
WELSH STATUTORY INSTRUMENTS

2020 No. 1149

The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020

PART 1

Introduction

Title, application and coming into force

- 1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.
- (2) These Regulations apply in relation to Wales.
- (3) These Regulations come into force at 6.00 p.m. on 23 October 2020.

Commencement Information

- I1** Reg. 1 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Expiry

- 2.—(1) These Regulations expire at the end of the day on 8 November 2020.
- (2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Commencement Information

- I2** Reg. 2 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

PART 2

Restrictions on movement and gathering with others

Requirement to stay at home

- 3.—(1) No person in Wales may, without a reasonable excuse, leave the place where they are living or remain away from that place.
- (2) A reasonable excuse includes the need to do the following—
- (a) obtain supplies from any business or service listed in Part 3 of Schedule 1 including—

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 47 of Part 3 of Schedule 1 or accessing veterinary services;
- (c) provide, receive or access 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^{M1}, where the person receiving the care is a vulnerable person;
- (d) work or provide voluntary or charitable services, where it is not reasonably practicable to do so from home;
- (e) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
- (f) provide coaching and other support to an elite athlete in connection with a specified sporting event;
- (g) officiate at or otherwise be involved in running a specified sporting event;
- (h) exercise, either—
 - (i) alone,
 - (ii) with other members of the person's household, or
 - (iii) with the person's carer;
- (i) provide or receive emergency assistance;
- (j) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (k) attend 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;
- (l) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (m) access or receive public services;
- (n) access or receive educational services, subject to regulations 6 and 7;
- (o) in relation to children who do not live in the same household as their parents, or one of their parents, continue 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;
- (p) obtain money from or deposit money with any business or service listed in paragraph 44 or 45 of Part 3 of Schedule 1;
- (q) move home;
- (r) prepare a residential property for persons to move in;
- (s) avoid injury or illness or escape a risk of harm.

- (3) A person also has a reasonable excuse to leave the place where they are living to attend an event to commemorate Remembrance Sunday that—
- (a) is held on 7 or 8 November 2020;
 - (b) is held outdoors;
 - (c) has no more than 30 people attending.
- (4) In paragraph (2)(h)—
- (a) exercise must start and finish at the place where the person 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 ^{M2}), the person needs to exercise in another place, exercise must take place in an area local to the place where the person is living.
- (5) Paragraph (1) does not apply to a person who is homeless.

Commencement Information

I3 Reg. 3 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M1 2006 c. 47. Paragraph 7(3B) was inserted by section 66(2) of the [Protection of Freedoms Act 2012](#) (c. 9).

M2 2010 c.15.

Requirement not to gather with other people

4.—(1) Where a person is not at the place where they are living (by virtue of having a reasonable excuse under regulation 3), that person may not, 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) A reasonable excuse includes the need to do the following—
- (a) work or provide voluntary or charitable services, where it is not reasonably practicable to do so without gathering with others;
 - (b) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (c) access or receive public services;
 - (d) access or receive educational services, subject to regulations 6 and 7;
 - (e) provide, receive or access 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) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
 - (g) provide coaching and other support to an elite athlete in connection with a specified sporting event;
 - (h) officiate at or otherwise be involved in running a specified sporting event;
 - (i) provide or receive emergency assistance;

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (j) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (k) attend 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.
- (3) A person also has a reasonable excuse to gather with another person to attend an event to commemorate Remembrance Sunday that—
- (a) is held on 7 or 8 November 2020;
 - (b) is held outdoors;
 - (c) has no more than 30 people attending.

Commencement Information

I4 Reg. 4 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Restriction on travelling into Wales

5.—(1) No person living outside Wales may, without a reasonable excuse, enter or remain in Wales.

- (2) A reasonable excuse includes the need to do the following in Wales—
- (a) obtain—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
 - (b) obtain money from or deposit money with any business or service listed in paragraph 44 or 45 of Part 3 of Schedule 1;
 - (c) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 47 of Part 3 of Schedule 1 or accessing veterinary services;
 - (d) provide, receive or access 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) work or provide voluntary or charitable services where it is not reasonably practicable to carry out the work or provide the service from outside Wales;
 - (f) where the person is an elite athlete, train and prepare for, and compete in, a specified sporting event;
 - (g) provide coaching and other support to an elite athlete in connection with a specified sporting event;
 - (h) officiate at or otherwise be involved in running a specified sporting event;
 - (i) provide or receive emergency assistance;
 - (j) attend a solemnization of a marriage or formation of a civil partnership—

- (i) as a party to the marriage or civil partnership,
- (ii) if invited to attend, or
- (iii) as the carer of a person attending;
- (k) attend 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;
- (l) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (m) access or receive public services;
- (n) access or receive educational services, subject to regulations 6 and 7;
- (o) in relation to children who do not live in the same household as their parents, or one of their parents, continue 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;
- (p) move home;
- (q) avoid injury or illness or escape a risk of harm;
- (r) travel to reach a place outside Wales.

(3) For the purposes of paragraph (1), it is not a reasonable excuse for a person to enter, or remain in, Wales to do anything if it would be reasonably practicable for the person to do that thing outside Wales.

Commencement Information

I5 Reg. 5 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Restriction on attending school

- 6.—**(1) A pupil in year 9 or above may not attend a school's premises in Wales.
- (2) But paragraph (1) does not prevent—
- (a) a pupil from attending a school's premises—
 - (i) to undertake an examination or other assessment;
 - (ii) where the pupil's parent is notified by the proprietor of the school that the proprietor considers it appropriate for the pupil to attend due to exceptional circumstances related to the pupil's vulnerability;
 - (b) a pupil from attending the premises of a special school;
 - (c) a pupil from attending the premises of a pupil referral unit;
 - (d) a pupil from attending the premises of a unit in a school, where—
 - (i) the unit is recognised by a local authority as being reserved for pupils with special educational needs, and
 - (ii) the pupil is wholly or mainly educated at the unit;
 - (e) a pupil who is a boarder—
 - (i) from residing in accommodation at the school premises;

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

(ii) from being provided education at that accommodation.

Commencement Information

I6 Reg. 6 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Restriction on attending further education

7.—(1) A student may not attend the premises of a further education institution in Wales.

(2) But paragraph (1) does not prevent a student from attending the premises of—

- (a) a further education institution to undertake an examination or other assessment;
- (b) an institution within the further education sector where the student is notified by the institution that the institution considers it appropriate for the student to attend due to exceptional circumstances related to the student's vulnerability.

Commencement Information

I7 Reg. 7 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Interpretation of regulations 6 and 7

8. For the purposes of regulations 6 and 7—

- (a) the “1996 Act” means the Education Act 1996^{M3};
- (b) “boarder” has the meaning given by section 579 of the 1996 Act;
- (c) “further education institution” means—
 - (i) an institution within the further education sector;
 - (ii) a provider of education or training within the meaning of section 31(1)(a) or (b) or 32(1)(a) or (b) of the Learning and Skills Act 2000^{M4} that—
 - (aa) is not an institution within the meaning of paragraph (i),
 - (bb) is not an institution within the higher education sector within the meaning of section 91(5) of the Further and Higher Education Act 1992^{M5}, and
 - (cc) is in receipt of funding for provision of that education or training from the Welsh Ministers or a local authority,
 but does not include an employer who is a provider by reason only of the employer providing such education or training to its employees;
- (d) “independent school” has the meaning given by section 463 of the 1996 Act;
- (e) “institution within the further education sector” has the meaning given by section 91(3) of the Further and Higher Education Act 1992;
- (f) “parent” has the meaning given by section 576 of the 1996 Act;
- (g) “proprietor” has the meaning given by section 579 of the 1996 Act;
- (h) “pupil” has the meaning given by section 4 of the 1996 Act;
- (i) “pupil referral unit” has the meaning given by section 19 of the 1996 Act;
- (j) “special educational needs” has the meaning given by section 312 of the 1996 Act;
- (k) “special school” means—

- (i) a special school within the meaning given by section 337 of the 1996 Act;
- (ii) an independent school which wholly or mainly provides education for pupils with special educational needs;
- (l) “school” has the meaning given by section 4 of the 1996 Act;
- (m) “school year” means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;
- (n) “year 9” means a year group in which the majority of children will, in the school year, attain the age of 14;
- (o) “year group” means a group of children at a school the majority of whom will, in a particular school year, attain the same age.

Commencement Information

I8 Reg. 8 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M3 1996 c. 56.

M4 2000 c. 21.

M5 1992 c. 13.

Prohibition on organising certain unlicensed music events

- 9.**—(1) No person may be involved in organising a relevant unlicensed music event.
- (2) For the purposes of this regulation “relevant unlicensed music event” means an event—
- (a) which consists of more than 30 people,
 - (b) at which people are gathered in contravention of regulation 4(1),
 - (c) at which music is played or performed for the purpose, or for purposes which include the purpose, of entertainment, and
 - (d) where the playing or performance of the music is—
 - (i) a licensable activity (within the meaning of the Licensing Act 2003 ^{M6}), and
 - (ii) not carried on under and in accordance with an authorisation (within the meaning given by section 136(5) of that Act).
- (3) For the purposes of this regulation, a person is not involved in organising a relevant unlicensed music event if the person's only involvement is, or would be, attending it.

Commencement Information

I9 Reg. 9 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M6 2003 c. 17.

[^{F1}Restrictions relating to persons who have recently been in Denmark

- 9A.**—(1) This regulation applies where a person (“P”)—
- (a) is in Wales at 4.00 a.m. on 7 November 2020,

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (b) has arrived in Wales within the period of 14 days ending immediately before 4.00 a.m. on 7 November 2020, and
 - (c) has been in Denmark within that period.
- (2) Regulations 3 to 7 do not apply to P or to any person living in the same household with P.
- (3) P, and any person living in the same household with P, may not leave the place where they are living until the end of the period of 14 days beginning with the day on which P arrived in Wales.
- (4) But P, or a person living in the same household with P, may leave the place where they are living—
- (a) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner;
 - (b) if required to do so by a constable;
 - (c) to avoid serious illness, serious injury or other risk of serious harm.]

Textual Amendments

- F1** [Reg. 9A](#) inserted (7.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/1237\)](#), regs. 1(2), **3(2)**

PART 3

Restrictions on businesses and services whose premises are ordinarily open to the public

CHAPTER 1

Overview

References to “premises” and overview

10.—(1) In this Part, references to “premises” are references to premises of a business or service—

- (a) which are in Wales, and
 - (b) to which the public have or are permitted access, whether on payment or otherwise.
- (2) Chapter 2 makes provision about businesses or services whose premises must close.
- (3) Chapter 3 makes provision about businesses or services whose premises must close but to which limited access may be allowed.
- (4) Chapter 4 makes provision about businesses or services whose premises may continue be open.
- (5) See regulation 17 for further provision about premises that may continue to be open or are closed but to which limited access may be permitted in accordance with this Part.

Commencement Information

- I10** [Reg. 10](#) in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

CHAPTER 2

Businesses and services whose premises must be closed

Closure of premises used by certain businesses and services

11.—(1) A person responsible for carrying on a business or providing a service which is listed in Part 1 of Schedule 1 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) Paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when 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);
- (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.

Commencement Information

111 Reg. 11 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

CHAPTER 3

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

Closure of bars and restaurants etc.

12.—(1) A person responsible for carrying on a business which is listed in paragraphs 22 to 25 of Schedule 1 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) 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 the homeless;
- (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 limited exceptions allowed by regulation 13);
- (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food;

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

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

(3) For the purposes of 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.

Commencement Information

I12 Reg. 12 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Closure of holiday accommodation

13.—(1) A person responsible for carrying on a business which is listed in paragraphs 26 to 29 of Schedule 1 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) Paragraph (1) does not prevent—

- (a) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
- (b) the provision of accommodation for any persons staying in that accommodation when these Regulations come into force and who—
 - (i) are unable to return to their main residence, or
 - (ii) are using the accommodation as their main residence;
- (c) 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;
- (d) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when paragraph (1) no longer applies to the premises.

Commencement Information

I13 Reg. 13 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Closure of places of worship, community centres and crematoriums

14.—(1) A person responsible for premises of a kind listed in paragraphs 30 to 32 of Schedule 1 must ensure that the premises are closed to members of the public, except for the uses permitted by paragraphs (2), (3) and (4).

(2) A place of worship may be open—

- (a) for funerals;
- (b) for the solemnization of a marriage or formation of a civil partnership;
- (c) to broadcast (without a congregation) an act of worship, funeral or the solemnization of a marriage or formation of a civil partnership (whether over the internet or as part of a radio or television broadcast);

- (d) to provide essential voluntary services;
- (e) to provide public services upon the request of the Welsh Ministers or a local authority.
- (3) 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.
- (4) A crematorium may open to members of the public for funerals or burials (and to broadcast a funeral or burial whether over the internet or otherwise).
- (5) But paragraph (1) does not apply to the grounds surrounding a crematorium, including any burial ground or garden of remembrance.
- (6) In this regulation, “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.

Commencement Information

I14 Reg. 14 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

CHAPTER 4

Business and services whose premises may be open

Open premises

- 15.**—(1) Despite the preceding provisions of this Part, premises operated by businesses or services listed in Part 3 of Schedule 1 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 Part 3 of Schedule 1.
- (3) But 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) 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

I15 Reg. 15 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

CHAPTER 5

Mixed businesses

Mixed businesses

- 16.**—(1) Where—
- (a) a person responsible for carrying on a business (“business A”) is required, by virtue of regulation 11(1), 12(1) or 13(1), to cease carrying on business A at premises, and
 - (b) business A forms part of a larger business (“business B”),
- the requirement in regulation 11(1), 12(1) or 13(1) is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.
- (2) So for the avoidance of doubt, where—

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (a) premises operated by a business or service may continue to be open by virtue of regulation 15(1), and
 - (b) that business or service forms part of a larger undertaking which includes the carrying on of another business or service on the same premises,
- the person responsible for that other business or service must cease to carry it on if required to do so by virtue of regulation 11(1), 12(1) or 13(1).

Commencement Information

I16 Reg. 16 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

PART 4

Minimising risk of exposure to coronavirus

Requirement to take preventative measures on regulated premises to minimise risk

- 17.—(1) For the purposes of paragraph (2)—
- (a) “regulated premises” means—
 - (i) premises which may be accessed by the public by virtue of regulation 11(2), 12(2), 13(2) or 14(2), (3) or (4)
 - (ii) premises of a business or service which may continue to be open by virtue of regulation 15;
 - (iii) a vehicle used to provide a public transport service;
 - (iv) other premises where work is being carried out, and
 - (b) the “responsible person” means—
 - (i) in relation to regulated premises referred to in sub-paragraph (a)(i), (ii) or (iii), the person responsible for the premises,
 - (ii) in relation to regulated premises of the kind referred to in sub-paragraph (a)(iv), the person responsible for the work being carried out on the premises.
- (2) For the purposes of minimising the risk of exposure to coronavirus at regulated premises, or the spread of coronavirus by those who have been at regulated premises, the responsible person must—
- (a) take all reasonable measures to ensure—
 - (i) that a distance of 2 metres is maintained between any persons on the premises (except between two members of the same household, or a carer and the person assisted by the carer);
 - (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two members of the same household, or a carer and the person assisted by the carer),
 - (b) take any other reasonable measures for that purpose, for example measures which limit close face to face interaction and maintain hygiene such as—
 - (i) changing the layout of premises including the location of furniture and workstations;
 - (ii) controlling use of entrances, passageways, stairs and lifts;
 - (iii) controlling use of shared facilities such as toilets and kitchens;

- (iv) otherwise controlling the use of, or access to, any other part of the premises;
 - (v) installing barriers or screens;
 - (vi) providing or requiring use of personal protective equipment, and
 - (c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.
- (3) Measures that may be taken under paragraph (2) also include—
- (a) not carrying out certain activities;
 - (b) closing a part of the premises;
 - (c) allowing and enabling a person who ordinarily works at the premises to isolate for a specified period due to testing positive for coronavirus or having had close contact with somebody who has tested positive, where that person has been asked to do so by—
 - (i) the Welsh Ministers;
 - (ii) a public health officer;
 - (iii) an officer of a Local Health Board;
 - (iv) a person designated by a local authority for the purposes of contacting persons who may have been exposed to coronavirus;
 - (d) collecting contact information from each person at the premises or, in relation to persons from the same household, from one of them, and retaining it for 21 days for the purpose of providing it to any of the following, upon their request—
 - (i) the Welsh Ministers,
 - (ii) a public health officer,
 - (iii) a person designated by a local authority to process information for the purposes of contacting persons who may have been exposed to coronavirus.
- (4) In this regulation—
- (a) “contact information”, in relation to a person at the premises, means the person's name and information sufficient to enable the person to be contacted, to inform them that they may have been exposed to coronavirus at the premises (including a telephone number and the date and time at which the person was at the premises);
 - (b) “public health officer” has the same meaning as in paragraph 3(2)(c) of Schedule 21 to the Coronavirus Act 2020 ^{M7};
 - (c) “Local Health Board” has the meaning given by section 11 of the National Health Service (Wales) Act 2006 ^{M8}.

Commencement Information

I17 Reg. 17 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M7 2020 c. 7.

M8 2006 c.42.

Requirement to wear face covering on public transport

18.—(1) A person (“P”) who is travelling as a passenger on a vehicle used to provide a public transport service must wear a face covering.

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (2) But this is not required—
- (a) where an exemption applies under paragraph (3);
 - (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (4).
- (3) An exemption to the requirement to wear a face covering applies—
- (a) where P is a child under the age of 11;
 - (b) on a vehicle providing a school transport service;
 - (c) on a ferry where—
 - (i) the part of the ferry which is open to passengers is entirely outdoors, or
 - (ii) a distance of at least 2 metres can be maintained between persons on the part of the ferry which is open to passengers;
 - (d) on a cruise ship;
 - (e) where P is allocated a cabin, berth or other similar accommodation on the vehicle, at any time when P is in that accommodation—
 - (i) alone, or
 - (ii) only with members of P's household or a member of the household's carer;
 - (f) where—
 - (i) P is permitted, or ordinarily required, to board and to stay in a vehicle when using the public transport service,
 - (ii) the vehicle is not itself used for the provision of a public transport service, and
 - (iii) P stays in that vehicle;
 - (g) on an aircraft which neither took off from, nor is to land at, a place in Wales;
 - (h) on a vessel which does not dock at a port in Wales.
- (4) 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 has to remove the face covering to communicate with another person who has difficulty communicating (in relation to speech, language or otherwise);
 - (c) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;
 - (d) where P is travelling to avoid injury, or to escape a risk of harm, and does not have a face covering;
 - (e) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, if this is allowed on the vehicle and is reasonably necessary (for example due to the length of the journey);
 - (f) where P is asked to remove the face covering by—
 - (i) an enforcement officer, or
 - (ii) the operator of the public transport service, an employee of the operator or a person authorised by the operator.
- (5) An operator of a public transport service to which paragraph (1) applies must provide information to passengers about the requirement to wear face coverings on their vehicles.

(6) For the purposes of this regulation a “school transport service” means any transport service provided solely for the purpose of—

- (a) carrying a person to and from the school or other place at which the person receives education or training, or
- (b) otherwise facilitating a person's attendance at a school or other place at which the person receives education or training.

Commencement Information

I18 Reg. 18 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Requirement to wear face covering in certain indoor public places

19.—(1) A person (“P”) must wear a face covering in indoor public areas of premises to which the public have or are permitted access, whether on payment or otherwise.

(2) But this is not required—

- (a) where P is a child under the age of 11;
- (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 reasonably be considered to be a risk to P's health;
- (c) where P has to remove the face covering to communicate with another 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 themselves 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.

Commencement Information

I19 Reg. 19 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Guidance on minimising exposure

20.—(1) A person required to take reasonable measures under regulation 17(2) must have regard to guidance issued by the Welsh Ministers about those measures.

(2) An operator of a public transport service to which regulation 18 applies must have regard to guidance issued by the Welsh Ministers about—

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (a) the requirement to wear a face covering in accordance with paragraphs (1) to (4) of regulation 18 and the enforcement of that requirement under regulation 25;
 - (b) providing information to passengers in accordance with paragraph (5) of regulation 18.
- (3) The Welsh Ministers—
- (a) may revise guidance issued under paragraph (1) or (2), and
 - (b) must publish the guidance (and any revisions).
- (4) Guidance under this regulation may incorporate (by reference or transposition) guidance, codes of practice or other documents published by another person (for example, a trade association, body representing members of an industry or a trade union).

Commencement Information

I20 Reg. 20 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

PART 5

Enforcement

Enforcement officers

21.—(1) For the purposes of regulation 22 and Schedule 2, an “enforcement officer” means a person designated by a local authority for the purposes of these Regulations.

- (2) For the purposes of regulations 23 to 31, 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 17(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 ^{M9} for the purposes of those Regulations, or
 - (ii) regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M10} as a relevant person (within the meaning given by that regulation),
 (but see paragraph (3)).

(3) A person designated by a local authority may exercise an enforcement officer's functions only in relation to a contravention (or alleged contravention) of a requirement in regulation 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) or Schedule 2.

Commencement Information

I21 Reg. 21 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M9 S.I. 2020/725 (W. 162). Amended by S.I. 2020/985 (W. 222).

M10 S.I. 2020/353 (W. 80).

Enforcement of requirement to take preventative measures

22. Schedules 2 and 3 make provision for and in connection with conferring functions on enforcement officers for the purpose of enforcing regulation 17(2).

Commencement Information

I22 Reg. 22 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Compliance notices

23.—(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 regulation 11(1), 12(1), 13(1), 14(1) or 18(5).

(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.

Commencement Information

I23 Reg. 23 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Powers of removal and dispersal

24.—(1) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening regulation 3(1) [F²or 9A(3)], the officer may—

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

(2) Where an enforcement officer has reasonable grounds for suspecting that people are gathered together in contravention of regulation 4(1), the officer may—

- (a) direct the gathering to disperse;
- (b) direct any person in the gathering to return to the place where they are living;
- (c) remove any person in the gathering to the place where they are living.

(3) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening regulation 5(1), the officer may direct P to leave Wales.

(4) When exercising the power in paragraph (1), (2) or (3), an enforcement officer may direct a person to follow such instructions as the officer considers necessary.

(5) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening, or is about to contravene, regulation 9(1), the officer may—

- (a) direct P to follow such instructions as the officer considers necessary in order to stop or prevent the contravention;

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

- (b) remove P from the location or proposed location of the event which the officer suspects is being, or is about to be, organised in contravention of regulation 9(1).

Textual Amendments

- F2** Words in reg. 24(1) inserted (7.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/1237\)](#), regs. 1(2), 3(3)

Commencement Information

- I24** Reg. 24 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Enforcement of face covering requirements

25.—(1) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening (or is about to contravene) regulation 18(1), the officer may—

- (a) direct P not to board the vehicle providing the public transport service in question;
(b) remove P from the vehicle.

(2) Where—

- (a) the operator of a public transport service,
(b) an employee of the operator, or
(c) a person authorised by the operator,

has reasonable grounds to suspect that a person (“P”) is about to contravene regulation 18(1), the operator, employee or authorised person may direct P not to board the vehicle providing the public transport service in question.

(3) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening (or is about to contravene) regulation 19(1), the officer may—

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

Commencement Information

- I25** Reg. 25 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Enforcement: children

26.—(1) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 3(1) [^{F3}or 9A(3)] or is in a gathering in contravention of regulation 4(1) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to the place where P is living, 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) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening regulation 5(1) and is a child accompanied by an individual (“I”) who has responsibility for P—

- (a) the officer may direct I to take P to a place outside Wales, and

- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.
- (3) Where an enforcement officer has reasonable grounds to suspect that a child is failing to comply with the requirement in regulation 18(1) or 19(1), the officer may direct any individual (“I”) who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the requirement.
- (4) For the purposes of paragraphs (1), (2) and (3), 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.

Textual Amendments

- F3** Words in [reg. 26\(1\)](#) inserted (7.11.2020 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/1237\)](#), regs. [1\(2\)](#), [3\(4\)](#)

Commencement Information

- I26** Reg. 26 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Power of entry

- 27.—**(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.

Commencement Information

- I27** Reg. 27 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Enforcement: supplemental provision

- 28.—**(1) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this Part.
- (2) An enforcement officer may use reasonable force in the exercise of a power under—
- (a) regulation 24(1)(b), (2)(c) or (5)(b),
 - (b) regulation 25(1)(b) or (3)(b), or
 - (c) regulation 27(1).

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

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

(4) In this Part references to a requirement include references to a restriction.

Commencement Information

I28 Reg. 28 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

PART 6

Offences and penalties

Offences and penalties

29.—(1) A person who—

- (a) without reasonable excuse, contravenes a requirement in regulation 9(1), 11(1), 12(1), 13(1), 14(1) or 15(3), or
- (b) contravenes a requirement in regulation 3(1), 4(1), 5(1) [^{F4}, 9A(3)], 18(1) or 19(1)

commits an offence.

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

(3) A person who—

- (a) without reasonable excuse, contravenes paragraph 3(1) of Schedule 2,
- (b) contravenes paragraph 3(2) of that Schedule, or
- (c) without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under paragraph 7(2) of that Schedule,

commits an offence.

(4) A person who, without reasonable excuse—

- (a) contravenes a direction given—
 - (i) by an enforcement officer under Part 5, or
 - (ii) by the operator of a public transport service, an employee of the operator, or a person authorised by the operator, under regulation 25(2), or
- (b) fails to comply with a compliance notice given by an enforcement officer under regulation 23(1),

commits an offence.

(5) An offence under these Regulations is punishable on summary conviction by a fine.

(6) Section 24 of the Police and Criminal Evidence Act 1984 ^{M11} applies in relation to an offence under this regulation as if the reasons in subsection (5) included—

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

Textual Amendments

- F4** Word in [reg. 29\(1\)\(b\)](#) inserted (7.11.2020 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/1237\)](#), regs. 1(2), **3(5)**

Commencement Information

- I29** Reg. 29 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

- M11** [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.

30.—(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^{M12} and Schedule 3 to the Magistrates' Courts Act 1980^{M13} apply in proceedings for an offence brought against a partnership or an unincorporated association 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 association other than a partnership on its conviction for an offence under these Regulations is to be paid out of the funds of the association.

Commencement Information

- I30** Reg. 30 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

- M12** [1925 c. 86](#).
M13 [1980 c. 43](#).

Fixed penalty notices

31.—(1) An enforcement officer may issue a fixed penalty notice to anyone that the officer reasonably believes—

- (a) has committed an offence under these Regulations (except an offence under regulation 29(3)(a)), 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 regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 or regulation 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (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, any 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.

(7) 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 paragraph (6)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

(8) Where the notice is issued in respect of an alleged offence of contravening regulation 9(1), the amount specified under paragraph (7)(c) must be £10,000 (and paragraphs (10) and (11) do not apply).

(9) In any other case, the amount specified under paragraph (7)(c) must be £60 (subject to paragraphs (10) and (11)).

(10) A fixed penalty notice may specify that if £30 is paid before the end of the period of 14 days following the date of the notice, that is the amount of the fixed penalty.

(11) If the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations or Regulations mentioned in paragraph (12)—

- (a) paragraph (10) does not apply, and
- (b) the amount specified as the fixed penalty is to be—
 - (i) in the case of the second fixed penalty notice received, £120;
 - (ii) in the case of the third fixed penalty notice received, £240;

- (iii) in the case of the fourth fixed penalty notice received, £480;
- (iv) in the case of the fifth fixed penalty notice received, £960;
- (v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(12) In calculating how many fixed penalty notices a person has received, fixed penalty notices issued to that person under—

- (a) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
- (b) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, and
- (c) the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020 ^{M14}.

are to be taken into account, but no account is to be taken of any fixed penalty notice issued to that person in respect of an alleged offence of contravening regulation 14B(1) of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 or regulation 9(1) of these Regulations.

(13) Whatever other method may be specified under paragraph (7)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (7)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(14) Where a letter is sent as mentioned in paragraph (13), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(15) 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 paragraph (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.

Commencement Information

I31 Reg. 31 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M14 [S.I. 2020/1011](#) (W. 225).

Prosecutions

32.—(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 an offence of contravening a requirement in regulation 11(1), 12(1), 13(1), 14(1), 15(3), 17(2) or Schedule 2, a local authority.

(2) A person designated by the Welsh Ministers under regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 or regulation 22 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 is to be treated as if designated under this regulation.

Status: Point in time view as at 07/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I32 Reg. 32 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

PART 7

General

Interpretation

33.—(1) In these Regulations—

- (a) “burial” includes the interment of a dead person's ashes;
- (b) “care home” means premises at which a “care home service” within the meaning given by paragraph 1 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016^{M15} is provided;
- (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^{M16},
 - (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;
- (d) “child” means a person who is aged under 18;
- (e) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (f) “elite athlete” means an individual designated as such for the purposes of these Regulations by the Sports Council for Wales;
- (g) “face covering” means a covering of any type which covers a person's nose and mouth;
- (h) “local authority” means the council of a county or county borough in Wales;
- (i) “Local Health Board” has the meaning given by regulation 17(4)(c);
- (j) “parental responsibility” has the same meaning as in the Children Act 1989^{M17};
- (k) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (l) “premises” includes any building or structure and any land;
- (m) “public transport service” means a service provided for the carriage of passengers by road, railway, tramway, air or water;
- (n) “regulated premises” has the meaning given by regulation 17(1);
- (o) “specified sporting events” are the following—
 - (i) Wales v Norway football match, women's UEFA European Championships qualifying on 27 October 2020;
 - (ii) Wales v Scotland rugby match, women's 6 Nations Tournament on 1 November 2020;
 - (iii) the UEFA Champions League match involving Swansea City AFC Ladies to be held on 3 or 4 November 2020;

- (p) “vehicle” includes an aircraft, a cable car, a train, a tram and a vessel;
- (q) “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 ^{M18}.
- (2) 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) premises are indoors if they are enclosed or substantially enclosed within the meaning given by regulation 2 of the Smoke-free Premises etc. (Wales) Regulations 2007 ^{M19}.
- (3) If a household comprising of no more than one adult (and any number of children) and another household agree to be treated as a single (extended) household for the purposes of these Regulations, any reference in these Regulations (other than in paragraphs (4) to (6)) to a “household” is to be read as including both households.
- (4) To agree to be treated as a single household all of the adults of the two households must agree.
- (5) But—
- (a) a household may only agree to be treated as a single household with one other household, and
 - (b) if two households cease to agree to be treated as a single household, neither household may agree to be treated as a single household under paragraph (3) with any other household.
- (6) If two households have agreed to be treated as a temporary extended household in accordance with paragraph 2 of Schedule 4A to the Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020 ^{M20} they are to be treated as also having agreed to be treated as a single (extended) household for the purposes of these Regulations.
- (7) For the purposes of these Regulations, 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.

Commencement Information

I33 Reg. 33 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

M15 2016 anaw 2, as amended by [S.I. 2017/1326](#) (W. 299) and [S.I. 2018/195](#) (W. 44).

M16 2014 anaw 4.

M17 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](#).

M18 2006 c. 47, as amended by section 65 of the [Protection of Freedoms Act 2012](#) (c. 9).

M19 [S.I. 2007/787](#) (W. 68).

M20 [S.I. 2020/725](#) (W. 162). Paragraph 2 of Schedule 4A was amended by [S.I. 2020/1079](#) (W. 242).

Revocation

34.—(1) The following Regulations are revoked—

- (a) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020;
- (b) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020 ^{M21};
- (c) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 ^{M22};
- (d) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 ^{M23};
- (e) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 ^{M24};
- (f) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020 ^{M25};
- (g) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 6) Regulations 2020 ^{M26};
- (h) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020 ^{M27};
- (i) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 ^{M28};
- (j) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 ^{M29};
- (k) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 10) (Rhondda Cynon Taf) Regulations 2020 ^{M30};
- (l) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 11) (Blaenau Gwent, Bridgend, Merthyr Tydfil and Newport etc.) Regulations 2020 ^{M31};
- (m) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 12) Regulations 2020 ^{M32};
- (n) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 13) (Llanelli etc.) Regulations 2020 ^{M33};
- (o) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 14) (Cardiff and Swansea) Regulations 2020 ^{M34};
- (p) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 15) (Neath Port Talbot, Torfaen and Vale of Glamorgan) Regulations 2020 ^{M35};
- (q) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 16) (Conwy, Denbighshire, Flintshire and Wrexham) Regulations 2020 ^{M36};
- (r) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 17) Regulations 2020 ^{M37};
- (s) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 18) (Bangor) Regulations 2020 ^{M38};
- (t) the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 19) Regulations 2020 ^{M39}.

(2) Despite the revocation of those Regulations, they continue in force in relation to any offence committed, or any notice given or issued, under the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 before these Regulations came into force.

Commencement Information

I34 Reg. 34 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Marginal Citations

- M21** [S.I. 2020/752](#) (W. 169).
- M22** [S.I. 2020/803](#) (W. 176).
- M23** [S.I. 2020/820](#) (W. 180).
- M24** [S.I. 2020/843](#) (W. 186).
- M25** [S.I. 2020/867](#) (W. 189).
- M26** [S.I. 2020/884](#) (W. 195).
- M27** [S.I. 2020/912](#) (W. 204).
- M28** [S.I. 2020/961](#) (W. 215).
- M29** [S.I. 2020/985](#) (W. 222).
- M30** [S.I. 2020/1007](#) (W. 224).
- M31** [S.I. 2020/1022](#) (W. 227).
- M32** [S.I. 2020/1035](#) (W.229).
- M33** [S.I. 2020/1040](#) (W. 230).
- M34** [S.I. 2020/1043](#) (W. 232).
- M35** [S.I. 2020/1049](#) (W. 235).
- M36** [S.I. 2020/1066](#) (W. 240).
- M37** [S.I. 2020/1079](#) (W. 242).
- M38** [S.I. 2020/1102](#) (W. 251).
- M39** [S.I. 2020/1130](#) (W. 257).

Consequential amendment

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

“(c) the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.”

Commencement Information

I35 Reg. 35 in force at 23.10.2020 at 6.00 p.m., see reg. 1(3)

Mark Drakeford
First Minister, one of the Welsh Ministers

Status:

Point in time view as at 07/11/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020.