup>F4</sup>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**

- F1** 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)**
- F2** 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)**
- F3** 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)**
- F4** 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**

- I1** Reg. 28 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, Section 28.