

SCHEDULE 1

Regulation 4(2)

Alert Level 1 Restrictions

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

^{F1}1.

Textual Amendments

F1 Sch. 1 para. 1 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(10)(a)**

Restriction on gatherings in public places

2.—^{F2}(1) No person may, without a reasonable excuse, participate in a gathering which takes place indoors other than in a private dwelling ^{F3}... which consists of more than 6 people unless all the persons participating in the gathering are members of the same household.]

^{F4}(1A)

^{F5}(1B)

(2) In determining, for the purposes of [^{F6}sub-paragraph (1)], the number of persons participating in a gathering no account is to be taken of—

[^{F7}(a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or]

(b) the carer of a person who is participating in the gathering.

(3) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

(a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or

(b) one of the circumstances in sub-paragraph (5) applies.

(4) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

(a) obtaining or providing medical assistance, or accessing veterinary services;

(b) working or providing voluntary or charitable services;

(c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(d) providing, receiving or accessing 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) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

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;

- (f) moving home;
 - (g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;
 - (h) accessing or receiving public services;
 - (i) accessing or receiving educational services.
- (5) The circumstances referred to in sub-paragraph (3)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending 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;
 - [^{F8}(e) participating in an indoor gathering [^{F9}at regulated premises] to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;]
 - (f) attending a place of worship;
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
 - [^{F10}(i) participating in, attending or facilitating a regulated gathering or event that takes place to any extent indoors ^{F11}...;]
 - ^{F12}(j)
 - ^{F13}(k)
 - ^{F14}(ka)
 - (l) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 5.
- [^{F15}(5A) For the purposes of this paragraph, a gathering in holiday or travel accommodation is to be treated as if it were a gathering in a private dwelling.]
- ^{F16}(6)

Textual Amendments

- F2** Sch. 1 para. 2(1) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(i)**
- F3** Words in Sch. 1 para. 2(1) 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(10)(b)(i)**
- F4** Sch. 1 para. 2(1A) 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(10)(b)(ii)**
- F5** Sch. 1 para. 2(1B) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(iii)**
- F6** Words in Sch. 1 para. 2(2) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(iii)**
- F7** Sch. 1 para. 2(2)(a) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(iv)(bb)**
- F8** Sch. 1 para. 2(5)(e) 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(12)(b)(i)**
- F9** Words in Sch. 1 para. 2(5)(e) substituted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(6)(a)(i)**
- F10** Sch. 1 para. 2(5)(i) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(aa)**
- F11** Words in Sch. 1 para. 2(5)(i) 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(10)(b)(iv)**
- F12** Sch. 1 para. 2(5)(j) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(bb)**
- F13** Sch. 1 para. 2(5)(k) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(v)(bb)**
- F14** Sch. 1 para. 2(5)(ka) 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(10)(b)(v)**
- F15** Sch. 1 para. 2(5A) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(10)(b)(vi)**
- F16** Sch. 1 para. 2(6) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(4)(b)(vi)**

Commencement Information

- I1** Sch. 1 para. 2 in force at 20.12.2020, see reg. 1(3)

Extended households

^{F17}3.

Textual Amendments

- F17** Sch. 1 para. 3 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(10)(c)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^{F18}(1) No person may, without a reasonable excuse, be involved in organising an event unless—

(a) the event is regulated (see regulation 57(7)), ^{F19}and]

^{F20}(b)

(c) ^{F21}where the event is held to any extent indoors,] no more than the permitted number of people attend at any time.

(1A) The permitted number of people is—

(a) where every person attending is normally seated during the event, ^{F22}1000];

(b) otherwise, ^{F23}200].

(1B) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^{F24}(2) Sub-paragraph (1) does not apply to a person involved in organising—

(a) an event held at a private dwelling at which people do not participate in a gathering in contravention of ^{F25}regulation 37(2)];

(b) an event authorised by the Welsh Ministers under paragraph 5;

(c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;

(d) a funeral;

(e) an indoor gathering ^{F26}at regulated premises ^{F27}...] to—

(i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;

(ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;

^{F28}(f)

(g) a regulated gathering^{F29}... for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).

^{F30}(ga)

^{F31}(h) an event that is held to any extent indoors at regulated premises ^{F32}... and at which—

(i) no more than 6 people are in attendance, or

(ii) all of the people in attendance are members of the same household ^{F33}...;

^{F34}(i) an event that is held outdoors at which no more than 50 people are in attendance;]

[an event that is any of the following, where it is held in premises ordinarily used for that ^{F35}(ia) purpose—

(i) the showing of a film,

- (ii) an entertainment performance where no more than 200 people are in attendance or where it is held outdoors,
 - (iii) a market, or
 - (iv) a religious service;
- (ib) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services for the event;]
- ^{F36}(j)]
- ^{F36}(k)]
- [^{F37}(2A) In determining, for the purposes of sub-paragraph (2), the number of persons in attendance at an event, no account is to be taken of—
- (a) any children under the age of 11,
 - (b) the carer of any person in attendance, or
 - (c) any person working, or providing voluntary services, at the event.]
- (3) For the purposes of sub-paragraph (1)—
- (a) a person is not involved in organising an event if the person's only involvement is attending it;
 - (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than [^{F38}the permitted number of people are present at the event at any time];
- ^{F39}(c)
- ^{F39}(d)

Textual Amendments

- F18** Sch. 1 para. 4(1)-(1B) substituted for Sch. 1 para. 4(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(6)(c)(i)**
- F19** Word in Sch. 1 para. 4(1)(a) inserted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(aa)**
- F20** Sch. 1 para. 4(1)(b) omitted (17.7.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(bb)**
- F21** Words in Sch. 1 para. 4(1)(c) inserted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(i)(cc)**
- F22** Word in Sch. 1 para. 4(1A)(a) substituted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(ii)(aa)**
- F23** Word in Sch. 1 para. 4(1A)(b) substituted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(c)(ii)(bb)**
- F24** Sch. 1 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(6)(c)(ii)**
- F25** Words in Sch. 1 para. 4(2)(a) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(d)(i)**
- F26** Words in Sch. 1 para. 4(2)(e) substituted (8.6.2021 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 12\) Regulations 2021 \(S.I. 2021/686\)](#), regs. 1(2), **2(2)(a)**

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Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

F27	Words in Sch. 1 para. 4(2)(e) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), 2(6)(c)(i)(aa)
F28	Sch. 1 para. 4(2)(f) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), 2(4)(c)(iii)(aa)
F29	Words in Sch. 1 para. 4(2)(g) 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(10)(d)(ii)
F30	Sch. 1 para. 4(2)(ga) omitted (17.7.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), 2(4)(c)(iii)(aa)
F31	Sch. 1 para. 4(2)(h)-(j) inserted (8.6.2021 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/686), regs. 1(2), 2(2)(c)
F32	Words in Sch. 1 para. 4(2)(h) 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(10)(d)(iii)
F33	Words in Sch. 1 para. 4(2)(h)(ii) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), 2(6)(c)(i)(cc)(ii)
F34	Sch. 1 para. 4(2)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), 2(10)(d)(iv)
F35	Sch. 1 para. 4(2)(ia)(ib) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), 2(6)(c)(i)(dd)
F36	Sch. 1 para. 4(2)(j)(k) 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(10)(d)(v)
F37	Sch. 1 para. 4(2A) inserted (8.6.2021 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 12) Regulations 2021 (S.I. 2021/686), regs. 1(2), 2(2)(d)
F38	Words in Sch. 1 para. 4(3)(b) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), 2(6)(c)(iii)
F39	Sch. 1 para. 4(3)(c)(d) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), 2(6)(c)(ii)
Commencement Information	
I2	Sch. 1 para. 4 in force at 20.12.2020, see reg. 1(3)

Authorised events

5.—^{F40}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

^{F41}(2)

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

(a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and

(b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

^{F42}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify ^{F43}regulation 16]^{F44}, 16ZA or 16ZB]

(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.]

- (5) The Welsh Ministers must publish—
- (a) an authorisation given under sub-paragraph (1), and
 - (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.
- (6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.
- (7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —
- (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
 - (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

- F40** Sch. 1 para. 5(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(i)**
- F41** Sch. 1 para. 5(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(ii)**
- F42** Sch. 1 para. 5(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(12)(d)(iii)**
- F43** Words in Sch. 1 para. 5(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(22)**
- F44** Words in Sch. 1 para. 5(4A) inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(10)(e)**

Commencement Information

- I3** Sch. 1 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F45}PART 3

Restrictions on travelling

.....

Textual Amendments

- F45** Sch. 1 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(13)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

PART 4

Restrictions on certain businesses and services

Closure of premises used by certain businesses and services

7.—(1) A person responsible for carrying on or providing a business or service listed in paragraph 9 ^{F46} ... 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) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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) or to rehearse ^{F47} ... ;
- (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.

(3) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Textual Amendments

F46 Words in Sch. 1 para. 7(1) 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(10)(f)**

F47 Words in Sch. 1 para. 7(2)(c) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(4)(b)**

Commencement Information

I4 Sch. 1 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Restrictions on licensed premises

^{F48}8.

Textual Amendments

F48 Sch. 1 para. 8 omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(12)(f)**

Businesses or services whose premises must be closed

9. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

Commencement Information

I5 Sch. 1 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

F49 **10.**

Textual Amendments

F49 Sch. 1 para. 10 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(10)(g)**

F50 **11.**

Textual Amendments

F50 Sch. 1 para. 11 omitted (17.7.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(4)(e)**

SCHEDULE 2

Regulation 4(3)

Alert Level 2 Restrictions

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

F51 **1.**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F51 Sch. 2 para. 1 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(11)** (a)

Restriction on gatherings in public places

2.—(1) No person may, without a reasonable excuse, participate in a gathering which—

[^{F52}(a) takes place indoors, ^{F53}... other than in a private dwelling, and]

(b) consists of more than [^{F54}6] people, not including—

(i) any children under the age of 11 [^{F55}, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households], or

(ii) the carer of a person who is participating in the gathering.

[^{F56}(2) But a person may participate in such a gathering if all the persons participating in the gathering are members of the same household.

^{F57}(2A)

^{F58}(3)

^{F59}(3A)

^{F60}(3B)

(4) For the purposes of sub-paragraphs (1) ^{F61}... and (3), a person has a reasonable excuse if—

(a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or

(b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

(a) obtaining or providing medical assistance, or accessing veterinary services;

(b) working or providing voluntary or charitable services;

(c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

(d) providing, receiving or accessing 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) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;

(f) moving home;

(g) undertaking activities in connection with the purchase, sale, letting, or rental of residential property;

(h) accessing or receiving public services;

(i) accessing or receiving educational services.

- [^{F62}(j) visiting a person who is resident in a care home, with the permission of the service provider.]
- (6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending 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;
 - [^{F63}(e) participating in [^{F64}a gathering at regulated premises] to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after [^{F65}1 December 2021];
 - (ii) celebrate the life of a deceased person whose funeral is held on or after [^{F66}1 December 2021];]
 - (f) attending a place of worship;
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
 - (i) participating in or facilitating [^{F67}a regulated gathering that takes place [^{F68}to any extent] indoors and] at which—
 - (i) no more than [^{F69}30] people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F70}at the gathering], and
 - (ii) no alcohol is consumed;
 - ^{F71}(j)
 - [^{F72}(k) participating in or facilitating an [^{F73}regulated gathering]^{F74} ... for the development or well-being of [^{F75}children] (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays);]
 - (l) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 5.
- (7) This paragraph does not apply to a person who is homeless.
- [^{F76}(8) For the purposes of this paragraph, a gathering in holiday or travel accommodation is to be treated as if it were a gathering in a private dwelling.]

Textual Amendments

F52 Sch. 2 para. 2(1)(a) substituted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(b)(i)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F53** Words in Sch. 2 para. 2(1)(a) 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(5)(a)(i)**
- F54** Word in Sch. 2 para. 2(1)(b) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(i)(aa)**
- F55** Words in Sch. 2 para. 2(1)(b)(i) inserted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(i)(bb)**
- F56** Sch. 2 para. 2(2)(2A) substituted for Sch. 2 para. 2(2) (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(ii)**
- F57** Sch. 2 para. 2(2A) 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(5)(a)(ii)**
- F58** Sch. 2 para. 2(3) 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(11)(b)(iii)**
- F59** Sch. 2 para. 2(3A) 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(11)(b)(iv)**
- F60** Sch. 2 para. 2(3B) 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(11)(b)(v)**
- F61** Word in Sch. 2 para. 2(4) 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(5)(a)(iii)**
- F62** Sch. 2 para. 2(5)(j) inserted (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(13)(b)(vi)**
- F63** Sch. 2 para. 2(6)(e) 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(13)(b)(vii)(aa)**
- F64** Words in Sch. 2 para. 2(6)(e) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(aa)**
- F65** Words in Sch. 2 para. 2(6)(e)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(bb)**
- F66** Words in Sch. 2 para. 2(6)(e)(ii) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(vii)(cc)**
- F67** Words in Sch. 2 para. 2(6)(i) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(iv)(aa)**
- F68** Words in Sch. 2 para. 2(6)(i) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(a)(i)**
- F69** Word in Sch. 2 para. 2(6)(i)(i) 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(13)(b)(vii)(bb)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F70** Words in Sch. 2 para. 2(6)(i)(i) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(iv)(bb)**
- F71** Sch. 2 para. 2(6)(j) 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(5)(a)(iv)**
- F72** Sch. 2 para. 2(6)(k) substituted (3.5.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021 (S.I. 2021/542), regs. 1(2), **2(4)(a)**
- F73** Words in Sch. 2 para. 2(6)(k) substituted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(13)(a)(vi)**
- F74** Words in Sch. 2 para. 2(6)(k) 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(11)(b)(viii)(aa)**
- F75** Word in Sch. 2 para. 2(6)(k) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(viii)(bb)**
- F76** Sch. 2 para. 2(8) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(b)(ix)**

Commencement Information

- I6** Sch. 2 para. 2 in force at 20.12.2020, see reg. 1(3)

Extended households

^{F77}3.

Textual Amendments

- F77** Sch. 2 para. 3 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(11)(e)**

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^{F78}^{F79}(1) No person may, without a reasonable excuse, be involved in organising an event ^{F80}held to any extent indoors.]

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^{F81}(2) Sub-paragraph (1) does not apply to a person involved in organising—

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of ^{F82}regulation 37(2)];
- (b) an event authorised by the Welsh Ministers under paragraph 5;

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
- (d) a funeral;
- (e) [^{F83}a gathering at regulated premises], to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after [^{F84}1 December 2021];
 - (ii) celebrate the life of a deceased person whose funeral is held on or after [^{F85}1 December 2021];
- (f) a regulated gathering that takes place to any extent indoors and at which—
 - (i) no more than 30 people are in attendance, ^{F86}... and
 - (ii) no alcohol is consumed;

^{F87}(g)

- (h) a regulated gathering ^{F88}... for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).

[^{F89}(i) an event that is held at regulated premises, other than at holiday or travel accommodation, and at which—

- (i) no more than 6 people are in attendance, or
- (ii) all of the people in attendance are members of the same household;

(j) an event that is any of the following, where it is held in premises ordinarily used for that purpose—

- (i) the showing of a film,
- (ii) an entertainment performance where no more than 200 people are in attendance ^{F90}...,
- (iii) a market, or
- (iv) a religious service;

(k) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services for the event;

^{F91}(l)

^{F92}(m)]]

[^{F93}(2A) In determining, for the purposes of sub-paragraph (2), the number of persons in attendance at an event, no account is to be taken of—

- (a) any children under the age of 11,
- (b) the carer of any person in attendance, or
- (c) any person working, or providing voluntary services, at the event.]

(3) For the purposes of sub-paragraph (1)—

- (a) a person is not involved in organising an event if the person's only involvement is attending it;

^{F94}(b)

^{F95}(c)

^{F95}(d)

Textual Amendments

- F78** Sch. 2 para. 4(1)(1A) substituted for Sch. 2 para. 4(1) (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(b)(i)**
- F79** Sch. 2 para. 4(1) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(i)**
- F80** Words in Sch. 2 para. 4(1) substituted (21.1.2022 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/55), regs. 1(2), **2(5)(b)(i)**
- F81** Sch. 2 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 11) Regulations 2021 (S.I. 2021/668), regs. 1(2), **2(7)(b)(ii)**
- F82** Words in Sch. 2 para. 4(2)(a) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(ii)**
- F83** Words in Sch. 2 para. 4(2)(e) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(aa)**
- F84** Words in Sch. 2 para. 4(2)(e)(i) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(bb)**
- F85** Words in Sch. 2 para. 4(2)(e)(ii) substituted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(11)(d)(iii)(cc)**
- F86** Words in Sch. 2 para. 4(2)(f)(i) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(a)(ii)**
- F87** Sch. 2 para. 4(2)(g) 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(5)(b)(ii)(aa)**
- F88** Words in Sch. 2 para. 4(2)(h) 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(11)(d)(v)**
- F89** Sch. 2 para. 4(2)(i)-(m) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(a)(iv)**
- F90** Words in Sch. 2 para. 4(2)(j)(ii) 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(5)(b)(ii)(bb)**
- F91** Sch. 2 para. 4(2)(l) omitted (15.1.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) Regulations 2022 (S.I. 2022/39), regs. 1(2), **2(3)(b)(ii)**
- F92** Sch. 2 para. 4(2)(m) 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(11)(d)(vii)**
- F93** Sch. 2 para. 4(2A) inserted (21.6.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(b)**
- F94** Sch. 2 para. 4(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(5)(b)(iii)**
- F95** Sch. 2 para. 4(3)(c)(d) omitted (21.6.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 13) Regulations 2021 (S.I. 2021/722), regs. 1(2), **2(7)(c)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I7 Sch. 2 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

Authorised events

5.—^{F96}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

^{F97}(2)

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

- (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
- (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

^{F98}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify ^{F99}regulation 16]^{F100}, 16ZA or 16ZB] (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.]

(5) The Welsh Ministers must publish—

- (a) an authorisation given under sub-paragraph (1), and
- (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.

(6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.

(7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —

- (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
- (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

F96 Sch. 2 para. 5(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(i)**

F97 Sch. 2 para. 5(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(ii)**

F98 Sch. 2 para. 5(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(13)(c)(iii)**

F99 Words in Sch. 2 para. 5(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(23)**

F100 Words in Sch. 2 para. 5(4A) inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(11)(e)**

Commencement Information

18 Sch. 2 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

F101 **PART 3**

Restrictions on travelling

.....

Textual Amendments

F101 Sch. 2 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021](#) (S.I. 2021/457), regs. 1(2), **2(14)**

PART 4

Restrictions on certain businesses and services

Closure of premises used by certain businesses and services

7.—(1) A person responsible for carrying on or providing a business or service listed in paragraph 9 ^{F102} ... 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) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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) or to rehearse ^{F103} ... ;
- (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.

(3) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F102 Words in Sch. 2 para. 7(1) 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(11)(f)**

F103 Words in Sch. 2 para. 7(2)(c) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(5)(b)**

Commencement Information

I9 Sch. 2 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Restrictions on licensed premises

^{F104}**8.**

Textual Amendments

F104 Sch. 2 para. 8 omitted (26.4.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(13)(f)**

Businesses or services whose premises must be closed

9. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

Commencement Information

I10 Sch. 2 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F105}**10.**

Textual Amendments

F105 Sch. 2 para. 10 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(11)(g)**

^{F106}**11.**

Textual Amendments

F106 Sch. 2 para. 11 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(11)(g)**

[^{F107}SCHEDULE 3

Regulation 4(4)

Alert Level 3 Restrictions

Textual Amendments

F107 Sch. 3 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(14)**

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

1.—(1) No person may, without a reasonable excuse, participate in a gathering in a private dwelling unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing 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;
- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;
- (e) moving home;
- (f) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
- (g) accessing or receiving educational services.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) working or providing voluntary or charitable services, or obtaining services from a person working or providing voluntary or charitable services;
 - (d) participating in a gathering of no more than 4 people where all the persons in the gathering—
 - (i) live in the same premises, and
 - (ii) share toilet, washing, dining or cooking facilities with each other.
- (7) This paragraph does not apply to a person who is homeless.

Restriction on gatherings in holiday or travel accommodation

2.—(1) No person may, without reasonable excuse, participate in a gathering which takes place in holiday or travel accommodation unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing 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;
- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) working or providing voluntary or charitable services;
- (d) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or

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Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*. (See end of Document for details)

- (iii) as the carer of a person attending;
 - (e) participating in an indoor gathering of no more than 15 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,
at which no alcohol is consumed;
 - (f) participating in an outdoor gathering of no more than 30 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
 - (g) participating in or facilitating [^{F108}a regulated gathering that takes place [^{F109}to any extent] indoors and] at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F110}at the gathering], and
 - (ii) no alcohol is consumed;
 - (h) participating in or facilitating [^{F111}a regulated gathering that takes place ^{F112}... outdoors and] at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F113}at the gathering], and
 - (ii) no alcohol is consumed;
 - (i) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.
- (7) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F108** Words in Sch. 3 para. 2(6)(g) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(i)(aa)**
- F109** Words in Sch. 3 para. 2(6)(g) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(a)(i)**
- F110** Words in Sch. 3 para. 2(6)(g)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(i)(bb)**
- F111** Words in Sch. 3 para. 2(6)(h) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(ii)(aa)**
- F112** Words in Sch. 3 para. 2(6)(h) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(a)(ii)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

F113 Words in Sch. 3 para. 2(6)(h)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(ii)(bb)**

Restriction on gatherings in public places

3.—(1) No person may, without a reasonable excuse, participate in a gathering in premises to which neither paragraph 1 nor 2 applies unless all the persons participating in the gathering are members of the same household.

(2) But a person may participate in such a gathering—

- (a) outdoors in regulated premises if the gathering consists of no more than 6 persons;
- (b) outdoors other than in regulated premises if—
 - (i) the gathering consists of no more than 6 persons, or
 - (ii) all the persons participating in the gathering are members of the same extended household.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (d) providing, receiving or accessing 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) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;
- (f) moving home;
- (g) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
- (h) accessing or receiving public services;
- (i) accessing or receiving educational services;
- (j) visiting a person who is resident in a care home, with the permission of the service provider.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (d) attending 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;
- (e) participating in an indoor gathering of no more than 15 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,
at which no alcohol is consumed;
- (f) participating in an outdoor gathering of no more than 30 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
- (g) attending a place of worship;
- (h) an elite athlete and is training or competing;
- (i) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
- (j) participating in or facilitating [^{F114}a regulated gathering that takes place [^{F115}to any extent] indoors and] at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F116}at the gathering], and
 - (ii) no alcohol is consumed;
- (k) participating in or facilitating [^{F117}a regulated gathering that takes place ^{F118}... outdoors and] at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F119}at the gathering, unless the gathering] is organised for the purposes of protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
 - (ii) no alcohol is consumed;
- (l) participating in or facilitating [^{F120}a regulated gathering] for the development or well-being of persons who were aged under 18 on 31 August 2020 (including sports, music and other

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

recreational activities such as those provided for children outside of school hours and during school holidays);

(m) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.

(7) This paragraph does not apply to a person who is homeless.

Textual Amendments

F114 Words in Sch. 3 para. 3(6)(j) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(aa)**

F115 Words in Sch. 3 para. 3(6)(j) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(i)**

F116 Words in Sch. 3 para. 3(6)(j)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(bb)**

F117 Words in Sch. 3 para. 3(6)(k) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(aa)**

F118 Words in Sch. 3 para. 3(6)(k) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(ii)**

F119 Words in Sch. 3 para. 3(6)(k)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(bb)**

F120 Words in Sch. 3 para. 3(6)(l) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(cc)**

Extended households

4.—(1) 2 households may agree to be treated as an extended household.

(2) In addition to the 2 households who may agree to be treated as an extended household under sub-paragraph (1), 1 well-being needs household may also agree to be treated as part of that extended household.

(3) To agree to be treated as an extended household, all members of the households must agree.

(4) A household may only agree to be treated as being in 1 extended household at any one time.

(5) Where a household has agreed to be treated as an extended household with any other households under paragraph 3 of Schedule 1 (“the previous extended household”), it may make an agreement under this paragraph only with those other households, unless a period of at least 10 days has expired since any member of the household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household.

(6) Where households have agreed to be treated as an extended household under—

(a) paragraph 3 of Schedule 2,

(b) paragraph 4 of Schedule 3A [^{F121}(despite its revocation by the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021)], or

(c) paragraph 3 of Schedule 4,

those households are to be treated as having agreed to be treated as an extended household under this paragraph.

(7) A household ceases to be treated as part of an extended household if any member of the household ceases to agree to be treated as part of the extended household.

(8) Sub-paragraph (9) applies where—

- (a) a person who would be, or is, a member of an extended household is a child, and
- (b) a person who has parental responsibility for the child (“P”) is a member of the child’s household.

(9) Where this sub-paragraph applies—

- (a) the agreement required by sub-paragraph (3) is to be given by P (and not the child), and
- (b) a household ceases to be treated as part of an extended household in accordance with sub-paragraph (7) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).

(10) If a household ceases to be treated as part of an extended household, the household may not agree to be treated as part of an extended household with any other household unless a period of at least 10 days has expired since any member of the household last participated in a gathering with any member of another household in reliance on being treated as part of an extended household with that household.

(11) In this Schedule, references to an extended household are references to an extended household formed under or by virtue of this paragraph.

(12) In this paragraph, “well-being needs household” means—

- (a) a single adult household;
- (b) a household comprising of 1 or more children and no adults.

Textual Amendments

F121 Words in [Sch. 3 para. 4\(6\)\(b\)](#) inserted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(a)**

PART 2

Restrictions on organising events

Prohibition on organising events

5.—^{F122}(1) No person may, without a reasonable excuse, be involved in organising an event unless—

- (a) the event is regulated (see regulation 57(7)),
- (b) the event is held outdoors, and
- (c) no more than 30 people attend at any time.

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

^{F123}(2) Sub-paragraph (1) does not apply to a person involved in organising—

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of paragraph 1;
 - (b) an event authorised by the Welsh Ministers under paragraph 6;
 - (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
 - (d) a funeral;
 - (e) an indoor gathering of no more than 15 people at regulated premises, or an outdoor gathering of no more than 30 people at such premises, not counting (in either case) persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
 - (f) a regulated gathering that takes place to any extent indoors and at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, at the gathering, and
 - (ii) no alcohol is consumed;
 - (g) a regulated gathering that takes place outdoors and at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, at the gathering, unless the gathering is organised for the purposes of protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
 - (ii) no alcohol is consumed;
 - (h) a regulated gathering, in premises other than holiday or travel accommodation, for the development or well-being of children (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).]
- (3) For the purposes of sub-paragraph (1)—
- (a) a person is not involved in organising an event if the person’s only involvement is attending it;
 - (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than [^{F124}30 people are present at the event at any time];
 - [^{F125}(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.]

Textual Amendments

- F122** Sch. 3 para. 5(1)(1A) substituted for Sch. 3 para. 5(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(i)**
- F123** Sch. 3 para. 5(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(ii)**
- F124** Words in Sch. 3 para. 5(3)(b) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(c)(iii)**
- F125** Sch. 3 para. 5(3)(c)(d) substituted for Sch. 3 para. 5(3)(c) (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(c)**

Authorised events

6.—^{F126}(1) The Welsh Ministers may give authorisation in writing for an event to be held.]

^{F127}(2)

(3) An authorisation may be given under sub-paragraph (1) in relation to a particular event or a particular description of events.

(4) An authorisation under sub-paragraph (1)—

- (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
- (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

^{F128}(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify ^{F129}regulation 16] (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.]

(5) The Welsh Ministers must publish—

- (a) an authorisation given under sub-paragraph (1), and
- (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to an event to be held under the authorisation.

(6) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.

(7) An authorisation may be withdrawn under sub-paragraph (6) only if the Welsh Ministers —

- (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
- (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Textual Amendments

- F126** Sch. 3 para. 6(1) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(i)**

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Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F127** Sch. 3 para. 6(2) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(ii)**
- F128** Sch. 3 para. 6(4A) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(d)(iii)**
- F129** Words in Sch. 3 para. 6(4A) substituted (7.8.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(24)**

PART 3

Restrictions on certain businesses and services

CHAPTER 1

Businesses or services whose premises are required to be closed but to which limited access may be allowed

Closure of indoor premises of food and drink businesses

7.—(1) A person responsible for carrying on a business which is listed in paragraphs 11 to 13 (food and drink businesses) must close to members of the public any part of its premises which is indoors and used for the consumption of food or drink.

- (2) Sub-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 homeless people;
 - (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 exceptions allowed by paragraph 8);
 - (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food or drink;
 - (d) the use of premises for any purpose as may be requested or authorised by the Welsh Ministers or a local authority;
 - (e) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises.
- (3) Sub-paragraph (1) does not apply to—
- (a) cafés and canteens at a hospital, care home, school or within accommodation provided for students;
 - (b) canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence.
- (4) For the purposes of sub-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.
- (5) Where—
- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and

(b) business A forms part of a larger business (“business B”),
the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Closure of holiday or travel accommodation that is not self-contained

8.—(1) A person responsible for carrying on a business which is listed in paragraphs 14 to 17 (holiday or travel accommodation) 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 paragraph.

(2) But sub-paragraph (1) does not prevent the use of premises for the provision of accommodation—

- (a) in a camping site or holiday site, provided that the only shared facilities used by guests at the camping site or holiday site are water points and waste disposal points, or
- (b) in separate and self-contained premises.

(3) And sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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 provision of accommodation for any persons staying in that accommodation when this paragraph most recently began to apply to the area in which the accommodation is situated and who—

- (i) are unable to return to their main residence, or
- (ii) are using the accommodation as their main residence;

(d) 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.

(4) Premises are separate and self-contained for the purposes of this paragraph only if—

- (a) they are provided for persons who are members of the same household or extended household, and
- (b) none of the following are shared with the members of any other household—
 - (i) kitchens,
 - (ii) sleeping areas,
 - (iii) bathrooms, or
 - (iv) indoor communal areas.

(5) In this paragraph—

- (a) a reception area is not to be treated as a shared facility for the purposes of sub-paragraph (2) (a);
- (b) “communal areas” includes any area of the premises that is open to the public, but does not include a reception area or corridors, lifts and staircases used to access other parts of the premises.

(6) Where—

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
 - (b) business A forms part of a larger business (“business B”),
- the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

CHAPTER 2

Businesses or services whose premises are required to be closed

Closure of businesses and services

9.—(1) A person responsible for carrying on a business or providing a service which is listed in paragraphs 18 to 35 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 paragraph.

(2) In its application to a business or service listed in paragraphs 27 (funfairs, amusement parks and theme parks), 28 (holiday, leisure activity or events businesses), 29 (museums and galleries), 32 (trampoline parks and centres), ^{F130}... 34 (venues for events or conferences (including venues for weddings)) and 35 (visitor attractions), sub-paragraph (1) does not apply to—

- (a) a public outdoor area of the premises, or
- (b) a public indoor area of the premises where it is necessary for the indoor area to be open—
 - (i) to allow access to a public outdoors area,
 - (ii) for health and safety reasons, or
 - (iii) to ensure that the requirements in Part 4 of these Regulations are complied with in relation to the premises.

(3) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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) or to rehearse;
- (d) the use of premises for the provision of goods or services (including their sale, hire, collection or delivery) in response to an order or enquiry made—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post;
- (e) the use of premises for the provision of information—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

^{F131}(4) Despite sub-paragraph (1), a person responsible for carrying on a business or providing a service listed in paragraph 28 (holiday, leisure activity or events businesses) may open the indoor areas of its premises to the public, but only for the purposes of facilitating ^{F132}a regulated gathering]

for the development or well-being of persons who were aged under 18 on 31 August 2020 (including sports, music and other recreational activities such as those provided for children outside of school hours and during school holidays).]

(5) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Textual Amendments

F130 Words in Sch. 3 para. 9(2) omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(b)(i)**

F131 Sch. 3 para. 9(4) substituted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(b)(ii)**

F132 Words in Sch. 3 para. 9(4) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(e)**

CHAPTER 3

Businesses and services whose premises are exempt from the requirement to close

^{F133}**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.]

Textual Amendments

F133 Sch. 3 para. 10 substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(f)**

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

CHAPTER 4

List of closed or partially closed premises

Closed or partially closed premises

Food and drink businesses

11. Bars (including bars in members' clubs).
12. Public houses.
13. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday or travel accommodation

14. Camping sites.
15. Holiday sites.
16. Hotels and bed and breakfast accommodation.
17. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Leisure and social etc.

18. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

19. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

20. Cinemas, other than drive in cinemas.
21. Concert halls and theatres, other than drive in theatres.
22. Casinos.
23. Bingo halls.
24. Amusement arcades.
25. Bowling alleys.
26. Indoor play centres or areas.
27. Funfairs, amusement parks and theme parks.
28. Holiday, leisure activity or events businesses.
29. Museums and galleries.
30. Ice skating rinks.
31. Trampoline parks and centres.
32. Indoor skate parks and centres.

[^{F134}33. Steam rooms.]

Textual Amendments

F134 Sch. 3 para. 33 substituted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(c)**

34. Venues for events or conferences (including venues for weddings).

35. Visitor attractions.]

F135 SCHEDULE 3A

Regulation 4(6A)

Textual Amendments

F135 Sch. 3A omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(6)**

SCHEDULE 4

Regulation 4(5)

Alert Level 4 Restrictions

PART 1

Restrictions on movement and gathering with others

Requirement to stay at home

1.—(1) No person may, without a reasonable excuse, leave the place where they are living or remain away from that place.

(2) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person leaves or remains away from the place where they are living for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (4) applies.

(3) Examples of purposes for which it may be reasonably necessary for a person to leave or remain away from the place where they are living include—

- (a) obtaining supplies from a business or service listed in paragraphs 55 to 66 , including—
 - (i) food and medical supplies for those in the same household or extended household (including animals in the household or extended household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household or extended household, or the household of a vulnerable person;

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Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (b) obtaining or providing medical assistance, or accessing veterinary services;
 - (c) working or providing voluntary or charitable services;
 - (d) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (e) providing, receiving or accessing 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) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;
 - (g) moving home;
 - (h) obtaining money from or depositing money with any business or service listed in paragraph 39(g) of Schedule 7;
 - (i) viewing a property in connection with the purchase, sale, letting or rental of the property;
 - (j) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (k) accessing or receiving public services;
 - (l) accessing or receiving educational services.
- (4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony —
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (d) attending 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;
 - (e) attending a place of worship;
 - (f) exercising, either—
 - (i) alone,
 - (ii) with other members of the person's household or extended household, ^{F136} ...
 - (iii) with the person's carer [^{F137}, or]
 - [^{F138}(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;]
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at—
 - (i) an elite sporting event, or

- (ii) a sporting event taking place outside Wales;
 - (i) travelling to vote in an election;
 - (j) travelling to or from, or is present at, a place where a member of their extended household is living.
- (5) In sub-paragraph (4)(f)—
- (a) exercise must start and finish at the place where the person is living or where a member of the person's extended household 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), the person needs to exercise in another place, exercise must take place in an area local to the place where the person is living.
- (6) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F136** Word in Sch. 4 para. 1(4)(f)(ii) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(i)**
- F137** Word in Sch. 4 para. 1(4)(f)(iii) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(ii)**
- F138** Sch. 4 para. 1(4)(f)(iv) inserted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(iii)**

Commencement Information

- I11** Sch. 4 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Requirement not to gather with other people

- 2.—(1) No person may, 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) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—
- (a) the person is gathering with other people for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
 - (b) one of the circumstances in sub-paragraph (4) applies.
- (3) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—
- (a) obtaining or providing medical assistance, or accessing veterinary services;
 - (b) working or providing voluntary or charitable services;
 - (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (d) providing, receiving or accessing 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;

Status: Point in time view as at 18/02/2022.

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- (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this sub-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;
 - (f) moving home;
 - (g) viewing a property in connection with the purchase, sale, letting or rental of the property;
 - (h) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (i) accessing or receiving public services;
 - (j) accessing or receiving educational services;
 - (k) avoiding illness, injury or other risk of harm.
- (4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (c) attending 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;
 - (d) attending a place of worship;
 - (e) an elite athlete and is training or competing;
 - (f) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
 - (g) participating in a gathering with members of their extended household at a place where members of the extended household are living;
 - (h) participating in a gathering of no more than 4 people where all the persons in the gathering—
 - (i) live in the same premises, and
 - (ii) share toilet, washing, dining or cooking facilities with each other;
- [^{F139}(i) exercising outdoors, except in a private dwelling, with—
- (i) members of the person’s extended household, [^{F140}or]
 - [1 other person and any children under the age of 11 who are members of either
 - ^{F141}(ii) person’s household,]
- together with any carer of a person participating who is present.]
- (5) This paragraph does not apply to a person who is homeless.

Textual Amendments

F139 Sch. 4 para. 2(4)(i) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(b)**

F140 Word in Sch. 4 para. 2(4)(i)(i) inserted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(15)(b)(i)**

F141 Sch. 4 para. 2(4)(i)(ii) inserted (17.5.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 10) Regulations 2021 (S.I. 2021/583), regs. 1(2), **2(15)(b)(ii)**

Commencement Information

I12 Sch. 4 para. 2 in force at 20.12.2020, see reg. 1(3)

Extended households

3.—(1) A [^{F142}well-being needs] household and another household may agree to be treated as an extended household.

(2) To agree to be treated as an extended household, all [^{F143}members of the households] must agree.

(3) A household may only agree to be treated as being in 1 extended household [^{F144}at any one time].

(4) Where a [^{F145}well-being needs] household has agreed to be treated as an extended household with up to—

- (a) 3 other households under paragraph 3 of Schedule 1, or
- (b) 2 other households under—
 - (i) paragraph 3 of Schedule 2, or
 - (ii) paragraph 3 of Schedule 3,

[^{F146}(“the previous extended household”),] an agreement under this paragraph may be made only between the [^{F145}well-being needs] household and 1 of those other households [^{F147}unless a period of at least 10 days has expired since any member of the [^{F145}well-being needs] household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household].

(5) A household ceases to be treated as [^{F148}part of] an extended household if any ^{F149}... member of the household ceases to agree to be treated as [^{F148}part of] the extended household.

[^{F150}(5A) Sub-paragraph (5B) applies where—

- (a) a person who would be, or is, a member of an extended household is a child, and
- (b) a person who has parental responsibility for the child (“P”) is a member of the child’s household.

(5B) Where this sub-paragraph applies—

- (a) the agreement required by sub-paragraph (2) is to be given by P (and not the child), and
- (b) a household ceases to be treated as part of an extended household in accordance with sub-paragraph (5) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).]

(6) If a household ceases to be treated as [^{F151}part of] an extended household, the household may not agree to be treated as [^{F151}part of] an extended household with any other household [^{F152}unless a period of at least 10 days has expired since any member of the household last participated in a gathering with any member of another household in reliance on being treated as part of an extended household with that household].

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

(7) In this Schedule, references to an extended household are references to an extended household formed under or by virtue of this paragraph.

[^{F153}(8) In this paragraph, “well-being needs household” means—

- (a) a single adult household;
- (b) a household comprising of 1 or more children and no adults.]

Textual Amendments

- F142** Words in Sch. 4 para. 3(1) substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(a)**
- F143** Words in Sch. 4 para. 3(2) substituted (13.3.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(i)**
- F144** Words in Sch. 4 para. 3(3) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(i)**
- F145** Words in Sch. 4 para. 3(4) substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(a)**
- F146** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(ii)(aa)**
- F147** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(ii)(bb)**
- F148** Words in Sch. 4 para. 3(5) substituted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iii)**
- F149** Word in Sch. 4 para. 3(5) omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(ii)**
- F150** Sch. 4 para. 3(5A)(5B) inserted (13.3.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(a)(iii)**
- F151** Words in Sch. 4 para. 3(6) substituted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iv)(aa)**
- F152** Words in Sch. 4 para. 3(6) inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(c)(iv)(bb)**
- F153** Sch. 4 para. 3(8) inserted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(9)(b)**

Commencement Information

- I13** Sch. 4 para. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

PART 2

Restrictions on organising events

Prohibition on organising events

4.—^{F154}(1) No person may, without a reasonable excuse, be involved in organising an event unless—

- (a) the event is regulated (see regulation 57(7)),
- (b) the event is held outdoors, and

(c) no more than 30 people attend at any time.

(1A) For the purposes of this paragraph, a person working, or providing voluntary services, in relation to the holding of an event is not to be treated as attending the event.]

[^{F155}(2) Sub-paragraph (1) does not apply to a person involved in organising—

- (a) an event held at a private dwelling at which people do not participate in a gathering in contravention of paragraph 2;
- (b) an elite sporting event authorised by the Welsh Ministers under paragraph 5;
- (c) a solemnisation of a marriage, formation of a civil partnership or an alternative wedding ceremony;
- (d) a funeral.]

(3) For the purposes of sub-paragraph (1)—

- (a) a person is not involved in organising an event if the person's only involvement is attending it;
- (b) a reasonable excuse includes where the person has taken all reasonable measures to ensure that no more than [^{F156}30 people are present at the event at any time];

[^{F157}(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.]

Textual Amendments

F154 Sch. 4 para. 4(1)(1A) substituted for Sch. 4 para. 4(1) (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(a)**

F155 Sch. 4 para. 4(2) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(b)**

F156 Words in Sch. 4 para. 4(3)(b) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(9)(c)**

F157 Sch. 4 para. 4(3)(c) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(c)**

Commencement Information

I14 Sch. 4 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

Authorised elite sporting events

5.—(1) The Welsh Ministers may give authorisation in writing for an elite sporting event to be held.

(2) An authorisation under sub-paragraph (1)—

- (a) must be given to a person the Welsh Ministers consider is responsible for organising the event, and
- (b) may require the event to be held in accordance with any requirements, restrictions or other conditions as may be specified by the Welsh Ministers.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (3) The Welsh Ministers must publish—
 - (a) an authorisation given under sub-paragraph (1), and
 - (b) details of any requirements, restrictions or other conditions specified by the Welsh Ministers in relation to the event.
- (4) The Welsh Ministers may withdraw an authorisation at any time by giving notice in writing to the person to whom the authorisation was given.
- (5) An authorisation may be withdrawn under sub-paragraph (4) only if the Welsh Ministers —
 - (a) have reasonable grounds to believe that the event will not be held, or is not being held, in accordance with a requirement, restriction or other condition specified by them, or
 - (b) consider that it is necessary and proportionate to withdraw the authorisation for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus.

Commencement Information

I15 Sch. 4 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

F158 **PART 3**

Restrictions on travel

Textual Amendments

F158 Sch. 4 Pt. 3 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(a)**

F159 **PART 3A**

Restrictions on attending schools and further education institutions

Textual Amendments

F159 Sch. 4 Pt. 3A omitted (13.3.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/307\)](#), regs. 1(2), **2(7)(b)**

PART 4

Restrictions on certain businesses and services

CHAPTER 1

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

Closure of food and drink businesses

7.—(1) A person responsible for carrying on a business which is listed in paragraphs 12 to 14 (food and drink businesses) 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 paragraph.
- (2) Sub-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 homeless people;
- (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 exceptions allowed by paragraph 8);
- (c) a workplace canteen from being open where there is no practical alternative for staff at that workplace to obtain food or drink;
- (d) the carrying out of maintenance and repairs or other work to ensure premises are suitable for use when sub-paragraph (1) no longer applies to the premises.

(3) For the purposes of sub-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.

(4) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information

I16 Sch. 4 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Closure of holiday or travel accommodation

8.—(1) A person responsible for carrying on a business which is listed in paragraphs 15 to 18 (holiday or travel accommodation) 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) Sub-paragraph (1) does not prevent—

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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 provision of accommodation for any persons staying in that accommodation when this paragraph most recently began to apply to the area in which the accommodation is situated and who—
 - (i) are unable to return to their main residence, or
 - (ii) are using the accommodation as their main residence;
 - (d) 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.
- (3) Where—
- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
 - (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information
 I17 Sch. 4 para. 8 in force at 20.12.2020, see [reg. 1\(3\)](#)

Closure of community centres ^{F160} ...

9.—(1) A person responsible for premises that are of a kind listed in [^{F161}paragraph 19] must ensure that the premises are closed to members of the public, except for the uses permitted by [^{F162}sub-paragraph (2)].

- (2) 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.

^{F163}(3)

^{F163}(4)

(5) In this paragraph, “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.

Textual Amendments

F160 Words in Sch. 4 para. 9 heading omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(i)**

F161 Words in Sch. 4 para. 9(1) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(ii)(aa)**

F162 Words in Sch. 4 para. 9(1) substituted (12.4.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(ii)(bb)**

F163 Sch. 4 para. 9(3)(4) omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), regs. 1(2), **2(17)(b)(iii)**

Commencement Information

I18 Sch. 4 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 2

Businesses or services whose premises are required to be closed

Closure of businesses and services

10.—(1) A person responsible for carrying on a business or providing a service which is listed in paragraphs 21 to 48 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 paragraph.

(2) Sub-paragraph (1) does not prevent—

- (a) carrying out maintenance and repairs or other work to ensure premises are suitable for use when sub-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) or to rehearse for such a broadcast;
- (d) the use of premises for the provision of goods or services (including their sale, hire, collection or delivery) in response to an order or enquiry made—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post;
- (e) the use of premises for the provision of information—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including by text message, or
 - (iii) by post.

(3) Where—

- (a) a person responsible for carrying on a business (“business A”) is required by virtue of this paragraph to cease carrying on business A at premises, and
- (b) business A forms part of a larger business (“business B”),

the requirement in this paragraph is complied with if the person responsible for carrying on business B ceases to carry on business A at the premises.

Commencement Information

I19 Sch. 4 para. 10 in force at 20.12.2020, see [reg. 1\(3\)](#)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

CHAPTER 3

Business and services whose premises are exempt from the requirement to close

Exemption from the requirement to be closed

11.—(1) Despite the preceding provisions of this Part, premises operated by businesses or services listed in paragraphs 49 to 66 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 paragraphs 49 to 66.

(3) 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) Sub-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

I20 Sch. 4 para. 11 in force at 20.12.2020, see [reg. 1\(3\)](#)

CHAPTER 4

List of closed premises

Closed premises

Food and drink businesses

12. Bars (including bars in members' clubs).

Commencement Information

I21 Sch. 4 para. 12 in force at 20.12.2020, see [reg. 1\(3\)](#)

13. Public houses.

Commencement Information

I22 Sch. 4 para. 13 in force at 20.12.2020, see [reg. 1\(3\)](#)

14. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday or travel accommodation

Commencement Information

I23 Sch. 4 para. 14 in force at 20.12.2020, see [reg. 1\(3\)](#)

15. Camping sites.

Commencement Information

I24 Sch. 4 para. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

16. Holiday sites.

Commencement Information

I25 Sch. 4 para. 16 in force at 20.12.2020, see [reg. 1\(3\)](#)

17. Hotels and bed and breakfast accommodation;

Commencement Information

I26 Sch. 4 para. 17 in force at 20.12.2020, see [reg. 1\(3\)](#)

18. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Public services etc.

Commencement Information

I27 Sch. 4 para. 18 in force at 20.12.2020, see [reg. 1\(3\)](#)

19. Community centres.

Commencement Information

I28 Sch. 4 para. 19 in force at 20.12.2020, see [reg. 1\(3\)](#)

^{F164}**20.**

Textual Amendments

F164 Sch. 4 para. 20 omitted (12.4.2021) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2021 \(S.I. 2021/457\)](#), [regs. 1\(2\), 2\(17\)\(c\)](#)

21. Libraries and archive services.

Personal services etc.

Commencement Information

I29 Sch. 4 para. 21 in force at 20.12.2020, see [reg. 1\(3\)](#)

22. Hair salons and barbers.

Commencement Information

I30 Sch. 4 para. 22 in force at 20.12.2020, see [reg. 1\(3\)](#)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

23. Nail and beauty salons including tanning and electrolysis services.

Commencement Information

I31 Sch. 4 para. 23 in force at 20.12.2020, see [reg. 1\(3\)](#)

24. Body piercings and tattooing services.

Leisure and social etc.

Commencement Information

I32 Sch. 4 para. 24 in force at 20.12.2020, see [reg. 1\(3\)](#)

25. Nightclubs, discotheques, dance halls or other venues authorised for the sale or supply of alcohol where live or recorded music is provided for members of the public or members of the venue to dance.

Commencement Information

I33 Sch. 4 para. 25 in force at 20.12.2020, see [reg. 1\(3\)](#)

26. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

Commencement Information

I34 Sch. 4 para. 26 in force at 20.12.2020, see [reg. 1\(3\)](#)

27. Cinemas.

Commencement Information

I35 Sch. 4 para. 27 in force at 20.12.2020, see [reg. 1\(3\)](#)

28. Concert halls and theatres.

Commencement Information

I36 Sch. 4 para. 28 in force at 20.12.2020, see [reg. 1\(3\)](#)

29. Casinos.

Commencement Information

I37 Sch. 4 para. 29 in force at 20.12.2020, see [reg. 1\(3\)](#)

30. Bingo halls.

Commencement Information

I38 Sch. 4 para. 30 in force at 20.12.2020, see [reg. 1\(3\)](#)

31. Amusement arcades.

Commencement Information

I39 Sch. 4 para. 31 in force at 20.12.2020, see [reg. 1\(3\)](#)

32. Bowling alleys.

Commencement Information

I40 Sch. 4 para. 32 in force at 20.12.2020, see [reg. 1\(3\)](#)

33. Indoor play centres or areas.

Commencement Information

I41 Sch. 4 para. 33 in force at 20.12.2020, see [reg. 1\(3\)](#)

34. Funfairs, amusement parks and theme parks.

Commencement Information

I42 Sch. 4 para. 34 in force at 20.12.2020, see [reg. 1\(3\)](#)

35. Holiday, leisure activity or events businesses.

Commencement Information

I43 Sch. 4 para. 35 in force at 20.12.2020, see [reg. 1\(3\)](#)

36. Museums and galleries.

Commencement Information

I44 Sch. 4 para. 36 in force at 20.12.2020, see [reg. 1\(3\)](#)

37. [^{F165}Ice skating] rinks.

Textual Amendments

F165 Words in [Sch. 4 para. 37](#) 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\(16\)](#)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I45 Sch. 4 para. 37 in force at 20.12.2020, see [reg. 1\(3\)](#)

38. Trampoline parks and centres.

Commencement Information

I46 Sch. 4 para. 38 in force at 20.12.2020, see [reg. 1\(3\)](#)

39. Enclosed or indoor skate parks and centres.

Commencement Information

I47 Sch. 4 para. 39 in force at 20.12.2020, see [reg. 1\(3\)](#)

40. Spas.

Commencement Information

I48 Sch. 4 para. 40 in force at 20.12.2020, see [reg. 1\(3\)](#)

41. Venues for events or conferences (including venues for weddings).

Commencement Information

I49 Sch. 4 para. 41 in force at 20.12.2020, see [reg. 1\(3\)](#)

42. Visitor attractions.

Sports and exercise.

Commencement Information

I50 Sch. 4 para. 42 in force at 20.12.2020, see [reg. 1\(3\)](#)

43. Sports or exercise facilities, including indoor fitness studios and gyms.

Commencement Information

I51 Sch. 4 para. 43 in force at 20.12.2020, see [reg. 1\(3\)](#)

44. Swimming pools.

Commencement Information

I52 Sch. 4 para. 44 in force at 20.12.2020, see [reg. 1\(3\)](#)

45. Sports courts, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).

Retail etc.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I53 Sch. 4 para. 45 in force at 20.12.2020, see [reg. 1\(3\)](#)

46. Any business offering goods or services for sale or hire in retail premises.

Commencement Information

I54 Sch. 4 para. 46 in force at 20.12.2020, see [reg. 1\(3\)](#)

47. Shopping centres and shopping arcades.

Commencement Information

I55 Sch. 4 para. 47 in force at 20.12.2020, see [reg. 1\(3\)](#)

48. Estate or letting agents [^{F166}and developer sales offices].

Textual Amendments

F166 Words in Sch. 4 para. 48 substituted (9.1.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), 8(7)

Commencement Information

I56 Sch. 4 para. 48 in force at 20.12.2020, see [reg. 1\(3\)](#)

Exempt premises

Public services etc.

49. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, physiotherapy services, acupuncture services and other medical or health services, including services relating to mental health.

Commencement Information

I57 Sch. 4 para. 49 in force at 20.12.2020, see [reg. 1\(3\)](#)

50. Hospital libraries and libraries at educational establishments.

Commencement Information

I58 Sch. 4 para. 50 in force at 20.12.2020, see [reg. 1\(3\)](#)

51. Funeral directors.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I59 Sch. 4 para. 51 in force at 20.12.2020, see [reg. 1\(3\)](#)

52. Veterinary surgeons.

Food and drink businesses

Commencement Information

I60 Sch. 4 para. 52 in force at 20.12.2020, see [reg. 1\(3\)](#)

53. Cafés and canteens at a hospital, care home, school or within accommodation provided for students.

Commencement Information

I61 Sch. 4 para. 53 in force at 20.12.2020, see [reg. 1\(3\)](#)

54. Canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence.

Retail etc.

Commencement Information

I62 Sch. 4 para. 54 in force at 20.12.2020, see [reg. 1\(3\)](#)

55. Businesses offering the following goods for sale or hire in a shop—

- (a) food or drink for consumption off the premises (including food for pets and other domestic animals);
- (b) products essential for the storage, preparation or consumption of food or drink;
- (c) products for the essential upkeep, maintenance or functioning of the home or a workplace;
- (d) pharmaceutical products, health and personal care products, baby products (including clothing), toiletries and cosmetics;
- (e) newspapers and magazines;
- (f) bicycles and products essential for the use and maintenance of bicycles,

but only for the purposes of selling or hiring those goods.

Commencement Information

I63 Sch. 4 para. 55 in force at 20.12.2020, see [reg. 1\(3\)](#)

56. Food markets, convenience stores, corner shops, pet shops, off licences and petrol stations.

Commencement Information

I64 Sch. 4 para. 56 in force at 20.12.2020, see [reg. 1\(3\)](#)

57. Supermarkets and other shops that sell multiple types of goods but only for the purposes of—
- (a) selling the goods listed in paragraph 55;
 - (b) selling goods of a type ordinarily sold by any of the businesses listed in paragraph 56;
 - (c) selling other goods—
 - (i) where it is not reasonably practicable to separate or demarcate those areas of a shop that ordinarily displays such goods from those areas that display the goods mentioned in paragraphs (a) and (b);
 - (ii) on an exceptional basis where the goods are required in an emergency or on compassionate grounds.

Commencement Information

I65 Sch. 4 para. 57 in force at 20.12.2020, see [reg. 1\(3\)](#)

58. Shops offering maintenance or repair services for telecommunications or information technology devices.

Commencement Information

I66 Sch. 4 para. 58 in force at 20.12.2020, see [reg. 1\(3\)](#)

59. Building supplies and hardware stores.

Commencement Information

I67 Sch. 4 para. 59 in force at 20.12.2020, see [reg. 1\(3\)](#)

60. Banks, building societies and other financial services providers.

Commencement Information

I68 Sch. 4 para. 60 in force at 20.12.2020, see [reg. 1\(3\)](#)

61. Post offices.

Commencement Information

I69 Sch. 4 para. 61 in force at 20.12.2020, see [reg. 1\(3\)](#)

62. Car repair and MOT services.

Commencement Information

I70 Sch. 4 para. 62 in force at 20.12.2020, see [reg. 1\(3\)](#)

- [^{F167}62A. Automatic car washes.]

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F167 Sch. 4 para. 62A inserted (30.1.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/103\)](#), regs. 1(2), **2(6)(d)**

63. Livestock markets or auctions.

Commencement Information

I71 Sch. 4 para. 63 in force at 20.12.2020, see [reg. 1\(3\)](#)

64. Laundrettes and dry cleaners.

Commencement Information

I72 Sch. 4 para. 64 in force at 20.12.2020, see [reg. 1\(3\)](#)

65. Taxi or vehicle hire businesses.

Commencement Information

I73 Sch. 4 para. 65 in force at 20.12.2020, see [reg. 1\(3\)](#)

66. Agricultural or aquacultural supplies shops.

Commencement Information

I74 Sch. 4 para. 66 in force at 20.12.2020, see [reg. 1\(3\)](#)

SCHEDULE 5

Regulation 4(8)

[^{F168}Areas ^{F169}...]

Textual Amendments

F168 Sch. 5 heading substituted (27.2.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/210\)](#), regs. 1(2), **2(10)**

F169 Words in Sch. 5 heading omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(7)(a)**

1. This is the table referred to in regulation 4(8)—

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	<i>Area</i>	<i>Alert Level of Area</i>
1	The whole of Wales	[^{F170} No alert level]

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Textual Amendments

F170 Words in Sch. 5 para. 1 substituted (28.1.2022 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2022 \(S.I. 2022/83\)](#), regs. 1(2), **2(10)**

Commencement Information

I75 Sch. 5 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Temporary modifications

^{F171}**2.**

Textual Amendments

F171 Sch. 5 para. 2 omitted (3.5.2021 immediately before the start of the day) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(7)(b)**

^{F172}SCHEDULE 5A

Regulations 14A and 14B

Textual Amendments

F172 Sch. 5A omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(17)**

^{F173}SCHEDULE 6

Regulation 4(7)

Textual Amendments

F173 Sch. 6 omitted (9.1.2021 at 4.00 a.m.) by virtue of [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Amendment\) \(Wales\) Regulations 2021 \(S.I. 2021/20\)](#), regs. 1(2), **8(8)**

SCHEDULE 7

Regulation 15

Regulated premises

Food and drink businesses

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I76 Sch. 7 para. wrapper3n2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Commencement Information

I76 Sch. 7 para. wrapper3n2 in force at 20.12.2020, see [reg. 1\(3\)](#)

1. Bars (including bars in members' clubs).

Commencement Information

I77 Sch. 7 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

2. Public houses.

Commencement Information

I78 Sch. 7 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

3. Cafes, canteens and restaurants (including workplace canteens and dining rooms in members' clubs).

Holiday and travel accommodation

Commencement Information

I79 Sch. 7 para. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

4. Camping sites.

Commencement Information

I80 Sch. 7 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

5. Holiday sites.

Commencement Information

I81 Sch. 7 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

6. Hotels and bed and breakfast accommodation.

Commencement Information

I82 Sch. 7 para. 6 in force at 20.12.2020, see [reg. 1\(3\)](#)

7. Other holiday accommodation (including holiday apartments, hostels and boarding houses).

Public services etc.

Commencement Information

I83 Sch. 7 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

8. Medical or health services.

Commencement Information

I84 Sch. 7 para. 8 in force at 20.12.2020, see [reg. 1\(3\)](#)

9. Recycling and waste centres.

Commencement Information

I85 Sch. 7 para. 9 in force at 20.12.2020, see [reg. 1\(3\)](#)

10. Community centres.

Commencement Information

I86 Sch. 7 para. 10 in force at 20.12.2020, see [reg. 1\(3\)](#)

11. Libraries and archive services.

Commencement Information

I87 Sch. 7 para. 11 in force at 20.12.2020, see [reg. 1\(3\)](#)

12. Places of worship.

Commencement Information

I88 Sch. 7 para. 12 in force at 20.12.2020, see [reg. 1\(3\)](#)

13. Funeral directors.

Commencement Information

I89 Sch. 7 para. 13 in force at 20.12.2020, see [reg. 1\(3\)](#)

14. Crematoriums.

Commencement Information

I90 Sch. 7 para. 14 in force at 20.12.2020, see [reg. 1\(3\)](#)

15. Veterinary surgeons.

Personal services etc.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I91 Sch. 7 para. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

16. Hair salons and barbers.

Commencement Information

I92 Sch. 7 para. 16 in force at 20.12.2020, see [reg. 1\(3\)](#)

17. Nail and beauty salons including tanning and electrolysis services.

Commencement Information

I93 Sch. 7 para. 17 in force at 20.12.2020, see [reg. 1\(3\)](#)

18. Body piercings and tattooing services.

Leisure and social etc.

Commencement Information

I94 Sch. 7 para. 18 in force at 20.12.2020, see [reg. 1\(3\)](#)

19. Cinemas.

Commencement Information

I95 Sch. 7 para. 19 in force at 20.12.2020, see [reg. 1\(3\)](#)

20. Concert halls and theatres.

Commencement Information

I96 Sch. 7 para. 20 in force at 20.12.2020, see [reg. 1\(3\)](#)

21. Casinos.

Commencement Information

I97 Sch. 7 para. 21 in force at 20.12.2020, see [reg. 1\(3\)](#)

22. Bingo halls.

Commencement Information

I98 Sch. 7 para. 22 in force at 20.12.2020, see [reg. 1\(3\)](#)

23. Amusement arcades.

Commencement Information

I99 Sch. 7 para. 23 in force at 20.12.2020, see [reg. 1\(3\)](#)

24. Bowling alleys.

Commencement Information

I100 Sch. 7 para. 24 in force at 20.12.2020, see [reg. 1\(3\)](#)

25. Indoor play centres or areas.

Commencement Information

I101 Sch. 7 para. 25 in force at 20.12.2020, see [reg. 1\(3\)](#)

26. Playgrounds.

Commencement Information

I102 Sch. 7 para. 26 in force at 20.12.2020, see [reg. 1\(3\)](#)

27. Funfairs, amusement parks and theme parks.

Commencement Information

I103 Sch. 7 para. 27 in force at 20.12.2020, see [reg. 1\(3\)](#)

28. Holiday, leisure activity or events businesses.

Commencement Information

I104 Sch. 7 para. 28 in force at 20.12.2020, see [reg. 1\(3\)](#)

29. Museums and galleries.

Commencement Information

I105 Sch. 7 para. 29 in force at 20.12.2020, see [reg. 1\(3\)](#)

30. [^{F174}Ice skating] rinks.

Textual Amendments

F174 Words in [Sch. 7 para. 30](#) 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\(18\)](#)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

Commencement Information

I106 Sch. 7 para. 30 in force at 20.12.2020, see [reg. 1\(3\)](#)

31. Trampoline parks and centres.

Commencement Information

I107 Sch. 7 para. 31 in force at 20.12.2020, see [reg. 1\(3\)](#)

32. Indoor skate parks and centres.

Commencement Information

I108 Sch. 7 para. 32 in force at 20.12.2020, see [reg. 1\(3\)](#)

33. Spas.

Commencement Information

I109 Sch. 7 para. 33 in force at 20.12.2020, see [reg. 1\(3\)](#)

34. Venues for events or conferences (including venues for weddings).

Commencement Information

I110 Sch. 7 para. 34 in force at 20.12.2020, see [reg. 1\(3\)](#)

35. Visitor attractions.

Sports and exercise

Commencement Information

I111 Sch. 7 para. 35 in force at 20.12.2020, see [reg. 1\(3\)](#)

36. Sports or exercise facilities, including indoor fitness studios and gyms.

Commencement Information

I112 Sch. 7 para. 36 in force at 20.12.2020, see [reg. 1\(3\)](#)

37. Swimming pools.

Commencement Information

I113 Sch. 7 para. 37 in force at 20.12.2020, see [reg. 1\(3\)](#)

38. Sports courts, bowling greens, golf courses and enclosed sports grounds or pitches (whether outdoors or indoors).

Retail etc.

Commencement Information

I114 Sch. 7 para. 38 in force at 20.12.2020, see [reg. 1\(3\)](#)

39. Any business offering goods or services for sale or hire in retail premises, including—

- (a) auction houses;
- (b) car dealerships;
- (c) markets;
- (d) betting shops;
- (e) garden centres and plant nurseries;
- (f) pharmacies (including non-dispensing pharmacies) and chemists;
- (g) banks, building societies and other financial services providers;
- (h) post offices;
- (i) car repair and MOT services;
- (j) livestock markets or auctions;
- (k) laundrettes and dry cleaners;
- (l) petrol stations;
- (m) taxi or vehicle hire businesses.

Commencement Information

I115 Sch. 7 para. 39 in force at 20.12.2020, see [reg. 1\(3\)](#)

40. Shopping centres and shopping arcades.

Commencement Information

I116 Sch. 7 para. 40 in force at 20.12.2020, see [reg. 1\(3\)](#)

41. Storage and distribution facilities, including delivery drop off points.

Commencement Information

I117 Sch. 7 para. 41 in force at 20.12.2020, see [reg. 1\(3\)](#)

42. Estate or letting agents, developer sales offices and show homes.

Commencement Information

I118 Sch. 7 para. 42 in force at 20.12.2020, see [reg. 1\(3\)](#)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

SCHEDULE 8

Regulation 26

Enforcement of requirement to take preventative measures on regulated premises

Premises improvement notice

1.—(1) An enforcement officer may issue a notice (a “premises improvement notice”) to a responsible person if the officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 16^{F175} ...^{F176} ..., and
- (b) the measures specified in the notice are necessary and proportionate in order to ensure that the person complies with those obligations.

(2) A premises improvement notice must—

- (a) specify the premises to which it relates;
- (b) specify the measures it requires to be taken in order to ensure that the person complies with the obligations imposed by regulation 16^{F177} ...^{F178} ...;
- (c) specify a time limit within which the measures must be taken (which must not be less than 48 hours beginning with the time the notice is issued);
- (d) give details of the right of appeal conferred by paragraph 5.

(3) In this Schedule, “responsible person” has the meaning given by regulation 15(2).

Textual Amendments

F175 Words in Sch. 8 para. 1(1)(a) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(a)(i)**

F176 Words in Sch. 8 para. 1(1)(a) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(a)(i)**

F177 Words in Sch. 8 para. 1(2)(b) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(a)(ii)**

F178 Words in Sch. 8 para. 1(2)(b) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(a)(ii)**

Commencement Information

I119 Sch. 8 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Premises closure notice

2.—(1) If either condition 1 or condition 2 is satisfied, an enforcement officer may issue a notice (a “premises closure notice”) to a responsible person requiring the premises, or part of the premises, to be closed.

(2) Condition 1 is—

- (a) a premises improvement notice has been issued to the person,
- (b) the enforcement officer considers that the person has failed to take the measures specified in the premises improvement notice within the specified time limit, and

- (c) the officer considers that the closure of the premises, or part of the premises, is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.
- (3) Condition 2 is that the enforcement officer considers that—
 - (a) the person is not complying with the obligations imposed on the person by regulation 16^{F179} ...^{F180} ..., and
 - (b) the closure of the premises, or part of the premises, (without a premises improvement notice having been issued) is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus.
- (4) A premises closure notice must—
 - (a) contain a description of the premises to be closed,
 - (b) where a premises improvement notice has been issued, set out the measures that the enforcement officer considers—
 - (i) have not been taken, and
 - (ii) must be taken in order to ensure that the responsible person complies with the obligations imposed by regulation 16^{F181} ...^{F182} ...,
 - (c) where a premises improvement notice has not been issued, set out the reasons why the enforcement officer considers that the person is not complying with the obligations imposed by regulation 16^{F183} ...^{F184} ...,
 - (d) in either case, set out the reasons why the enforcement officer considers that closure of the premises is necessary and proportionate for the purpose of minimising the risk of exposure to coronavirus,
 - (e) specify the period for which the notice has effect, and
 - (f) give details of the right of appeal conferred by paragraph 5.
- (5) The period specified under sub-paragraph (4)(e) may not be more than 672 hours (28 days) beginning with the time the notice is issued.
- (6) A premises closure notice has effect from the time at which it is issued or from a later time specified in the notice.
- (7) A premises closure notice may not be issued in relation to premises which form part of critical infrastructure (for example, premises used to generate electricity or supply water) or which are used to provide essential public services.
- (8) Where—
 - (a) an enforcement officer considers that a responsible person has failed to take the measures specified in a premises improvement notice within the specified time limit, and
 - (b) either—
 - (i) a fixed penalty notice has been issued, or
 - (ii) proceedings have been brought for an offence,in relation to that failure,the enforcement officer may nevertheless issue a premises closure notice under sub-paragraph (1).

Textual Amendments

F179 Words in Sch. 8 para. 2(3)(a) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)**
(b)(i)

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- F180** Words in Sch. 8 para. 2(3)(a) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(b)(i)**
- F181** Words in Sch. 8 para. 2(4)(b)(ii) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(b)(ii)**
- F182** Words in Sch. 8 para. 2(4)(b)(ii) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(b)(ii)**
- F183** Words in Sch. 8 para. 2(4)(c) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(b)(iii)**
- F184** Words in Sch. 8 para. 2(4)(c) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(b)(iii)**

Commencement Information

- I120** Sch. 8 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Effect of premises closure notice

3.—(1) As soon as is reasonably practicable after a premises closure notice takes effect, the person to whom it is issued must ensure that—

- (a) the premises to which the notice relates are closed, and
- (b) no business is carried on or service is provided on, or from, the premises.

(2) No person may enter, or be on, premises closed under sub-paragraph (1) without a reasonable excuse.

(3) For the purposes of sub-paragraph (2), the circumstances in which a person has a reasonable excuse include where—

- (a) the person lives on the premises;
- (b) the person is carrying out essential maintenance or repairs;
- (c) the person is doing things necessary to ensure that regulation 16^{F185} ...^{F186} ... can be complied with when the premises are allowed to be open;
- (d) the person is an enforcement officer or a person assisting an enforcement officer;
- (e) it is necessary for the person to be on the premises to avoid injury or illness or escape a risk of harm.

Textual Amendments

- F185** Words in Sch. 8 para. 3(3)(c) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(c)**
- F186** Words in Sch. 8 para. 3(3)(c) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(c)**

Commencement Information

- I121** Sch. 8 para. 3 in force at 20.12.2020, see [reg. 1\(3\)](#)

Termination of premises improvement or closure notice

4.—(1) An enforcement officer may issue a notice terminating a premises improvement notice or a premises closure notice if satisfied that—

- (a) the measures specified in the premises improvement notice (if one was issued) have been taken, or
- (b) other measures have been taken to ensure that regulation 16^{F187} ...^{F188} ... can be complied with at the premises in question.

(2) A premises improvement notice or premises closure notice ceases to have effect at the time notice of the termination is issued.

Textual Amendments

F187 Words in Sch. 8 para. 4(1)(b) omitted (18.2.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2022 \(S.I. 2022/142\)](#), regs. 1(2), **2(12)(d)**

F188 Words in Sch. 8 para. 4(1)(b) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(26)(d)**

Commencement Information

I122 Sch. 8 para. 4 in force at 20.12.2020, see [reg. 1\(3\)](#)

Appeals

5.—(1) A person to whom a premises improvement notice or premises closure notice is issued may appeal to a magistrates' court against the notice.

(2) An appeal must be made—

- (a) by way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980, and
- (b) within 7 days after the day the notice is issued.

(3) But a magistrates' court may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (2)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

(4) A magistrates' court may suspend the effect of a premises improvement notice or premises closure notice pending the determination of an appeal.

(5) On an appeal against a premises improvement notice or premises closure notice, a magistrates' court may—

- (a) confirm the decision to issue the notice;
- (b) direct that the notice is to cease to have effect;
- (c) modify the notice;
- (d) make such other order as the court considers appropriate.

(6) If the magistrates' court directs that a notice is to cease to have effect or modifies a notice, it may order the local authority for the area in which the premises in question are situated to pay compensation for loss suffered as the result of the issue of the notice.

(7) An appeal by either party against the decision of a magistrates' court on an appeal under this section may be brought to the Crown Court.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)

- (8) On an appeal to the Crown Court, the Court may—
- (a) confirm, vary or reverse the decision of the magistrates court;
 - (b) remit the case to the magistrates' court to dispose of in accordance with directions given by the Crown Court.

Commencement Information

I123 Sch. 8 para. 5 in force at 20.12.2020, see [reg. 1\(3\)](#)

Issuing premises improvement and closure notices and terminations

6.—(1) A premises improvement notice, premises closure notice or a termination of either of those types of notice is issued to a person by giving a copy of it in writing to that person.

(2) But where the person responsible for the premises to which the notice or termination relates is not on the premises when it is to be issued, the notice is to be treated as having been issued to that person if—

- (a) a copy of it is given to any other person on the premises who appears to be responsible for any business or service being carried out on the premises, or
- (b) if there is no such person on the premises when the notice is to be issued, a copy of the notice is placed in a conspicuous position on the premises.

Commencement Information

I124 Sch. 8 para. 6 in force at 20.12.2020, see [reg. 1\(3\)](#)

Publicising premises improvement and closure notices

7.—(1) This regulation applies where an enforcement officer has issued a premises improvement notice or a premises closure notice.

[^{F189}(2) As soon as reasonably practicable after issuing the notice, the enforcement officer must—

- (a) display in a prominent place near every entrance to the premises—
 - (i) a copy of the notice, or information about where the notice can be found, and
 - (ii) a sign in the form set out in Schedule 9;
- (b) arrange for the notice to be published on the website of the local authority for the area in which the premises are located.]

(3) A ^{F190}... sign displayed under sub-paragraph (2)(a) must be at least A4 size.

[^{F191}(4) The following must continue to be displayed or published (as the case may be) in accordance with sub-paragraph (2) for as long as the notice has effect—

- (a) the copy of the notice or the information about where the notice can be found;
- (b) the sign.]

Textual Amendments

F189 Sch. 8 para. 7(2) 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(19)(a)**

F190 Words in Sch. 8 para. 7(3) omitted (26.4.2021 immediately before the start of the day) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2021 (S.I. 2021/502), regs. 1(2), **2(19)(b)**

F191 Sch. 8 para. 7(4) 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(19)(c)**

Commencement Information

I125 Sch. 8 para. 7 in force at 20.12.2020, see [reg. 1\(3\)](#)

Production of documents etc.

8.—(1) An enforcement officer may, to facilitate the exercise of a power conferred on the officer by this Schedule, require the production of, inspect and take copies of, any documents or electronic records.

(2) A person may not be required under sub-paragraph (1) to provide a document, record or other information in respect of which a claim for legal professional privilege could be maintained in legal proceedings.

Commencement Information

I126 Sch. 8 para. 8 in force at 20.12.2020, see [reg. 1\(3\)](#)

SCHEDULE 9

Regulation 26

Form of sign to accompany premises improvement notice or premises closure notice

Sign to be displayed with premises improvement notice

1.—^{F192}(1) A sign to be displayed under paragraph 7(2)(a)(ii) in conjunction with the issue of a premises improvement notice must be in the form set out below.]

(2) The colours used in the sign must be white, black and amber C0 M60 Y100 K0.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)



**IECHYD Y CYHOEDD
Y CORONAFEIRWS**

Gofyniad i leihau'r risg
o ddod i gysylltiad â'r
coronafeirws mewn mangre:

**PUBLIC HEALTH
CORONAVIRUS**

Requirement to minimise
risk of exposure to
coronavirus on premises:

**ANGEN
GWELLA**

**IMPROVEMENT
NEEDED**

**Diogelu Cymru
gyda'n gilydd**

**Together we'll
keep Wales safe**

Textual Amendments

F192 Sch. 9 para. 1(1) 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(20)(a)**

Commencement Information

I127 Sch. 9 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Sign to be displayed with premises closure notice

2.—^{F193}(1) A sign to be displayed under paragraph 7(2)(a)(ii) in conjunction with the issue of a premises closure notice must be in the form set out below.]

(2) The colours used in the sign must be white, black and red C15 M100 Y100 K0.

Status: Point in time view as at 18/02/2022.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020. (See end of Document for details)



**IECHYD Y CYHOEDD
Y CORONAFEIRWS**

Gofyniad i leihau'r risg
o ddod i gysylltiad â'r
coronafeirws mewn mangre:

**PUBLIC HEALTH
CORONAVIRUS**

Requirement to minimise
risk of exposure to
coronavirus on premises:

**CAEWYD Y
FANGRE HON**

**PREMISES
CLOSED**

**Diogelu Cymru
gyda'n gilydd**

**Together we'll
keep Wales safe**

Textual Amendments

F193 Sch. 9 para. 2(1) 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(20)(b)**

Commencement Information

I128 Sch. 9 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Status:

Point in time view as at 18/02/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020.