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WELSH STATUTORY INSTRUMENTS

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**2021 No. 583**

**The Health Protection (Coronavirus Restrictions) (No. 5)  
(Wales) (Amendment) (No. 10) Regulations 2021**

**Amendment to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020**

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020<sup>(1)</sup> are amended as follows.

- (2) In regulation 3, for “28 May” substitute “27 August”.
- (3) Omit Part 3A.
- (4) After regulation 17(4) insert—
  - “(4A) Sub-paragraphs (a) and (b)(i) and (ii) of paragraph (1) do not apply to—
    - (a) cinemas;
    - (b) sports grounds;
    - (c) theatres.”
- (5) In regulation 25(2), in the words before sub-paragraph (a), omit “14B,”.
- (6) Omit regulation 29.
- (7) Omit regulation 38.
- (8) In regulation 48(1), omit “49A,”.
- (9) Omit regulation 49A.
- (10) In regulation 53(1)(c), omit “49A,”.
- (11) In regulation 57—
  - (a) in paragraph (4)(b)(ii), after “gathering” insert “at the event”;
  - (b) in paragraph (7), in the words before sub-paragraph (a), for “an activity is “organised”” substitute “a gathering is “regulated””;
  - (c) in paragraph (8), in each place it occurs, for “activity” substitute “gathering”.
- (12) In Schedule 1—
  - (a) in paragraph 1(2)(a), after “11” insert “, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households”;
  - (b) in paragraph 2—
    - (i) in sub-paragraph (2)(a), after “11” insert  
“, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than—

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(1) S.I. 2020/1609 (W. 335) as amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150) and S.I. 2021/542 (W. 154).

- (i) 6 households in the case of a gathering indoors, or outdoors in regulated premises, or
- (ii) 30 households, in the case of a gathering outdoors in premises that are not regulated premises”;
- (ii) in sub-paragraph (5)—
  - (aa) in paragraph (i)—
    - (i) in the words before subparagraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
    - (ii) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (bb) in paragraph (j)—
    - (i) in the words before subparagraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
    - (ii) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
  - (cc) in paragraph (k), for “organised activity” substitute “regulated gathering”;
- (c) in paragraph 4(3), for paragraph (c) substitute—
  - “(c) where—
    - (i) the showing of a film,
    - (ii) a theatrical performance,
    - (iii) a market, or
    - (iv) a religious service,
 is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;
  - (d) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event is not to be treated as an event.”;
- (d) in paragraph 5—
  - (i) for sub-paragraph (1) substitute—
    - “(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;
  - (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—
    - “(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (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.”
- (13) In Schedule 2—

- (a) in paragraph 2—
  - (i) in sub-paragraph (1)(b)—
    - (aa) in the words before sub-paragraph (i), for “4” substitute “6”;
    - (bb) in sub-paragraph (i), after “11” insert “, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households”;
  - (ii) in sub-paragraph (2)—
    - (aa) in paragraph (a), after “indoors” insert “or outdoors in regulated premises”;
    - (bb) omit paragraph (aa);
    - (cc) for paragraph (b) substitute—
      - “(b) takes place outdoors other than in regulated premises if all the persons participating in the gathering are members of the same household or extended household.”;
  - (iii) in sub-paragraph (3B), for “sub-paragraphs (2)(aa)(i), (2)(b)(ii) and (3A)” substitute “sub-paragraph (3A)”;
  - (iv) in sub-paragraph (6)(i)—
    - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
    - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (v) in sub-paragraph (6)(j)—
    - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
    - (bb) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
  - (vi) in sub-paragraph (6)(k), for “organised activity” substitute “regulated gathering”;
- (b) in paragraph 4(3), for paragraph (c) substitute—
  - “(c) where—
    - (i) the showing of a film,
    - (ii) a theatrical performance,
    - (iii) a market, or
    - (iv) a religious service,is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;
  - (d) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event is not to be treated as an event.”;
- (c) in paragraph 5—
  - (i) for sub-paragraph (1) substitute—
    - “(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;

- (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—
    - “(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (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.”
- (14) In Schedule 3—
- (a) in paragraph 2(6)—
    - (i) in paragraph (g)—
      - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
    - (ii) in paragraph (h)—
      - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (b) in paragraph 3(6)—
    - (i) in paragraph (j)—
      - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
    - (ii) in paragraph (k)—
      - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
      - (cc) in paragraph (l), for “an organised activity” substitute “a regulated gathering”;
  - (c) in paragraph 5(3), for paragraph (c) substitute—
    - “(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.”;
- (d) in paragraph 6—
  - (i) for sub-paragraph (1) substitute—

“(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;
  - (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—

“(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (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.”;
- (e) in paragraph 9(4), for “an organised activity” substitute “a regulated gathering”;
- (f) for paragraph 10 substitute—

**“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;
    - (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.”
- (15) In Schedule 4—
- (a) in paragraph 1(4)(f)—
    - (i) in paragraph (ii), omit “or” at the end;
    - (ii) in paragraph (iii), for “;” substitute “, or”;
    - (iii) after paragraph (iii) insert—

“(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;”;
  - (b) in paragraph 2(4)(i)—
    - (i) in paragraph (i), insert “or” at the end;
    - (ii) after paragraph (i) insert—

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“(ii) 1 other person and any children under the age of 11 who are members of either person’s household,”;

(c) in paragraph 4(3), for paragraph (c) substitute—

“(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.”

(16) In Schedule 5, paragraph 1, in Column 3 of the table, for “3” substitute “2”.

(17) Omit Schedule 5A.