

WELSH STATUTORY INSTRUMENTS

2020 No. 725 (W. 162)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales) Regulations 2020**

Approved by Senedd Cymru

Made - - - - at 3.40 p.m. on 10
July 2020
at 6.00 p.m. on 10
Laid before Senedd Cymru July 2020
Coming into force in accordance with regulation 1(3)
and (4)

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3)(c), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984 ^{M1}.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

Marginal Citations

M1 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#). The functions under these sections are conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

PART 1 **E+W**

Introduction

Title, application and coming into force **E+W**

1.—(1) The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked)*. (See end of Document for details)

(2) These Regulations apply in relation to Wales [^{F1}(which, for the purposes of Part 3, includes the airspace above Wales)].

(3) The following provisions of these Regulations come into force on 11 July 2020—

- (a) regulation 2;
- (b) regulation 8;
- (c) regulation 9 so far as it applies to a requirement under regulation 8(1);
- (d) regulations 12 and 13 so far as they apply to a person responsible for premises of a business listed in Schedule 3;
- (e) regulations 17 to 22 so far as they apply to a contravention (or alleged contravention) of regulation 8(1);
- (f) regulation 3 so far as it relates to the following provisions of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M2}—
 - (i) paragraphs (4) to (6) of regulation 4 so far as they apply to a person responsible for carrying on a business listed in Part 3 of Schedule 1;
 - (ii) regulation 5;
 - (iii) regulation 7A so far as it applies in relation to a requirement or restriction imposed by regulation 4(5B) or 5(3C) on a person responsible for carrying on a business listed in Part 3 of Schedule 1;
 - (iv) regulations 10 to 14 so far as they apply to a contravention (or alleged contravention) of regulation 4(4) or 5(3C) by a person responsible for carrying on a business listed in Part 3 of Schedule 1.

(4) These Regulations come into force for all other purposes on 13 July 2020.

Textual Amendments

F1 Words in reg. 1(2) inserted (27.7.2020) by *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803)*, regs. 1(4), 3(2) (with reg. 4)

Commencement Information

I1 Reg. 1 in force at 11.7.2020, see reg. 1(3)

Marginal Citations

M2 *S.I. 2020/353* (W. 80) as amended by *S.I. 2020/399* (W. 88), *S.I. 2020/452* (W. 102), *S.I. 2020/497* (W. 118), *S.I. 2020/529* (W. 124), *S.I. 2020/557* (W. 129), *S.I. 2020/619* (W. 141) and *S.I. 2020/686* (W. 153).

Interpretation **E+W**

2.—(1) In these Regulations—

- (a) “burial” includes the interment of a dead person's ashes;
- (b) “carer” means a person who provides care for the person assisted where—
 - (i) the carer is entitled to an assessment under section 24 of the Social Services and Well-being (Wales) Act 2014 ^{M3},
 - (ii) the care is part of the provision of community care services under Part 4 of the Social Services and Well-being (Wales) Act 2014, or

- (iii) the care is provided by a care provider registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 ^{M4};
- (c) “cemetery” includes a burial ground and any other place for the interment of the dead;
- (d) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- (e) “elite athlete” means an individual designated as such for the purposes of these Regulations by the Sports Council for Wales;
- (f) “local authority” means the council of a county or county borough in Wales;
- (g) “open premises” has the meaning given by regulation 12(3);
- (h) “parental responsibility” has the same meaning as in the Children Act 1989 ^{M5};
- (i) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;
- (j) “premises” includes any building or structure and any land;
- (k) “vulnerable person” includes—
 - (i) any person aged 70 or older;
 - (ii) any person under 70 who has an underlying health condition;
 - (iii) any person who is pregnant;
 - (iv) any child;
 - (v) any person who is a vulnerable adult within the meaning given by section 60(1) of the Safeguarding Vulnerable Groups Act 2006 ^{M6}.
- [^{F2}(l) “face covering” means a covering of any type which covers a person’s nose and mouth;
- (m) “public transport service” means a service provided for the carriage of passengers by road, railway, tramway, air or water;
- (n) “vehicle” includes an aircraft, a cable car, a train, a tram and a vessel.]
- [^{F3}(o) “care home” means premises at which a “care home service” within the meaning given by paragraph 1 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 is provided;
- (p) “hospice” means premises wholly or mainly used for the provision of palliative care to persons who are suffering from a progressive disease in its final stages, by or behalf of an establishment the primary function of which is the provision of such care;
- (q) “secure accommodation” means premises at which a “secure accommodation service” within the meaning given by paragraph 2 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 is provided.]
- [^{F4}(r) “local health protection area” has the meaning given by Schedule 4A.]
- (2) For the purposes of the definition of “elite athlete” in paragraph (1)—
 - (a) an individual is designated by the Sports Council for Wales only if the individual has been nominated for designation by a relevant sporting body and the Council has accepted the nomination, and
 - (b) “relevant sporting body” means the national governing body of a sport which may nominate athletes to represent—
 - (i) Great Britain and Northern Ireland at the Olympic or Paralympic Games, or
 - (ii) Wales at the Commonwealth Games.
- (3) For the purposes of these Regulations—

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

- (a) there is a gathering when two or more people are in the same place in order to do something together;
- (b) premises are indoors if they are enclosed or substantially enclosed within the meaning given by regulation 2 of the Smoke-free Premises etc. (Wales) Regulations 2007 ^{M7}.

- F⁵(4)
- F⁵(5)
- F⁵(6)
- F⁵(7)

Textual Amendments

- F2** Reg. 2(1)(l)-(n) inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(3)** (with reg. 4)
- F3** Reg. 2(1)(o)-(q) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(2)** (with reg. 3)
- F4** Reg. 2(1)(r) inserted (8.9.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 8\) \(Caerphilly\) Regulations 2020 \(S.I. 2020/961\)](#), regs. 1, **2(2)**
- F5** Reg. 2(4)-(7) omitted (22.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020 \(S.I. 2020/884\)](#), regs. 1, **2(2)** (with reg. 3)

Commencement Information

- I2** Reg. 2 in force at 11.7.2020, see reg. 1(3)(a)

Marginal Citations

- M3** 2014 anaw 4.
- M4** 2016 anaw 2.
- M5** 1989 c. 41. See Part 1 of the Act, to which there have been various amendments, including by the [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#) and [S.I. 2019/1458](#).
- M6** 2006 c. 47, as amended by section 65 of the [Protection of Freedoms Act 2012 \(c. 9\)](#).
- M7** [S.I. 2007/787 \(W. 68\)](#)

[^{F6}Extended households E+W

2A.—(1) Up to four households may agree to be treated as an extended household for the purposes of these Regulations.

(2) To agree to be treated as an extended household, all of the adults of the households in question must agree.

[^{F7}(3) Where households agree to be treated as an extended household—

- (a) any reference in these Regulations (other than in this regulation and regulation 14(1)(b)(i) to a “household” is to be read as including the households that have so agreed, and
- (b) regulation 14 applies to a gathering consisting of persons from more than one household in an extended household as if, for paragraph (1), there were substituted—

“(1) A gathering in premises indoors may not, without reasonable excuse, consist of—

- (a) more than 6 members of an extended household, not including any children under the age of 11;
- (b) a person who is not a member of the extended household apart from—

- (i) the carer of a member of the extended household, or
 - (ii) a person to whom a member of the extended household is providing care.”.]
- (4) A household may only agree to be treated as being in one extended household.
- (5) A household ceases to be treated as being in an extended household if any adult in the household ceases to agree to be treated as being in the extended household.
- (6) If a household ceases to be treated as being in an extended household, the household may not agree to be treated as being in an extended household with any other household.
- (7) Paragraph (8) applies where two households—
- (a) agreed to be treated as a single (extended) household for the purposes of these Regulations before 22 August 2020, or
 - (b) were treated as having done so in accordance with regulation 2(7) of these Regulations before that date.
- (8) Where this paragraph applies, the households—
- (a) are to be treated as having agreed to be treated as an extended household in accordance with this regulation, and
 - (b) may agree to be treated as an extended household with up to two more households in accordance with this regulation.]

Textual Amendments

- F6** Reg. 2A inserted (22.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020 \(S.I. 2020/884\)](#), regs. 1, **2(3)** (with reg. 3)
- F7** Reg. 2A(3) substituted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(2)** (with reg. 3)

Revocation **E+W**

- 3.—(1) The following Regulations are revoked—
- (a) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M8};
 - (b) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020 ^{M9};
 - (c) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020 ^{M10};
 - (d) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 3) Regulations 2020 ^{M11};
 - (e) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 4) Regulations 2020 ^{M12};
 - (f) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 5) Regulations 2020 ^{M13};
 - (g) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 6) Regulations 2020 ^{M14};
 - (h) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 7) Regulations 2020 ^{M15}.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

(2) Despite the revocation of those Regulations, they continue in force in relation to any offence committed under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 before these Regulations came into force.

Commencement Information

- I3** Reg. 3 in force at 11.7.2020 for specified purposes, see reg. 1(3)(f)
I4 Reg. 3 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Marginal Citations

- M8** S.I. 2020/353 (W. 80)
M9 S.I. 2020/399 (W. 88).
M10 S.I. 2020/452 (W. 102).
M11 S.I. 2020/497 (W. 118).
M12 S.I. 2020/529 (W. 124).
M13 S.I. 2020/557 (W. 129).
M14 S.I. 2020/619 (W. 141).
M15 S.I. 2020/686 (W. 153).

[^{F8}Review **E+W**

4.—(1) The Welsh Ministers must review the need for restrictions and requirements imposed by these Regulations (other than the restrictions and requirements imposed by Schedule 4A), and whether those restrictions and requirements are proportionate to what the Welsh Ministers seek to achieve by them—

- (a) by 10 September 2020;
- (b) at least once in the period of 21 days beginning on 11 September 2020;
- (c) at least once in each subsequent period of 21 days.

(2) The Welsh Ministers must review the need for restrictions and requirements imposed by Schedule 4A, and whether those restrictions and requirements are proportionate to what the Welsh Ministers seek to achieve by them—

- (a) by 24 September 2020;
- (b) at least once in the period of 7 days beginning on 25 September 2020;
- (c) at least once in each subsequent period of 7 days.]

Textual Amendments

- F8** Reg. 4 substituted (8.9.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 8\) \(Caerphilly\) Regulations 2020 \(S.I. 2020/961\)](#), regs. 1, **2(3)**

Expiry **E+W**

5.—(1) These Regulations expire at the end of the day on 8 January 2021.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Commencement Information

I5 Reg. 5 in force at 13.7.2020, see reg. 1(4)

PART 2 E+W

Closure of businesses and premises

Closure of indoor bars and restaurants etc. E+W

^{F9}6.

Textual Amendments

F9 Reg. 6 omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(2)** (with reg. 3)

Closure of [^{F10}certain] businesses and services E+W

7.—(1) A person responsible for carrying on a business or providing a service which is listed in Schedule 2 must cease to carry on that business or to provide that service.

(2) But paragraph (1) does not prevent the use of—

- (a) premises used for the businesses or services listed in paragraphs ^{F11}... [^{F12}2 or 5] of Schedule 2 to broadcast without an audience present at the premises (whether over the internet or as part of a radio or television broadcast);
- (b) premises for any purpose as may be requested by the Welsh Ministers or a local authority;
- (c) premises for training for elite athletes;

^{F13}(d)

(3) And paragraph (1) applies subject to the need to carry out maintenance and repairs and other work to ensure premises are suitable for use when paragraph (1) no longer applies to the business or service.

Textual Amendments

F10 Word in reg. 7 heading substituted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(3)(a)** (with reg. 3)

F11 Word in reg. 7(2)(a) omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(4)(a)** (with reg. 4)

F12 Words in reg. 7(2)(a) substituted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(3)** (with reg. 3)

F13 Reg. 7(2)(d) omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(4)(b)** (with reg. 4)

Commencement Information

I6 Reg. 7 in force at 13.7.2020, see reg. 1(4)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Closure of holiday accommodation **E+W**

^{F14}8.

Textual Amendments
F14 Reg. 8 omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(2)** (with reg. 4)

Businesses forming part of a larger business **E+W**

9. Where—
- (a) a person responsible for carrying on a business (“business A”) is required, by virtue of regulation ^{F15}... [^{F16}7(1)] to cease carrying on business A, and
 - (b) business A forms part of a larger business (“business B”),

the requirement in regulation ^{F15}... [^{F16}7(1)] is complied with if the person responsible for carrying on business B ceases to carry on business A.

Textual Amendments
F15 Words in reg. 9 omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(4)** (with reg. 3)
F16 Words in reg. 9 substituted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(3)** (with reg. 4)

Commencement Information
I7 Reg. 9 in force at 11.7.2020 for specified purposes, see reg. 1(3)(c)
I8 Reg. 9 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Closure of ^{F17}... community centres **E+W**

^{F18}10.

Textual Amendments
F17 Words in reg. 10 heading omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(5) (b)** (with reg. 4)
F18 Reg. 10 omitted (10.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(3)** (with reg. 3)

Closure of certain public paths and access land **E+W**

^{F19}11.

Textual Amendments

- F19** Reg. 11 omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, 2(3) (with reg. 3)

PART 3 **E+W**

Minimising risk of exposure to coronavirus at open premises and while working

Reasonable measures to minimise risk of exposure to coronavirus **E+W**

12.—(1) Paragraph (2) applies to a person responsible for—

- (a) open premises, or
- (b) work carried out at any other premises where a person is working.

(2) For the purposes of minimising the risk of exposure to coronavirus at the premises, [^{F20}or the spread of coronavirus by those who have been at the premises] the person must—

- (a) take all reasonable measures to ensure—
 - (i) that a distance of 2 metres is maintained between any persons on the premises (except between two members of the same household, or a carer and the person assisted by the carer);
 - (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two members of the same household, or a carer and the person assisted by the carer),
- (b) take any other reasonable measures for that purpose, for example measures which limit close face to face interaction and maintain hygiene such as—
 - (i) changing the layout of premises including the location of furniture and workstations;
 - (ii) controlling use of entrances, passageways, stairs and lifts;
 - (iii) controlling use of shared facilities such as toilets and kitchens;
 - (iv) otherwise controlling the use of, or access to, any other part of the premises;
 - (v) installing barriers or screens;
 - (vi) providing or requiring use of personal protective equipment, and
- (c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.

[^{F21}(2A) [^{F22}Measures that may be taken under paragraph (2) also include—]

- (a) ceasing to carry out certain activities;
- (b) closing a part of the premises.

[collecting contact information from each person at the premises or, in relation to persons
^{F23}(c) from the same household, from one of them, and retaining it for 21 days for the purpose of providing it to [^{F24}any of the following, upon their request—

- (i) the Welsh Ministers,
- (ii) a public health officer,

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

(iii) a person designated by the local authority in whose area the premises are located to process information for the purposes of contacting persons who may have been exposed to coronavirus].]]

(3) In these Regulations “open premises” means—

- (a) premises of a business or service listed in Schedule 4;
- (b) places of worship;
- (c) cemeteries;

^{F25}(d)

(e) premises of a business listed in Schedule 2 which are permitted to be open by virtue of regulation 7(2);

^{F26}(f)

(g) crematoriums ^{F27}....;

(h) community centres ^{F28}....

(4) For the purposes of this regulation “premises” also includes a vehicle used to provide a ^{F29}public transport service].

^{F30}(5) In this regulation—

- (a) “contact information”, in relation to a person at the premises, means the person’s name and information sufficient to enable the person to be contacted, to inform them that they may have been exposed to coronavirus at the premises (including a telephone number and the date and time at which the person was at the premises);
- (b) “public health officer” has the same meaning as in paragraph 3(2)(c) of Schedule 21 to the Coronavirus Act 2020.]

Textual Amendments

- F20** Words in reg. 12(2) inserted (17.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2020 \(S.I. 2020/867\)](#), regs. 1, **2(2)(a)** (with reg. 3)
- F21** Reg. 12(2A) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F22** Words in reg. 12(2A) substituted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F23** Reg. 12(2A)(c) inserted (17.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2020 \(S.I. 2020/867\)](#), regs. 1, **2(2)(b)** (with reg. 3)
- F24** Words in reg. 12(2A)(c) substituted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(4)(b)** (with reg. 3)
- F25** Reg. 12(3)(d) omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(5)(b)** (with reg. 3)
- F26** Reg. 12(3)(f) omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(4)** (with reg. 4)
- F27** Words in reg. 12(3)(g) omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(6)(a)** (with reg. 4)
- F28** Words in reg. 12(3)(h) omitted (10.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(4)(b)** (with reg. 3)

- F29** Words in reg. 12(4) substituted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(6)(b)** (with reg. 4)
- F30** Reg. 12(5) inserted (17.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2020 \(S.I. 2020/867\)](#), regs. 1, **2(2)(c)** (with reg. 3)

Commencement Information

- I9** Reg. 12 in force at 11.7.2020 for specified purposes, see reg. 1(3)(d)
- I10** Reg. 12 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

[^{F31}Requirement to wear face covering on public transport **E+W**]

12A.—(1) A person (“P”) who is travelling as a passenger on a vehicle used to provide a public transport service must wear a face covering.

- (2) But this is not required—
- (a) where an exemption applies under paragraph (3);
 - (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (4).
- (3) An exemption to the requirement to wear a face covering applies—
- (a) where P is a child under the age of 11;
 - (b) on a vehicle providing a school transport service;
 - (c) on a ferry where—
 - (i) the part of the ferry which is open to passengers is entirely outdoors, or
 - (ii) a distance of at least 2 metres can be maintained between persons on the part of the ferry which is open to passengers;
 - (d) on a cruise ship;
 - (e) where P is allocated a cabin, berth or other similar accommodation on the vehicle, at any time when P is in that accommodation—
 - (i) alone, or
 - (ii) only with members of P’s household or a member of the household’s carer;
 - (f) where—
 - (i) P is permitted, or ordinarily required, to board and to stay in a vehicle when using the public transport service,
 - (ii) the vehicle is not itself used for the provision of a public transport service, and
 - (iii) P stays in that vehicle;
 - (g) on an aircraft which neither took off from, nor is to land at, a place in Wales;
 - (h) on a vessel which does not dock at a port in Wales.
- (4) The circumstances in which P has a reasonable excuse to not wear a face covering include—
- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
 - (b) where P has to remove the face covering to communicate with another person who has difficulty communicating (in relation to speech, language or otherwise);
 - (c) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

- (d) where P is travelling to avoid injury, or to escape a risk of harm, and does not have a face covering;
 - (e) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, if this is allowed on the vehicle and is reasonably necessary (for example due to the length of the journey);
 - (f) where P is asked to remove the face covering by—
 - (i) an enforcement officer, or
 - (ii) the operator of the public transport service, an employee of the operator or a person authorised by the operator.
- (5) An operator of a public transport service to which paragraph (1) applies must provide information to passengers about the requirement to wear face coverings on their vehicles.
- (6) For the purposes of this regulation a “school transport service” means any transport service provided solely for the purpose of—
- (a) carrying a person to and from the school or other place at which the person receives education or training, or
 - (b) otherwise facilitating a person’s attendance at a school or other place at which the person receives education or training.]

Textual Amendments

F31 Reg. 12A inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(7)** (with reg. 4)

[^{F32}Requirement to wear face covering in certain indoor public places **E+W**

- 12B.**—(1) A person (“P”) must wear a face covering in relevant indoor premises.
- (2) But this is not required—
- (a) where an exemption applies under paragraph (3);
 - (b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (4).
- (3) An exemption to the requirement to wear a face covering applies—
- (a) where P is a child under the age of 11;
 - (b) where P is in premises where food or drink is sold, or otherwise provided, for consumption on those premises.
- (4) The circumstances in which P has a reasonable excuse to not wear a face covering include—
- (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
 - (b) where P is undertaking an activity and wearing a face covering during that activity may reasonably be considered to be a risk to P’s health;
 - (c) where P has to remove the face covering to communicate with another person who has difficulty communicating (in relation to speech, language or otherwise);
 - (d) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to themselves or others;

- (e) where P is at the premises to avoid injury, or to escape a risk of harm, and does not have a face covering;
 - (f) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, where reasonably necessary;
 - (g) where P is asked to remove the face covering by an enforcement officer.
- (5) For the purposes of paragraph (3)(b), where food or drink is sold or otherwise provided for consumption in a part of premises, the exemption only applies where P is in that part.
- (6) For the purposes of this regulation, “relevant indoor premises” means the indoor public areas of—
- (a) open premises;
 - (b) bus stations;
 - (c) railway stations;
 - (d) airports;
 - (e) sea ports.]

Textual Amendments

F32 Reg. 12B inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(4)** (with reg. 3)

Guidance on minimising exposure **E+W**

13.—(1) A person required to take reasonable measures under regulation 12 must have regard to guidance issued by the Welsh Ministers about those measures.

[^{F33}(1A) An operator of a public transport service to which regulation 12A applies must have regard to guidance issued by the Welsh Ministers about—

- (a) the requirement to wear a face covering in accordance with paragraphs (1) to (4) of regulation 12A and the enforcement of that requirement under regulation 18;
- (b) providing information to passengers in accordance with paragraph (5) of regulation 12A.]

(2) The Welsh Ministers—

- (a) may revise guidance issued under paragraph (1) [^{F34}or (1A)], and
- (b) must publish the guidance (and any revisions).

(3) Guidance under this regulation may incorporate (by reference or transposition) guidance, codes of practice or other documents published by another person (for example, a trade association, body representing members of an industry or a trade union).

Textual Amendments

F33 Reg. 13(1A) inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(8)(a)** (with reg. 4)

F34 Words in reg. 13(2)(a) inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(8)(b)** (with reg. 4)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Commencement Information

- I11** Reg. 13 in force at 11.7.2020 for specified purposes, see reg. 1(3)(d)
I12 Reg. 13 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

PART 4 E+W

Gathering with other people

[^{F35}Restriction on indoor gatherings] E+W

14.—(1) No person may, without a reasonable excuse—

- ^{F36}(a)
- (b) gather in premises indoors with any other person apart from—
- (i) the members of their household,
 - (ii) their carer, or
 - (iii) a person they are providing care to.

(2) A reasonable excuse includes the need to do the following—

- (a) obtain medical assistance, including accessing any of the services referred to in paragraph 10 of Schedule 4 or accessing veterinary services;
- (b) provide or receive care or assistance, including relevant personal care, within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006 ^{M16}, where the person receiving the care is a vulnerable person;
- (c) provide or receive emergency assistance;
- (d) donate blood;
- (e) work or provide voluntary or charitable services;
- (f) where the person is an elite athlete, train or compete;
- (g) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending.
- (h) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;

[^{F37}(hza) participate in a gathering of no more than 30 people at open premises to—

- (i) celebrate a solemnization of a marriage or formation of a civil partnership that takes place on or after 22 August 2020,
- (ii) celebrate the life of a deceased person whose funeral is held on or after 22 August 2020;]

[^{F38}(ha) attend a place of worship;]

- (i) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

- (j) access or receive ^{F39} ... public services ^{F39} ...;
- [^{F40}(ja) access childcare or participate in supervised activities for children;]
- [^{F41}(jb) access educational services;]
- (k) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (l) move home;
- [^{F42}(m) undertake activities in connection with the purchase, sale, letting, or rental of residential property;]
- (o) avoid injury or illness or escape a risk of harm.
- [^{F43}(p) exercise with others, in a gathering of no more than 30 people, at a fitness studio, gym, swimming pool, other indoor leisure centre or facility or any other open premises.]
- [^{F44}(q) visit a person who is resident in a care home, hospice, or in secure accommodation.]
- (3) Paragraph (1) does not apply to a person who is homeless.
- ^{F45}(4)

Textual Amendments

- F35** Reg. 14 heading substituted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(6)(b)** (with reg. 3)
- F36** Reg. 14(1)(a) omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(6)(a)** (with reg. 3)
- F37** Reg. 14(2)(hza) inserted (22.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020 \(S.I. 2020/884\)](#), regs. 1, **2(4)** (with reg. 3)
- F38** Reg. 14(2)(ha) inserted (20.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/752\)](#), regs. 1, **2(2)** (with reg. 3)
- F39** Words in reg. 14(2)(j) omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(5)(a)** (with reg. 4)
- F40** Reg. 14(2)(ja) inserted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(5)(b)** (with reg. 4)
- F41** Reg. 14(2)(jb) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(5)(a)** (with reg. 3)
- F42** Reg. 14(2)(m) substituted for reg. 14(2)(m)(n) (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(9)(a)** (with reg. 4)
- F43** Reg. 14(2)(p) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(5)** (with reg. 3)
- F44** Reg. 14(2)(q) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(5)(b)** (with reg. 3)
- F45** Reg. 14(4) omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(9)(b)** (with reg. 4)

Commencement Information

- I13** Reg. 14 in force at 13.7.2020, see reg. 1(4)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Marginal Citations

M16 2006 c. 47. Paragraph 7(3B) was inserted by section 66(2) of the [Protection of Freedoms Act 2012](#) (c. 9).

[^{F46}Restriction on outdoor gatherings **E+W**

14A.—(1) No person may, without a reasonable excuse, participate in a gathering outdoors that consists of more than 30 people.

(2) A reasonable excuse includes the need to do the following—

- (a) work or provide voluntary or charitable services;
- (b) where the person is an elite athlete, train or compete;
- (c) meet a legal obligation;
- (d) access or receive public services;
- (e) access childcare or participate in supervised activities for children.

[access educational services.]

^{F47}(f)

[
^{F48}(3) But the restriction in paragraph (1) does not apply to an organised outdoor event—

- (a) authorised in writing by the Welsh Ministers,
- (b) at which no more than 100 people are in attendance (not including persons working, or providing voluntary services, at the event), and
- (c) which is held in accordance with any conditions specified in writing by the Welsh Ministers.

(4) For the purposes of paragraph (3)(a), an event is an “organised outdoor event” if—

- (a) it takes place outdoors,
- (b) it is organised by—
 - (i) a business,
 - (ii) a public body or a charitable, benevolent or philanthropic institution,
 - (iii) a club or political organisation, or
 - (iv) the national governing body of a sport or other activity, and
- (c) the person organising it has—
 - (i) carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999, whether or not the person is subject to those Regulations, and
 - (ii) complied with the requirements of regulations 12(2) and 13(1).

(5) For the purposes of paragraph (4)(c)—

- (a) regulation 3 of the Management of Health and Safety at Work Regulations 1999 applies as if the event were an undertaking conducted by the person organising it;
- (b) regulation 12(2) of these Regulations applies as if the place where the event takes place were open premises for which the person organising the event is responsible.]]

Textual Amendments

- F46** Reg. 14A inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(7)** (with reg. 3)
- F47** Reg. 14A(2)(f) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(6)** (with reg. 3)
- F48** Reg. 14A(3)-(5) inserted (22.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020 \(S.I. 2020/884\)](#), regs. 1, **2(5)** (with reg. 3)

[^{F49}Restriction on organising certain unlicensed music events **E+W**

14B.—(1) No person may, without a reasonable excuse, be involved in organising a relevant unlicensed music event.

(2) For the purposes of this regulation “relevant unlicensed music event” means an event—

- (a) which consists of more than 30 people,
- (b) at which people are gathered in contravention of regulation 14(1) or 14A(1),
- (c) at which music is played or performed for the purpose, or for purposes which include the purpose, of entertainment, and
- (d) where the playing or performance of the music is—
 - (i) a licensable activity (within the meaning of the Licensing Act 2003), and
 - (ii) not carried on under and in accordance with an authorisation (within the meaning given by section 136(5) of that Act).

(3) For the purposes of this regulation, a person is not involved in organising a relevant unlicensed music event if the person’s only involvement is, or would be, attending it.

(4) For the purposes of paragraph (1), a reasonable excuse includes where the person has taken all reasonable measures to ensure that people were not gathered at the event in contravention of regulation 14(1) or 14A(1).]

Textual Amendments

- F49** Reg. 14B inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(7)** (with reg. 3)

[^{F50}PART 4A **E+W**

Local restrictions

Textual Amendments

- F50** Pt. 4A inserted (8.9.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 8\) \(Caerphilly\) Regulations 2020 \(S.I. 2020/961\)](#), regs. 1, **2(4)**

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Local health protection area E+W

14C. Schedule 4A contains provision about restrictions and requirements applying in relation to a local health protection area (including provisions modifying the effect of other provisions of these Regulations as they apply in relation to that area).]

Exception for organised outdoor activities E+W

^{F51}15.

Textual Amendments

F51 Reg. 15 omitted (3.8.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/820), regs. 1, 2(8) (with reg. 3)

Requirement to continue to work from home where practicable E+W

^{F52}16.

Textual Amendments

F52 Reg. 16 omitted (25.7.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(3), 2(6) (with reg. 4)

PART 5 E+W

Enforcement

Enforcement officers E+W

17.—^{F53}(A1) In regulation 17A and Schedule 5, an “enforcement officer” means a person designated by a local authority for the purposes of these Regulations.]

(1) For the purposes of regulations 18 to 21, an “enforcement officer” means—

- (a) a constable,
- (b) a police community support officer,
- (c) a person designated by—
 - (i) the Welsh Ministers, ^{F54}or]
 - (ii) a local authority,
 - ^{F55}(iii)
 - ^{F55}(iv)

for the purposes of ^{F56}these Regulations] (but see paragraphs (2) and (3)), or

- (d) a person designated under regulation 10(11)(c) of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M17} as a relevant person (within the meaning given by that regulation) by—
 - (i) the Welsh Ministers, ^{F57}or]
 - (ii) a local authority,

^{F58}(iii)

^{F58}(iv)

(but see paragraphs (2) and (3)).

(2) A person designated by a local authority may exercise an enforcement officer's functions only in relation to a contravention (or alleged contravention) of a requirement in regulation ^{F59} ... 7(1) ^{F60} ... ^{F61} ^{F62} ... or 12(2) or Schedule 5].

^{F63}(3)

Textual Amendments

- F53** Reg. 17(A1) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(6)(a)** (with reg. 3)
- F54** Word in reg. 17(1)(c)(i) inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(a)(i)** (with reg. 3)
- F55** Reg. 17(1)(c)(iii)(iv) omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(a)(ii)** (with reg. 3)
- F56** Words in reg. 17(1)(c) substituted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(6)(b)** (with reg. 3)
- F57** Word in reg. 17(1)(d)(i) inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(b)(i)** (with reg. 3)
- F58** Reg. 17(1)(d)(iii)(iv) omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(b)(ii)** (with reg. 3)
- F59** Word in reg. 17(2) omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(9)** (with reg. 3)
- F60** Word in reg. 17(2) omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(7)** (with reg. 4)
- F61** Word in reg. 17(2) omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(c)** (with reg. 3)
- F62** Words in reg. 17(2) substituted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(6)(c)** (with reg. 3)
- F63** Reg. 17(3) omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(5)(d)** (with reg. 3)

Commencement Information

- I14** Reg. 17 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)
- I15** Reg. 17 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Marginal Citations

- M17** [S.I. 2020/353](#) (W. 80).

^{F64}E Enforcement of regulation 12(2) **E+W**

17A. Schedules 5 and 6 make provision for and in connection with conferring functions on enforcement officers for the purpose of enforcing regulation 12(2).]

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Textual Amendments

F64 Reg. 17A inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(7)** (with reg. 3)

Enforcement actions **E+W**

18.—(1) An enforcement officer may give a compliance notice to a person if the officer has reasonable grounds for suspecting that the person is contravening a requirement in regulation ^{F65}... 7(1) ^{F66} ... ^{F67}^{F68} ... or 12A(5)].

(2) A compliance notice may specify measures that the person to whom it is given must take as soon as is reasonably practicable so as to prevent that person from continuing to contravene the requirement.

^{F69}(3)

[^{F70}(3A) If an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening (or is about to contravene) regulation 12A(1), the officer may—

- (a) direct P not to board the vehicle providing the public transport service in question;
- (b) remove P from the vehicle, and may use reasonable force, if necessary, to do so.

(3B) If the operator of a public transport service, an employee of the operator or a person authorised by the operator, has reasonable grounds to suspect that a person (“P”) is about to contravene regulation 12A(1), the operator, employee or authorised person may direct P not to board the vehicle providing the public transport service in question.]

[^{F71}(3C) If an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening (or is about to contravene) [^{F72}regulation 12B(1)], the officer may—

- (a) direct P not to enter the premises;
- (b) remove P from the premises, and may use reasonable force, if necessary, to do so.]

(4) Where an enforcement officer has reasonable grounds for suspecting that people are gathered together in contravention of regulation 14(1) [^{F73}or 14A(1)], the officer may—

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

[^{F74}(4A) Where an enforcement officer has reasonable grounds for suspecting that a person (“P”) is contravening (or is about to contravene) paragraph 3(1) or 4(1) of Schedule 4A, the officer may—

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

(5) An enforcement officer may—

- (a) when exercising the power in paragraph (4) [^{F75}or (4A)], direct a person to follow such instructions as the officer considers necessary;
- (b) use reasonable force in the exercise of the power in paragraph (4)(a) or (c) [^{F76}or (4A)(b)].

[^{F77}(5A) Where an enforcement officer has reasonable grounds for suspecting that a person is contravening, or is about to contravene, regulation 14B(1), the officer may—

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

- (b) remove the person from the location or proposed location of the event which the officer suspects is being, or is about to be, organised in contravention of regulation 14B(1) (and the officer may use reasonable force to do so).]
- (6) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is in a gathering in contravention of regulation 14(1) [^{F78}or 14A(1)] and is a child accompanied by an individual (“I”) who has responsibility for P—
- (a) the officer may direct I to take P to the place where P is living, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.
- [^{F79}(6ZA) Where an enforcement officer has reasonable grounds to suspect that a person (“P”) is contravening, or is about to contravene, paragraph 3(1) or 4(1) of Schedule 4A and is a child accompanied by an individual (“I”) who has responsibility for P—
- (a) the officer may direct I to take P to the place where P is living, and
- (b) I must, so far as reasonably practicable, ensure that P complies with any direction or instruction given by the officer to P.]
- [^{F80}(6A) Where an enforcement officer has reasonable grounds to believe that a child is failing to comply with the requirement in regulation 12A(1) [^{F81}or [^{F82}regulation 12B(1)]], the officer may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the requirement.]
- (7) For the purposes of paragraph (6) [^{F83}, (6ZA)] [^{F84}and (6A)], I has responsibility for a child if I—
- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child.
- [^{F85}(7A) An enforcement officer may, to facilitate the exercise of a power conferred on the officer by Schedule 5—
- (a) require any person to give any information or answer any question the officer considers to be relevant to the exercise of the power;
- (b) require the production of, inspect and take copies of, any documents or electronic records.]
- (8) An enforcement officer may take other action to facilitate the exercise of a power conferred on the officer by this regulation [^{F86}, regulation 19 or Schedule 5].
- (9) An enforcement officer may only exercise a power under this regulation or regulation 19 if the officer considers that it is necessary and proportionate to do so.
- [^{F87}(9A) A person may not be required under paragraph (7A) to provide a document, record or other information in respect of which a claim for legal professional privilege could be maintained in legal proceedings.
- (9B) No information or answer given by a person in response to a requirement imposed under paragraph (7A)(a) is admissible in evidence against that person, or the person’s spouse or civil partner, in [^{F88}any proceedings other than proceedings under] these Regulations.]
- (10) In this regulation and regulations 19 and 20 references to a requirement include references to a restriction.

Textual Amendments

- F65** Word in reg. 18(1) omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(10)(a)** (with reg. 3)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

- F66** Word in reg. 18(1) omitted (25.7.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(3), **2(8)** (with reg. 4)
- F67** Words in reg. 18(1) omitted (10.8.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(8)(a)** (with reg. 3)
- F68** Words in reg. 18(1) substituted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(11)(a)** (with reg. 4)
- F69** Reg. 18(3) omitted (14.9.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(6)(a)** (with reg. 3)
- F70** Reg. 18(3A)(3B) inserted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(11)(b)** (with reg. 4)
- F71** Reg. 18(3C) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(a)**
- F72** Words in reg. 18(3C) substituted (14.9.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(6)(b)** (with reg. 3)
- F73** Words in reg. 18(4) inserted (3.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/820), regs. 1, **2(10)(b)** (with reg. 3)
- F74** Reg. 18(4A) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(b)**
- F75** Words in reg. 18(5)(a) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(c)(i)**
- F76** Words in reg. 18(5)(b) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(c)(ii)**
- F77** Reg. 18(5A) inserted (28.8.2020 at 12.01 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/912), regs. 1, **2(8)** (with reg. 3)
- F78** Words in reg. 18(6) inserted (3.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/820), regs. 1, **2(10)(b)** (with reg. 3)
- F79** Reg. 18(6ZA) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(d)**
- F80** Reg. 18(6A) inserted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(11)(c)** (with reg. 4)
- F81** Words in reg. 18(6A) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(e)**
- F82** Words in reg. 18(6A) substituted (14.9.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(6)(c)** (with reg. 3)
- F83** Word in reg. 18(7) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(5)(f)**
- F84** Words in reg. 18(7) inserted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(11)(d)** (with reg. 4)
- F85** Reg. 18(7A) inserted (10.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(8)(b)** (with reg. 3)
- F86** Words in reg. 18(8) substituted (10.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(8)(c)** (with reg. 3)
- F87** Reg. 18(9A)(9B) inserted (10.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(8)(d)** (with reg. 3)
- F88** Words in reg. 18 substituted (22.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 6) Regulations 2020 (S.I. 2020/884), regs. 1, **2(6)** (with reg. 3)

Commencement Information

- I16** Reg. 18 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)
I17 Reg. 18 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Power of entry **E+W**

- 19.**—(1) An enforcement officer may enter premises, if the officer—
- (a) has reasonable grounds for suspecting that a requirement imposed by [^{F89}or under] these Regulations is being, has been or is about to be contravened on the premises, and
 - (b) considers it necessary to enter the premises for the purpose of ascertaining whether the requirement is being, has been or is about to be contravened.
- (2) An enforcement officer entering premises in accordance with paragraph (1) may—
- (a) use reasonable force to enter the premises if necessary;
 - (b) take such other persons, equipment and materials onto the premises as appears to the officer to be appropriate.
- (3) An enforcement officer entering premises in accordance with paragraph (1)—
- (a) if asked by a person on the premises, must show evidence of the officer's identity and outline the purpose for which the power is exercised;
 - (b) if the premises are unoccupied or the occupier is temporarily absent, must leave the premises as effectively secured against unauthorised entry as when the officer found them.

Textual Amendments

- F89** Words in reg. 19(1)(a) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(9)** (with reg. 3)

Commencement Information

- I18** Reg. 19 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)
I19 Reg. 19 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Offences and penalties **E+W**

- 20.**—(1) A person who—
- (a) without reasonable excuse, contravenes a requirement in regulation ^{F90}... 7(1), ^{F91}... ^{F92}... ^{F93}... [^{F94}or paragraph 5(1) of Schedule 4A,] or
 - (b) contravenes a requirement in regulation [^{F95}12A(1), 12B(1),][^{F96}14(1), 14A(1) or 14B(1)], [^{F97}or paragraph 3(1) [^{F98}or 4(1)]] of Schedule 4A]
- commits an offence.
- (2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.
- [^{F99}(2A) A person who—
- (a) without reasonable excuse, contravenes paragraph 3(1) of Schedule 5,
 - (b) contravenes paragraph 3(2) of that Schedule, or
 - (c) without reasonable excuse, removes, obscures or damages a notice or sign required to be displayed under paragraph 7(2) of that Schedule,

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

commits an offence.]

(3) A person who, without reasonable excuse—

(a) contravenes a direction given by an enforcement officer under regulation [F100 18(3A) (a),][F101 18(3C)(a),] 18(4), [F102 18(4A)(a),] 18(5)(a) [F103, 18(6) or 18(6ZA)(a)], F104 ...

[F105(aa) contravenes a direction given by the operator of a public transport service, an employee of the operator or a person authorised by the operator, under regulation 18(3B), or]

(b) fails to comply with a compliance notice given by an enforcement officer under regulation 18(1),

commits an offence.

F106(3A)

(4) [F107 An] offence under these Regulations is punishable on summary conviction by a fine.

(5) Section 24 of the Police and Criminal Evidence Act 1984 M18 applies in relation to an offence under this regulation as if the reasons in subsection (5) included—

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

(6) If an offence under [F108 these Regulations] committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(7) In paragraph (6), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(8) Proceedings for an offence under these Regulations alleged to have been committed by a partnership may be brought in the name of the partnership instead of in the name of any of the partners.

(9) Proceedings for an offence under these Regulations alleged to have been committed by an unincorporated body other than a partnership may be brought in the name of the body instead of in the name of any of its members and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if that body were a body corporate.

(10) Section 33 of the Criminal Justice Act 1925 M19 and Schedule 3 to the Magistrates' Courts Act 1980 M20 apply in proceedings for an offence brought against a partnership or an unincorporated association other than a partnership as they apply in relation to a body corporate.

(11) A fine imposed on a partnership on its conviction for an offence under these Regulations is to be paid out of the partnership assets.

(12) A fine imposed on an unincorporated association other than a partnership on its conviction for an offence under these Regulations is to be paid out of the funds of the association.

Textual Amendments

F90 Word in reg. 20(1)(a) omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(11)(a)** (with reg. 3)

F91 Word in reg. 20(1)(a) omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(9)(a)** (with reg. 4)

- F92** Words in reg. 20(1)(a) omitted (10.8.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(10)(a)** (with reg. 3)
- F93** Words in reg. 20(1)(a) omitted (14.9.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(7)(a)** (with reg. 3)
- F94** Words in reg. 20(1)(a) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(6)(a)(i)**
- F95** Words in reg. 20(1)(b) inserted (14.9.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(7)(b)(i)** (with reg. 3)
- F96** Words in reg. 20(1)(b) substituted (28.8.2020 at 12.01 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/912), regs. 1, **2(9)(a)** (with reg. 3)
- F97** Words in reg. 20(1)(b) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(6)(a)(ii)**
- F98** Words in reg. 20(1)(b) substituted (14.9.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 9) Regulations 2020 (S.I. 2020/985), regs. 1, **2(7)(b)(ii)** (with reg. 3)
- F99** Reg. 20(2A) inserted (10.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/843), regs. 1, **2(10)(b)** (with reg. 3)
- F100** Word in reg. 20(3)(a) inserted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(12)(b)(i)** (with reg. 4)
- F101** Word in reg. 20(3)(a) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(6)(b)(i)**
- F102** Word in reg. 20(3)(a) inserted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(6)(b)(ii)**
- F103** Words in reg. 20(3)(a) substituted (8.9.2020 at 6.00 p.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 8) (Caerphilly) Regulations 2020 (S.I. 2020/961), regs. 1, **2(6)(b)(iii)**
- F104** Word in reg. 20(3) omitted (27.7.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(12)(b)(ii)** (with reg. 4)
- F105** Reg. 20(3)(aa) inserted (27.7.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803), regs. 1(4), **3(12)(b)(iii)** (with reg. 4)
- F106** Reg. 20(3A) omitted (17.8.2020) by virtue of The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/867), regs. 1, **2(3)(a)** (with reg. 3)
- F107** Word in reg. 20(4) substituted (17.8.2020) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 5) Regulations 2020 (S.I. 2020/867), regs. 1, **2(3)(b)** (with reg. 3)
- F108** Words in reg. 20(6) substituted (28.8.2020 at 12.01 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 7) Regulations 2020 (S.I. 2020/912), regs. 1, **2(9)(b)** (with reg. 3)

Commencement Information

- I20** Reg. 20 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)
- I21** Reg. 20 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Marginal Citations

- M18** 1984 c. 60. Section 24 was substituted by section 110(1) of the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).
- M19** 1925 c. 86.
- M20** 1980 c. 43.

Fixed penalty notices **E+W**

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

- (a) has committed an offence under these Regulations [^{F109}(except an offence under regulation 20(2A)(a))], and
- (b) is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

- (a) a local authority, or
- (b) a person designated by the Welsh Ministers for the purposes of receiving payment under this regulation,

as the notice may specify.

(3) The Welsh Ministers may designate themselves under paragraph (2)(b).

(4) A person designated by the Welsh Ministers for the purposes of receiving payment under regulation 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020^{M21} is to be treated as if designated for the purposes of receiving payment under this regulation.

(5) Where a local authority is specified in the notice it must be the authority (or as the case may be, any of the authorities) in whose area the offence is alleged to have been committed.

(6) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date the notice is issued;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(7) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (6)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

[^{F110}(7A) Where the notice is issued in respect of an alleged offence of contravening regulation 14B(1), the amount specified under paragraph (7)(c) must be £10,000 (and paragraphs (9) and (10) do not apply).]

(8) [^{F111}In any other case, the] amount specified under paragraph (7)(c) must be £60 (subject to paragraphs (9) and (10)).

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

(10) If the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations [F112 or Regulations mentioned in paragraph (11)]—

- (a) paragraph (9) does not apply, and
- (b) the amount specified as the fixed penalty is to be—
 - (i) in the case of the second fixed penalty notice received, £120;
 - (ii) in the case of the third fixed penalty notice received, £240;
 - (iii) in the case of the fourth fixed penalty notice received, £480;
 - (iv) in the case of the fifth fixed penalty notice received, £960;
 - (v) in the case of the sixth and any subsequent fixed penalty notice received, £1920.

(11) In calculating how many fixed penalty notices a person has received, fixed penalty notices issued to that person under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020^{M22} [F113 and the Health Protection (Coronavirus Restrictions) (Functions of Local Authorities) (Wales) Regulations 2020] are to be taken into account [F114, but no account is to be taken of any fixed penalty notice issued to that person in respect of an alleged offence of contravening regulation 14B(1)].

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

(13) Where a letter is sent as mentioned in paragraph (12), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(14) In any proceedings, a certificate—

- (a) that purports to be signed by or on behalf of the person with responsibility for the financial affairs of—
 - (i) the local authority, or
 - (ii) the person designated under paragraph (2)(b), specified in the fixed penalty notice to which the proceedings relate, and
- (b) which states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

F115(15)

Textual Amendments

- F109** Words in reg. 21(1)(a) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(11)** (with reg. 3)
- F110** Reg. 21(7A) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(10)(a)** (with reg. 3)
- F111** Words in reg. 21(8) substituted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(10)(b)** (with reg. 3)
- F112** Words in reg. 21(10) inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(8)(a)** (with reg. 3)
- F113** Words in reg. 21(11) inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(8)(b)** (with reg. 3)

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Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

F114 Words in reg. 21(11) inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(10)(c)** (with reg. 3)

F115 Reg. 21(15) omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(8)(c)** (with reg. 3)

Commencement Information

I22 Reg. 21 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)

I23 Reg. 21 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Marginal Citations

M21 [S.I. 2020/353](#) (W. 80). Regulation 13 was amended by [S.I. 2020/399](#) (W. 88) and [S.I. 2020/529](#) (W. 124).

M22 [S.I. 2020/353](#) (W. 80).

Prosecutions **E+W**

22.—(1) No proceedings for an offence under these Regulations may be brought other than by the Director of Public Prosecutions or any person designated by the Welsh Ministers [^{F116}, except that proceedings for an offence under regulation 20(2A) may also be brought by a local authority].

(2) A person designated by the Welsh Ministers under regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 ^{M23} is to be treated as if designated under this regulation.

Textual Amendments

F116 Words in reg. 22(1) inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(12)** (with reg. 3)

Commencement Information

I24 Reg. 22 in force at 11.7.2020 for specified purposes, see reg. 1(3)(e)

I25 Reg. 22 in force at 13.7.2020 in so far as not already in force, see reg. 1(4)

Marginal Citations

M23 [S.I. 2020/353](#) (W. 80).

Mark Drakeford
First Minister, one of the Welsh Ministers

^{F117}SCHEDULE 1 **E+W**

Regulation 6

Textual Amendments

F117 Sch. 1 omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(13)** (with reg. 3)

SCHEDULE 2 **E+W**

Regulation 7

Businesses and services required to be closed

^{F118}**1.**

Textual Amendments

F118 Sch. 2 para. 1 omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(13)(a)** (with reg. 4)

2. Theatres.

Commencement Information

I26 Sch. 2 para. 2 in force at 13.7.2020, see reg. 1(4)

^{F119}**3.** Venues [^{F120} authorised to be used for the supply of alcohol by a premises licence or club premises certificate (within the meaning given by the Licensing Act 2003] where live or recorded music is provided for members of the public or members of the venue to dance.]

Textual Amendments

F119 Sch. 2 paras. 3, 3A substituted for Sch. 2 para. 3 (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(14)(a)** (with reg. 3)

F120 Words in Sch. 2 para. 3 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(13)(a)** (with reg. 3)

Commencement Information

I27 Sch. 2 para. 3 in force at 13.7.2020, see reg. 1(4)

^{F119}**3A.** Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).]

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Textual Amendments

F119 Sch. 2 paras. 3, 3A substituted for Sch. 2 para. 3 (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(14)(a)** (with reg. 3)

F121 **4.**

Textual Amendments

F121 Sch. 2 para. 4 omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(14)(b)** (with reg. 3)

5. Concert halls.

Commencement Information

I28 Sch. 2 para. 5 in force at 13.7.2020, see reg. 1(4)

F122 **6.**

Textual Amendments

F122 Sch. 2 para. 6 omitted (28.8.2020 at 12.01 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(11)** (with reg. 3)

F123 **7.**

Textual Amendments

F123 Sch. 2 para. 7 omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(13)(a)** (with reg. 4)

F124 **8.**

Textual Amendments

F124 Sch. 2 para. 8 omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(13)(a)** (with reg. 4)

F125 **9.**

Textual Amendments

F125 Sch. 2 para. 9 omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(13)(a)** (with reg. 4)

10. Skating rinks.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked)*. (See end of Document for details)

Commencement Information

I29 Sch. 2 para. 10 in force at 13.7.2020, see reg. 1(4)

^{F126}**11.**

Textual Amendments

F126 Sch. 2 paras. 11-13 omitted (10.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(13)(b)** (with reg. 3)

Commencement Information

I30 Sch. 2 para. 11 in force at 13.7.2020, see reg. 1(4)

^{F126}**12.**

Textual Amendments

F126 Sch. 2 paras. 11-13 omitted (10.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(13)(b)** (with reg. 3)

Commencement Information

I31 Sch. 2 para. 12 in force at 13.7.2020, see reg. 1(4)

^{F126}**13.**

Textual Amendments

F126 Sch. 2 paras. 11-13 omitted (10.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(13)(b)** (with reg. 3)

Commencement Information

I32 Sch. 2 para. 13 in force at 13.7.2020, see reg. 1(4)

^{F127}**14.**

Textual Amendments

F127 Sch. 2 para. 14 omitted (27.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(13)(c)** (with reg. 4)

^{F128}**15.**

Textual Amendments

F128 Sch. 2 para. 15 omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(11)** (with reg. 4)

^{F129}**16.**

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked)*. (See end of Document for details)

Textual Amendments
F129 Sch. 2 para. 16 omitted (20.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/752\)](#), regs. 1, **2(3)** (with reg. 3)

F130 **17.**

Textual Amendments
F130 Sch. 2 para. 17 omitted (20.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/752\)](#), regs. 1, **2(3)** (with reg. 3)

F131 **18.**

Textual Amendments
F131 Sch. 2 para. 18 omitted (3.8.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(14)(d)** (with reg. 3)

F132 **SCHEDULE 3** **E+W**

Regulation 8

Textual Amendments
F132 Sch. 3 omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(12)** (with reg. 4)

SCHEDULE 4 **E+W**

Regulation 12

Businesses and services which may open subject to protective measures

- 1. Any business selling goods or services for sale or hire in a shop.

Commencement Information
I33 Sch. 4 para. 1 in force at 13.7.2020, see reg. 1(4)

- 2. Pharmacies (including non-dispensing pharmacies) and chemists.

Commencement Information
I34 Sch. 4 para. 2 in force at 13.7.2020, see reg. 1(4)

- 3. Petrol stations.

Commencement Information

I35 Sch. 4 para. 3 in force at 13.7.2020, see reg. 1(4)

4. Car repair and MOT services.

Commencement Information

I36 Sch. 4 para. 4 in force at 13.7.2020, see reg. 1(4)

5. Taxi or vehicle hire businesses.

Commencement Information

I37 Sch. 4 para. 5 in force at 13.7.2020, see reg. 1(4)

6. Banks, building societies, credit unions, short term loan providers, savings clubs, cash points and undertakings which by way of business operate currency exchange offices, transmit money (or any representation of money) by any means or cash cheques which are made payable to customers.

Commencement Information

I38 Sch. 4 para. 6 in force at 13.7.2020, see reg. 1(4)

7. Post offices.

Commencement Information

I39 Sch. 4 para. 7 in force at 13.7.2020, see reg. 1(4)

8. Funeral directors.

Commencement Information

I40 Sch. 4 para. 8 in force at 13.7.2020, see reg. 1(4)

9. Laundrettes and dry cleaners.

Commencement Information

I41 Sch. 4 para. 9 in force at 13.7.2020, see reg. 1(4)

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

Commencement Information

I42 Sch. 4 para. 10 in force at 13.7.2020, see reg. 1(4)

11. Veterinary surgeons and pet shops.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Commencement Information

I43 Sch. 4 para. 11 in force at 13.7.2020, see reg. 1(4)

12. Livestock markets or auctions.

Commencement Information

I44 Sch. 4 para. 12 in force at 13.7.2020, see reg. 1(4)

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

Commencement Information

I45 Sch. 4 para. 13 in force at 13.7.2020, see reg. 1(4)

14. Car parks.

Commencement Information

I46 Sch. 4 para. 14 in force at 13.7.2020, see reg. 1(4)

15. Public toilets.

Commencement Information

I47 Sch. 4 para. 15 in force at 13.7.2020, see reg. 1(4)

16. Libraries.

Commencement Information

I48 Sch. 4 para. 16 in force at 13.7.2020, see reg. 1(4)

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

Commencement Information

I49 Sch. 4 para. 17 in force at 13.7.2020, see reg. 1(4)

18. Car dealerships.

Commencement Information

I50 Sch. 4 para. 18 in force at 13.7.2020, see reg. 1(4)

19. Outdoor markets.

Commencement Information

I51 Sch. 4 para. 19 in force at 13.7.2020, see reg. 1(4)

20. Betting shops.

Commencement Information

I52 Sch. 4 para. 20 in force at 13.7.2020, see reg. 1(4)

21. Indoor shopping centres and indoor shopping arcades.

Commencement Information

I53 Sch. 4 para. 21 in force at 13.7.2020, see reg. 1(4)

[^{F133}**22.** Cinemas.]

Textual Amendments

F133 Sch. 4 para. 22 substituted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(a)** (with reg. 4)

Commencement Information

I54 Sch. 4 para. 22 in force at 13.7.2020, see reg. 1(4)

23. Hair salons and barbers.

Commencement Information

I55 Sch. 4 para. 23 in force at 13.7.2020, see reg. 1(4)

24. Visitor attractions ^{F134}....

Textual Amendments

F134 Words in Sch. 4 para. 24 omitted (25.7.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(13)(a)** (with reg. 4)

Commencement Information

I56 Sch. 4 para. 24 in force at 13.7.2020, see reg. 1(4)

[^{F135}**25.** Funfairs.

Textual Amendments

F135 Sch. 4 paras. 25, 26 inserted (20.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/752\)](#), regs. 1, **2(4)** (with reg. 3)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked)*. (See end of Document for details)

26. Playgrounds and outdoor gyms.]

Textual Amendments

F135 Sch. 4 paras. 25, 26 inserted (20.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/752\)](#), regs. 1, **2(4)** (with reg. 3)

^{F136}27.—(1) Holiday sites.

(2) In this paragraph, a “holiday site” means any land in Wales on which a mobile home or caravan is stationed for the purposes of human habitation (including any land in Wales used in conjunction with that land), in respect of which the relevant planning permission or the site licence for the land—

- (a) is expressed to be granted for holiday use only, or
- (b) requires that there are times of the year when no mobile home or caravan may be stationed on the site for human habitation.

(3) For the purpose of determining whether or not a site is a holiday site, any provision of the relevant planning permission or of the site licence which permits the stationing of a mobile home on the land for human habitation all year round is to be ignored if the mobile home is authorised to be occupied by—

- (a) the person who is the owner of the site, or
- (b) a person employed by that person but who does not occupy the mobile home under an agreement to which Part 4 of the Mobile Homes (Wales) Act 2013 applies.

Textual Amendments

F136 Sch. 4 paras. 27-30 inserted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(13)(b)** (with reg. 4)

28. Camping sites.

Textual Amendments

F136 Sch. 4 paras. 27-30 inserted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(13)(b)** (with reg. 4)

29. Hotels and bed and breakfast accommodation.

Textual Amendments

F136 Sch. 4 paras. 27-30 inserted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(13)(b)** (with reg. 4)

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

Textual Amendments

F136 Sch. 4 paras. 27-30 inserted (25.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(3), **2(13)(b)** (with reg. 4)

[^{F137}31. Massage parlours.

Textual Amendments

F137 Sch. 4 paras. 31-35 inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(b)** (with reg. 4)

32. Nail and beauty salons.

Textual Amendments

F137 Sch. 4 paras. 31-35 inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(b)** (with reg. 4)

33. Establishments providing tanning services, body piercings, tattooing, electrolysis or acupuncture.

Textual Amendments

F137 Sch. 4 paras. 31-35 inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(b)** (with reg. 4)

34. Amusement arcades.

Textual Amendments

F137 Sch. 4 paras. 31-35 inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(b)** (with reg. 4)

35. Museums, galleries and archive services.]

Textual Amendments

F137 Sch. 4 paras. 31-35 inserted (27.7.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/803\)](#), regs. 1(4), **3(14)(b)** (with reg. 4)

[^{F138}36. Restaurants and cafés (including workplace canteens and dining rooms in members' clubs).

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

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

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

38. Public houses.

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

39. Bingo halls.

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

40. Bowling alleys.

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

41. Auction houses.]

Textual Amendments

F138 Sch. 4 paras. 36-41 inserted (3.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/820\)](#), regs. 1, **2(15)** (with reg. 3)

[^{F139}42. Swimming pools.

Textual Amendments

F139 Sch. 4 paras. 42-44 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(14)** (with reg. 3)

43. Indoor fitness studios, gyms, spas and other indoor leisure centres and facilities.

Textual Amendments

F139 Sch. 4 paras. 42-44 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(14)** (with reg. 3)

44. Indoor play areas.]

Textual Amendments

F139 Sch. 4 paras. 42-44 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), regs. 1, **2(14)** (with reg. 3)

[^{F140}45. Casinos]

Textual Amendments

F140 Sch. 4 para. 45 inserted (28.8.2020 at 12.01 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 7\) Regulations 2020 \(S.I. 2020/912\)](#), regs. 1, **2(12)** (with reg. 3)

[^{F141}SCHEDULE 4A **E+W**

Regulation 14C

Local restrictions

Textual Amendments

F141 Sch. 4A inserted (8.9.2020 at 6.00 p.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 8\) \(Caerphilly\) Regulations 2020 \(S.I. 2020/961\)](#), regs. 1, **2(7)**

Local health protection area **E+W**

1. For the purposes of these Regulations, Caerphilly County Borough is a local health protection area.

Prohibition on forming extended households **E+W**

2.—(1) Despite regulation 2A, no household living in a local health protection area may agree to be treated as an extended household with other households.

(2) Where, before this paragraph came into force, a household living in a local health protection area agreed to be treated as being in an extended household with other households—

- (a) that household is not to be treated as being in the extended household, and
- (b) the other households continue to be treated as an extended household (provided they are not living in a local health protection area) and regulation 2A applies to those households accordingly.

Requirement to stay within local health protection area **E+W**

3.—(1) No person living in a local health protection area may, without a reasonable excuse, leave the area or remain away from the area.

(2) A reasonable excuse includes the need to do the following outside the local health protection area—

- (a) obtain—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) obtain money from or deposit money with any business or service listed in paragraph 6 or 7 of Schedule 4;
- (c) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 10 of Schedule 4 or accessing veterinary services;

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

- (d) provide or receive care or assistance, including relevant personal care, within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (e) work or provide voluntary or charitable services, where it is not reasonably practicable to do so from home;
- (f) where the person is an elite athlete, train and compete;
- (g) provide or receive emergency assistance;
- (h) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (i) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
- (j) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (k) access or receive public services;
- (l) access or receive childcare or education services;
- (m) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (n) move home;
- (o) undertake activities in connection with the purchase, sale, letting, or rental of residential property;
- (p) avoid injury or illness or escape a risk of harm.

(3) For the purposes of sub-paragraph (1), it is not a reasonable excuse for a person to leave, or remain away from, a local health protection area to do anything if it would be reasonably practicable for the person to do that thing within the area.

(4) Sub-paragraph (1) does not apply to a person who is homeless.

Requirement not to enter local health protection area E+W

4.—(1) No person may, without reasonable excuse, enter a local health protection area or remain in it.

(2) A reasonable excuse includes the need to do the following in the local health protection area—

- (a) obtain—
 - (i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person;
- (b) obtain money from or deposit money with any business or service listed in paragraph 6 or 7 of Schedule 4;

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020* (revoked). (See end of Document for details)

- (c) obtain or provide medical assistance, including accessing any of the services referred to in paragraph 10 of Schedule 4 or accessing veterinary services;
- (d) provide or receive care or assistance, including relevant personal care, within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (e) work or provide voluntary or charitable services [^{F142}where it is not reasonably practicable to carry out the work or provide the service from a place outside the area];
- (f) where the person is an elite athlete, train and compete;
- (g) provide or receive emergency assistance;
- (h) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (i) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
- (j) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (k) access or receive public services;
- (l) access or receive childcare or education services;
- (m) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (n) move home;
- (o) undertake activities in connection with the purchase, sale, letting, or rental of residential property;
- (p) avoid injury or illness or escape a risk of harm;
- (q) travel to reach a place outside the area.

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

Textual Amendments

F142 Words in Sch. 4A para. 4(2)(e) inserted (14.9.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020](#) (S.I. 2020/985), regs. 1, **2(9)(a)** (with reg. 3)

Requirement to work from home where practicable **E+W**

5.—(1) No person living in a local health protection area may leave the place where they are living, or remain away from that place, in order to go to work or for work-related purposes.

(2) But sub-paragraph (1) does not apply if it is not reasonably practicable for the person to work from the place where they are living.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked)*. (See end of Document for details)

(3) No person living in a local health protection area may leave the place where they are living, or remain away from that place, in order to provide voluntary or charitable services.

(4) But sub-paragraph (3) does not apply if it is not reasonably practicable for the person to provide the voluntary or charitable services from the place where they are living.

(5) For the purposes of this paragraph, the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.]

Requirement to wear face covering in certain public places E+W

^{F143}6.

Textual Amendments
F143 Sch. 4A para. 6 omitted (14.9.2020) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2020 \(S.I. 2020/985\)](#), regs. 1, **2(9)(b)** (with reg. 3)

[^{F144}SCHEDULE 5 E+W

Regulation 17A

Enforcement of regulation 12(2)

Textual Amendments
F144 Sch. 5 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), reg. 1, **Sch. 1** (with reg. 3)

Premises improvement notice E+W

1.—(1) An enforcement officer may issue a notice (a “premises improvement notice”) to a person responsible for premises referred to in regulation 12(1) if the officer considers that—

- (a) the person is not complying with the obligations imposed on the person by regulation 12(2), 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 12(2);
- (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.

Premises closure notice **E+W**

2.—(1) If either condition 1 or condition 2 is satisfied, an enforcement officer may issue a notice (a “premises closure notice”) to a person responsible for premises referred to in regulation 12(1) 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 12(2), 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 12(2),
- (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 12(2),
- (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 336 hours (14 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.

Effect of premises closure notice **E+W**

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.

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

(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 12(2) 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.

Termination of premises improvement or closure notice **E+W**

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 12(2) 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.

Appeals **E+W**

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 [^{F145}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.

(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.

Textual Amendments

F145 Words in Sch. 5 para. 5(6) substituted (17.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 5\) Regulations 2020 \(S.I. 2020/867\)](#), regs. 1, **2(3)(b)** (with reg. 3)

Issuing premises improvement and closure notices and terminations **E+W**

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.

Publicising premises improvement and closure notices **E+W**

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

(2) As soon as reasonably practicable after issuing the notice, the enforcement officer must—

- (a) display a copy of the notice, and a sign in the form set out in Schedule 6, in a prominent place near every entrance to the premises;
- (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 notice or sign displayed under sub-paragraph (2)(a) must be at least A4 size.

(4) A notice required to be displayed and published under sub-paragraph (2) must continue to be displayed and published, and a sign required to be displayed under that sub-paragraph must continue to be displayed, for as long as the notice has effect.]

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

Textual Amendments

F146 Sch. 6 inserted (10.8.2020) by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/843\)](#), reg. 1, **Sch. 2** (with reg. 3)

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Sign to be displayed with premises improvement notice

1.—(1) A sign displayed with a premises improvement notice under paragraph 7(2)(a) of Schedule 5 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



**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**

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

Sign to be displayed with premises closure notice

2.—(1) A sign displayed with a premises closure notice under paragraph 7(2)(a) of Schedule 5 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.]



**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**

Status: Point in time view as at 14/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked). (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2A of the Public Health (Control of Disease) Act 1984 enables the Welsh Ministers, by regulations, to make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Wales.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. The Regulations impose requirements and restrictions on individuals, businesses and others.

The Regulations replace the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (S.I. 2020/353 (W. 80)) as they were amended by S.I. 2020/399 (W. 88), S.I. 2020/452 (W. 102), S.I. 2020/497 (W. 118), S.I. 2020/529 (W. 124), S.I. 2020/557 (W. 129), S.I. 2020/619 (W. 141) and S.I. 2020/686 (W. 153).

There are 5 Parts to the Regulations.

Part 1 contains defined terms (regulation 2); requires the Welsh Ministers to review the proportionality of, and the need for, the restrictions and requirements at least once every 21 days (regulation 4); and provides that these Regulations expire on 8 January 2021 (regulation 5).

This Part also makes provision which modifies the numerous restrictions on individuals in the Regulations which limit interaction with anyone who is not a member of their household. This allows members of two households to agree to form a single (extended) household, which means that members of those households can interact with each other as if they were members of one household.

Part 2 requires certain business and premises to close. These are listed in Schedule 1 (premises selling food and drink), Schedule 2 (generally indoor leisure or cultural facilities and beauty services) and Schedule 3 (holiday accommodation). The requirements to close are, however, subject to numerous exceptions. These include providing food and drink to take away and consuming food and drink on premises that are outdoors (regulation 6); allowing premises to be used for certain listed purposes (regulation 7); allowing self-contained accommodation at hotels and holiday sites to be open, and allowing other forms of such accommodation to open at the request of the Welsh Ministers or a local authority (regulation 8). Regulation 10 makes specific provision about crematoriums and community centres which must close subject to certain exceptions, and regulation 11 requires local authorities, National Park authorities, Natural Resources Wales and the National Trust to close certain public paths and land accessible by the public.

Part 3 imposes obligations on persons responsible for premises open to the public, or for work being carried out at any premises, for the purpose of minimising risk of exposure to coronavirus at the premises. Regulation 12 requires: (1) all reasonable measures to be taken to ensure that a distance of 2 metres is maintained between persons on the premises; (2) any other reasonable measures to be taken - for example to limit close face to face interaction and maintain hygiene; and (3) information to be provided to those entering or working at premises about how to minimise risk of exposure to coronavirus. Regulation 13 provides for guidance to be issued about the practical application of the requirements imposed by regulation 12, and those subject to the requirements must have regard to that guidance. For these purposes premises includes vehicles used as taxis and for public transport.

Part 4 imposes limits on gathering with other people. These provide (at regulation 14) that a person may only gather indoors with someone other than a member of their household or their carer, or the person they care for, if they have a reasonable excuse for doing so (examples of which

are listed). The same rule applies to gathering outdoors except that gathering with members of one other household is also allowed. Regulation 15 provides an exception to the rule in regulation 14 for organised outdoor activities involving no more than 30 people. Regulation 16 provides that a person who is working or providing voluntary or charitable services must do so from their home, if it is reasonably practicable for them to do so.

Part 5 relates to the enforcement of the restrictions and requirements. Regulation 17 makes provision about those who can take enforcement action, while regulation 18 relates to the actions themselves. Regulation 19 contains a power to enter premises. Regulation 20 provides that a person who, without a reasonable excuse, contravenes (listed) requirements in these Regulations commits an offence. That offence is punishable by an unlimited fine. Regulation 21 allows for offences to be punished by way of a fixed penalty notice (the amount of which doubles on each of a person's second and subsequent penalty notices, up to a maximum of £1920) and regulation 22 relates to prosecutions of offences under the regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

Status:

Point in time view as at 14/09/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 (revoked).