
WELSH STATUTORY INSTRUMENTS

2020 No. 1149

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

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.

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.

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;
 - (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.

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.

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.

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.

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—

- (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).