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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1609**

**The Health Protection (Coronavirus  
Restrictions) (No. 5) (Wales) Regulations 2020**

**PART 4**

Taking preventative measures in regulated premises

**Regulated premises and responsible persons**

- 15.**—(1) For the purposes of these Regulations, the following are “regulated premises”—
- (a) premises of businesses or services listed in Schedule 7, to the extent that that the public have or are permitted access to the premises;
  - (b) a vehicle used to provide a public transport service;
  - (c) other premises where work is being carried out.
- (2) In this Part, “responsible person”, in relation to regulated premises, means—
- (a) in relation to premises referred to in paragraph (1)(a) and (b), the person responsible for the premises,
  - (b) in relation to premises referred to in paragraph (1)(c), the person responsible for the work being carried out on the premises.

**Commencement Information**

- II** Reg. 15 in force at 20.12.2020, see [reg. 1\(3\)](#)

**[<sup>F1</sup>Requirement to take all reasonable measures to minimise the risk of exposure to coronavirus**

**16.**—(1) For the purposes of minimising the risk of exposure to coronavirus at regulated premises, or the spread of coronavirus by those who have been at regulated premises, the responsible person must take the following steps—

*Step 1*

Undertake a specific assessment of the risk of exposure to coronavirus at the premises, and in doing so consult persons working on the premises or representatives of those persons.

*Step 2*

Provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus [<sup>F2</sup>, including information to those working at the premises about the risk of exposure to coronavirus identified under the assessment undertaken under Step 1, and the measures to be taken under Step 3 <sup>F3</sup>... to minimise the risk].

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[F4 Step 3

Take all reasonable measures to ensure—

- (a) (a) that a distance of 2 metres is maintained between any persons indoors on the premises, except between members of a permitted group;
- (b) (b) where persons are required to wait indoors to enter the premises, that a distance of 2 metres is maintained between them, except between members of a permitted group.]

[F5 Step 4]

F6 ...

Take reasonable measures to mitigate the risk of exposure to coronavirus that arises where persons gather [F7 on the premises], such as—

- (a) (a) seeking to prevent the following persons from being present at the premises—
  - (i) any person who has tested positive for coronavirus in the previous 10 days,
  - (ii) any person who [F8 is required to not leave or be outside of the place where the person is living by virtue of regulation 8(2)],
  - (iii) any person experiencing symptoms associated with COVID-19;
- (b) (b) ensuring that persons gathering at the premises gather outdoors where this is practicable;
- (c) (c) limiting close [F9 physical] interaction between persons on the premises [F10, in particular face-to-face interaction], for example by—
  - (i) changing the layout of premises including the location of furniture and workstations;
  - (ii) controlling the use of entrances, passageways, stairs and lifts;
  - (iii) controlling the 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;
- (d) (d) limiting the duration of time for which persons may be present on the premises;
- (e) (e) seeking to ensure that the premises are well ventilated;
- (f) (f) maintaining good hygiene on the premises;
- (g) (g) providing or requiring use of personal protective equipment.

[F11(1A) In determining the extent to which it is reasonable to take a particular measure under Step 3, regard may be had to measures taken under Step 4 to mitigate the risk of exposure to coronavirus that arises when any person is within a distance of 2 metres of another person.]

F12(2) .....

(3) Measures that may be taken under paragraph (1) include—

- (a) not carrying out certain activities;
- (b) closing a part of the premises;

[F13(ba) allowing or requiring persons who ordinarily work at the premises to work from home;]

- (c) allowing and enabling a person who ordinarily works at the premises to isolate due to testing positive for coronavirus or having had close contact with somebody who has tested positive, for a period—
  - (i) recommended in guidance published by the Welsh Ministers;
  - (ii) specified in a notification given to the person by a contact tracer;

- (d) collecting contact information from each person at the premises and retaining it for 21 days for the purpose of providing it to any of the following, upon their request—
  - (i) the Welsh Ministers;
  - (ii) a contact tracer;
- (e) taking reasonable measures to ensure that such contact information is correct.
- (4) An assessment under Step 1—
  - (a) must satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999 (the “1999 Regulations”), and
  - (b) must be undertaken—
    - (i) whether or not the responsible person has already undertaken an assessment under that regulation, and
    - (ii) whether or not that regulation applies to the responsible person.
- [<sup>F14</sup>(4A) For the purposes of Step 3, “permitted group” means—
  - (a) where the premises are in an Alert Level 1 area or an Alert Level 2 area, a group which—
    - (i) consists of no more than 6 people, not counting any persons under the age of 11 or any carer of a person in the group, or
    - (ii) consists of members of the same household and any carer of a member of the household;
  - (b) where the premises are in an Alert Level 3 area or an Alert Level 4 area, a group which consists of members of the same household and any carer of a member of the household.]
- (5) For the purposes of paragraph (4)—
  - (a) regulation 3 of the 1999 Regulations is to be read as if the words “by or under the relevant statutory provisions”, in both places it occurs, were substituted by the words “by [<sup>F15</sup>regulation 16] of the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020”, and
  - (b) if regulation 3 of the 1999 Regulations would not, but for paragraph (4)(b)(ii), apply to a responsible person—
    - (i) that regulation is to be treated as applying to the person as if the person were an employer, and
    - (ii) persons working at the premises are, for the purposes of that regulation as it applies by virtue of paragraph (4)(b)(ii), treated as being employed by the responsible person.
- <sup>F16</sup>(6) .....]

**Textual Amendments**

- F1** Reg. 16 substituted (21.6.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 13\) Regulations 2021 \(S.I. 2021/722\)](#), regs. 1(2), **2(2)**
- F2** Words in reg. 16(1) inserted (17.7.2021) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 14\) Regulations 2021 \(S.I. 2021/862\)](#), regs. 1(2), **2(2)(a)**
- F3** Words in reg. 16(1) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(12)(a)(ii)**
- F4** Words in reg. 16(1) inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), **2(2)(a)(i)**

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- F5** Words in reg. 16(1) substituted (26.12.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(2)(a)(ii)**
- F6** Words in reg. 16(1) omitted (7.8.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(12)(a)(i)**
- F7** Words in reg. 16(1) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(2)(c)(i)**
- F8** Words in reg. 16(1) substituted (28.8.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 16) Regulations 2021 (S.I. 2021/970), regs. 1(2), **2(2)**
- F9** Word in reg. 16(1) substituted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(2)(c)(ii)(aa)**
- F10** Words in reg. 16(1) inserted (17.7.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 14) Regulations 2021 (S.I. 2021/862), regs. 1(2), **2(2)(c)(ii)(bb)**
- F11** Reg. 16(1A) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(2)(b)**
- F12** Reg. 16(2) omitted (7.8.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(12)(b)**
- F13** Reg. 16(3)(ba) inserted (20.12.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 23) Regulations 2021 (S.I. 2021/1468), regs. 1(2), **2(2)**
- F14** Reg. 16(4A) inserted (26.12.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 25) Regulations 2021 (S.I. 2021/1485), regs. 1(2), **2(2)(c)**
- F15** Words in reg. 16(5)(a) substituted (7.8.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(12)(c)**
- F16** Reg. 16(6) omitted (7.8.2021 at 6.00 a.m.) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(12)(d)**

### **[<sup>F17</sup>Specific measures applicable to licensed premises**

**16ZA.**—(1) Where regulation 16(1) applies to a person responsible for premises authorised for the sale or supply of alcohol for consumption on the premises, the measures to be taken by the responsible person under Step 4 of that regulation must include (but are not limited to)—

- (a) having a person controlling entry to the premises, apart from in cinemas and theatres;
- (b) requiring customers to be seated in the premises in any place other than at a bar—
  - (i) when ordering food or drink;
  - (ii) when being served with food or drink, and
  - (iii) when consuming food or drink.

(2) But where food is provided at the premises on a buffet basis, customers may select food from the buffet and return to where they are seated.

- (3) Paragraph (1) does not apply to—
  - (a) workplace canteens, or
  - (b) premises in an educational establishment.
- (4) Paragraph (1)(b) does not apply in relation to—
  - (a) customers at—
    - (i) cinemas, or

(ii) theatres,

where those customers are normally seated at the premises (other than when ordering food or drink or being served with food or drink) for the showing of a film or a live theatrical performance, or

(b) persons attending a regulated gathering or event.

(5) For the purpose of paragraph (4), a “live” theatrical performance is one the customer is witnessing other than by means of a broadcast.

(6) For the purposes of paragraph (1)—

(a) food or drink sold in holiday or travel accommodation as part of room service is not to be treated as being sold for consumption on the premises;

(b) food or drink sold for consumption in an area adjacent to the premises where seating is made available for customers is to be treated as being sold for consumption on the premises.

(7) Where regulated premises not authorised for the sale or supply of alcohol for consumption on the premises allow customers to consume their own alcohol on the premises, paragraphs (1) to (3) apply to those premises as they apply to premises that are authorised for the sale or supply of alcohol for consumption on the premises.

#### Textual Amendments

**F17** Regs. 16ZA, 16ZB inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), 2(3)

#### Specific measures applicable to retail premises

**16ZB.** Where regulation 16(1) applies to a person responsible for retail premises of a business offering goods or services for sale or hire in those premises (including businesses selling food or drink for consumption off the premises), the measures to be taken by the responsible person under Step 4 of that regulation must include (but are not limited to)—

(a) measures for controlling entry to the premises and limiting the number of customers who are on the premises at any one time;

(b) provision of hand sanitisation products or hand washing facilities for use by customers when they enter and exit the premises;

(c) measures to sanitise any baskets, trolleys or similar containers provided for use by customers on the premises;

(d) in order to remind customers to maintain a distance of 2 metres between each other and to wear a face covering—

(i) displaying signs and other visual aids;

(ii) making announcements on a regular basis.]

#### Textual Amendments

**F17** Regs. 16ZA, 16ZB inserted (26.12.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 25\) Regulations 2021 \(S.I. 2021/1485\)](#), regs. 1(2), 2(3)

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**[<sup>F18</sup>Specific measures applicable to [<sup>F19</sup>specified hospitality and entertainment venues and premises] at which specified events are held**

**16A.**—(1) Where regulation 16(1) applies to a person responsible for premises described in paragraph (2), the reasonable measures to be taken by the responsible person under Step 3 of that regulation must include measures to ensure that a person aged 18 or over is only permitted to be present on the premises if the person possesses evidence—

- (a) complying with the requirements in paragraph (6), that the person has completed a course of doses of an authorised vaccine,
- (b) that the person has participated in, or is participating in, a clinical trial, within the meaning of regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004, of a vaccine for vaccination against coronavirus carried out in the United Kingdom in accordance with the requirements of those Regulations, [<sup>F20</sup>or]
- (c) of a negative result from a qualifying test taken by the person no more than 48 hours before the person enters the premises, <sup>F21</sup> ...

<sup>F22</sup>(d) . . . . .

(2) The premises referred to in paragraph (1) are—

- (a) premises that meet all of the following conditions—
  - (i) the premises are authorised for the sale or supply of alcohol,
  - (ii) the premises provide live or recorded music for members of the public or members of the venue to dance, including nightclubs, discotheques and dance halls, and
  - (iii) the premises are open at any time between midnight and 5.00 a.m. (however where this condition is met, the requirement in paragraph (1) applies to the premises at any time they are open, subject to paragraph (3)(a) or (e));
- (b) premises at which an event is taking place and more than 10,000 people are in attendance at any time;
- (c) premises at which an event is taking place to any extent indoors, where—
  - (i) more than 500 people are in attendance at any time, and
  - (ii) not all the persons attending the event are normally seated during the event;
- (d) premises at which an event is taking place outdoors, where—
  - (i) more than 4,000 people are in attendance at any time, and
  - (ii) not all the persons attending the event are normally seated during the event.

[ a cinema, other than a drive-in cinema;

<sup>F23</sup>(e)

(f) a concert hall or theatre, other than a drive-in theatre.]

(3) But paragraph (1) does not apply to premises—

- (a) of a kind described in paragraph (2)(a) at any time when music is not being provided for members of the public or members of the venue to dance;
- (b) at which an event is held outdoors, where—
  - (i) a person is not required to obtain a ticket or pay a fee in order to gain entry to the event, and
  - (ii) there are two or more points of entry for persons attending the event;
- (c) at which a protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, is being held;

- (d) at which a mass participation sporting event is being held outdoors, such as a marathon, cycling race or triathlon;
- (e) used for the celebration of—
  - (i) a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony, or
  - (ii) the life of a deceased person,at any time when they are used for any of those purposes.

(4) In paragraph (1) the reference to a person aged 18 or over does not include a person working or providing voluntary services at the premises.

(5) For the purposes of paragraph (2)(b) to (d), a person working, or providing voluntary services at the event, is not to be treated as being in attendance at the event.

(5A) For the purposes of paragraph (2)(c), a person participating in a religious service in premises ordinarily used as a place of worship is to be treated as being normally seated.

(6) For the purposes of paragraph (1)(a), the evidence that a person has completed a course of doses of an authorised vaccine must—

- (a) show that—
  - <sup>F24</sup>(i) . . . . .
  - (ii) the day on which the person enters the premises is more than 14 days after the day on which the person completed that course of doses;
- (b) in relation to a course of doses of vaccines administered in the United Kingdom, be provided to the person by or on behalf of the Government of the United Kingdom, the Scottish Ministers, the Welsh Ministers or a Northern Ireland department (including by means of letter, text message, e-mail, the NHS COVID Pass website or the NHS smartphone app developed and operated by the Secretary of State);
- (c) in relation to a course of doses of vaccines administered [<sup>F25</sup>otherwise than in the United Kingdom], be the EU digital COVID certificate, [<sup>F26</sup>a certificate of COVID-19 records issued by an approved third country or territory,] the Centers for Disease Control and Prevention vaccination card, [<sup>F27</sup>a North American Certificate] or a vaccine certificate relating to the person.

<sup>F28</sup>(7) . . . . .

[<sup>F29</sup>(8) For the purposes of this regulation, where a person has received a course of doses that consists of one dose of an authorised vaccine under the United Kingdom vaccine roll-out overseas and one dose of an authorised vaccine otherwise than under the United Kingdom vaccine roll-out overseas, the person is deemed to have completed a course of doses of a vaccine under the United Kingdom vaccine roll-out overseas.]

- (9) For the purposes of this regulation—
  - (a) a test is a qualifying test if it is capable of detecting the presence of coronavirus, and is—
    - (i) a polymerase chain reaction test provided or administered under the National Health Service Act 2006, the National Health Service (Wales) Act 2006, the National Health Service (Scotland) Act 1978, or the Health and Personal Social Services (Northern Ireland) Order 1972, or
    - (ii) a lateral flow test, the results of which may be submitted through the NHS public reporting system
  - [<sup>F30</sup>(b) a person has completed a course of doses if—
    - (i) the person has received the complete course of doses specified—

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- (aa) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or
- (bb) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012 for the authorised vaccine <sup>F31</sup>...
- (ii) the person has received a dose of one authorised vaccine and a dose of a different authorised vaccine [<sup>F32</sup>, or]
  - [ the person has received at least two doses of any vaccine referred to in paragraph (iv) <sup>F33</sup>(iii) of the definition of authorised vaccine in paragraph (10)(a)];
- (c) in relation to a course of doses administered under the United Kingdom vaccine roll-out overseas, a person has completed the course of doses if—
  - (i) the person has received the complete course of doses of the vaccine as specified in the manufacturer’s guidance for that vaccine, or
  - (ii) the person has received a dose of one vaccine and a dose of a different vaccine.
- (10) In this regulation—
  - (a) “authorised vaccine” means a medicinal product for vaccination against coronavirus <sup>F34</sup>...
    - (i) in relation to doses received in the United Kingdom [<sup>F35</sup>, authorised]—
      - (aa) for supply in the United Kingdom in accordance with a marketing authorisation, or
      - (bb) by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012;
    - (ii) in relation to doses received in a relevant country listed in the first column of the table in paragraph (11), [<sup>F36</sup>authorised] for supply in that country following evaluation by the relevant regulator for the country;
      - [ in relation to doses received in any other country or territory (including a relevant <sup>F37</sup>(iii) country listed in paragraph (12)), which would be authorised as provided for in paragraph (i)(aa) or (bb) if the doses were received in the United Kingdom;
    - (iv) in relation to doses received in any country in the world, those vaccines which are—
      - (aa) listed in lines 10, 11 or 13 of the Guidance Document “Status of COVID-19 Vaccines within WHO EUL/PQ evaluation process” published by the World Health Organisation on 11 November 2021, and
      - (bb) authorised or certified in a regulated country listed in paragraph (12);]
  - <sup>F38</sup>(aa) [ “EU Digital COVID Certificate” means a certificate of COVID-19 records issued by an EEA state, a member State of the European Free Trade Association, Andorra, Monaco, San Marino or the Vatican City State;]
  - (b) “the licensing authority” has the meaning given in regulation 6(2) of the Human Medicines Regulations 2012;
  - (c) “marketing authorisation” means—
    - (i) in relation to a vaccine authorised for supply in the United Kingdom or in a member State, has the meaning given in regulation 8(1) of the Human Medicines Regulations 2012;
    - (ii) in relation to a vaccine authorised for supply in a relevant country listed in the first column of the table in paragraph (11) other than a member State, means a marketing authorisation granted by the relevant regulator for the country;



- [ “North American Certificate” means—
- <sup>F39</sup>(ca) (i) Excelsior Pass Plus (New York);  
(ii) Digital COVID-19 Vaccine Record (California);  
(iii) WA Verify (Washington state);]
- (d) “relevant country” means a country listed in the first column of the table in paragraph (11) or a country or territory listed in paragraph (12);
- (e) “relevant regulator” in relation to a relevant country, means the regulator identified in the corresponding row of the second column of the table in paragraph (11), and a reference to a regulator in that table is a reference to the regulatory authority of that name designated as a Stringent Regulatory Authority by the World Health Organization pursuant to the operation of the COVAX Facility;
- (f) “United Kingdom vaccine roll-out overseas” means the administration of vaccine against coronavirus to—
- (i) Crown servants (within the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989), government contractors (within the meaning given in section 12(2) of the Official Secrets Act 1989) or other personnel posted or based overseas and their dependants under the scheme known as the Foreign, Commonwealth and Development Office staff COVID-19 vaccination programme,
- (ii) residents of the British overseas territories, the Channel Islands and the Isle of Man, as part of a programme agreed in the overseas territory with the United Kingdom government, or
- (iii) military or civilian personnel, government contractors and their dependants at a military posting overseas, including the British overseas territories, the Channel Islands and the Isle of Man, under the vaccination scheme provided or approved by the UK Defence Medical Services.
- (g) “vaccine certificate” means a certificate in English, French or Spanish issued by the competent health authority of Australia, Canada or a relevant country listed in paragraph (12) which contains—
- (i) the person’s full name;
- (ii) the person’s date of birth;
- (iii) the name and manufacturer of the vaccine that the person has received;
- (iv) the date that the person received each dose of the vaccine;
- (v) details of either the identity of the issuer of the certificate or the country of vaccination, or both.
- (11) The table referred to in the definitions of “relevant country” and “relevant regulator” follows—

<b><i>Relevant country</i></b>	<b><i>Relevant regulator</i></b>
a member State	European Medicines Agency
Andorra	European Medicines Agency
Australia	The Therapeutic Goods Administration
Canada	Health Canada
Iceland	European Medicines Agency
Liechtenstein	European Medicines Agency

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Monaco	European Medicines Agency
Norway	European Medicines Agency
San Marino	European Medicines Agency
Switzerland	Swissmedic
the United States of America	United States Food and Drug Administration
Vatican City State	European Medicines Agency

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(12) The countries and territories referred to in the definition of “relevant country” are—

Albania  
 [F40 Angola]  
 [F40 Anguilla]  
 Antigua and Barbuda  
 [F40 Argentina]  
 [F40 Armenia]  
 [F40 Azerbaijan]  
 The Bahamas  
 Bahrain  
 Bangladesh  
 Barbados  
 [F41 Belarus]  
 [F40 Belize]  
 [F40 Bermuda]  
 [F41 Bolivia]  
 Bosnia and Herzegovina  
 [F40 Botswana]  
 Brazil  
 [F40 British Antarctic Territory]  
 [F40 British Indian Ocean Territory]  
 [F40 British Virgin Islands]  
 Brunei  
 [F40 Cambodia]  
 [F40 Cayman Islands]  
 Chile  
 Colombia  
 [F40 Costa Rica]  
 [F41 Democratic Republic of the Congo]  
 [F40 Djibouti]

Dominica  
[<sup>F41</sup>Dominican Republic]  
[<sup>F41</sup>Ecuador]  
Egypt  
[<sup>F40</sup>Eswatini]  
[<sup>F40</sup>Falkland Islands]  
Georgia  
Ghana  
[<sup>F40</sup>Gibraltar]  
Grenada  
[<sup>F40</sup>Guernsey]  
[<sup>F40</sup>Guyana]  
[<sup>F40</sup>Honduras]  
Hong Kong  
India  
Indonesia  
[<sup>F40</sup>Isle of Man]  
Israel  
Jamaica  
Japan  
[<sup>F40</sup>Jersey]  
Jordan  
Kenya  
Kosovo  
Kuwait  
[<sup>F41</sup>Laos]  
[<sup>F40</sup>Lebanon]  
[<sup>F40</sup>Lesotho]  
[<sup>F41</sup>Libya]  
[<sup>F40</sup>Madagascar]  
[<sup>F41</sup>Malawi]  
Malaysia  
Maldives  
[<sup>F40</sup>Mauritius]  
Moldova  
[<sup>F40</sup>Mongolia]  
Montenegro  
[<sup>F40</sup>Montserrat]

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Morocco

[<sup>F41</sup>Mozambique]

Namibia

[<sup>F40</sup>Nepal]

New Zealand

Nigeria

North Macedonia

[<sup>F40</sup>Occupied Palestinian Territories ]

Oman

Pakistan

[<sup>F40</sup>Panama]

[<sup>F40</sup>Peru]

The Philippines

[<sup>F40</sup>Pitcairn, Henderson, Ducie and Oeno Islands]

Qatar

[<sup>F40</sup>Rwanda]

[<sup>F40</sup>Saint Helena, Ascension and Tristan da Cunha]

[<sup>F41</sup>Samoa]

Saudi Arabia

[<sup>F41</sup>Senegal]

Serbia

[<sup>F40</sup>Seychelles]

[<sup>F40</sup>Sierra Leone]

Singapore

South Africa

[<sup>F40</sup>South Georgia and the South Sandwich Islands]

South Korea

[<sup>F40</sup>The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus]

[<sup>F40</sup>Sri Lanka]

St Kitts and Nevis

St Lucia

St Vincent and the Grenadines

[<sup>F40</sup>Suriname]

Taiwan

[<sup>F40</sup>Tanzania]

Thailand

[<sup>F40</sup>Trinidad and Tobago]

[<sup>F40</sup>Tunisia]

Turkey

[<sup>F40</sup>Turks and Caicos Islands]

[<sup>F40</sup>Uganda]

Ukraine

United Arab Emirates

[<sup>F40</sup>Uruguay]

[<sup>F41</sup>Vanuatu]

Vietnam]

[<sup>F41</sup>Zambia]

[<sup>F41</sup>Zimbabwe]

[<sup>F42</sup>(13) The following countries and territories are approved third countries or territories for the purposes of this regulation—

Albania

Armenia

Faroe Islands

Israel

Morocco

North Macedonia

Panama

Turkey

Ukraine.]

#### Textual Amendments

- F18** Reg. 16A inserted (11.10.2021 at 7.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 17) Regulations 2021 (S.I. 2021/1119), regs. 1(2), **2(2)** (as amended by S.I. 2021/1131, regs. 1(2), **3**)
- F19** Words in reg. 16A heading substituted (15.11.2021 at 7.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 19) Regulations 2021 (S.I. 2021/1248), regs. 1(2), **2(a)**
- F20** Word in reg. 16A(1) inserted (15.12.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 22) Regulations 2021 (S.I. 2021/1407), regs. 1(2), **2(2)(a)(i)**
- F21** Word in reg. 16A(1) omitted (15.12.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 22) Regulations 2021 (S.I. 2021/1407), regs. 1(2), **2(2)(a)(ii)**
- F22** Reg. 16A(1)(d) omitted (15.12.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 22) Regulations 2021 (S.I. 2021/1407), regs. 1(2), **2(2)(a)(iii)**
- F23** Reg. 16A(2)(e)(f) inserted (15.11.2021 at 7.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 19) Regulations 2021 (S.I. 2021/1248), regs. 1(2), **2(b)**
- F24** Reg. 16A(6)(a)(i) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(2)(a)**

*Status: Point in time view as at 26/12/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 4. (See end of Document for details)*

- F25** Words in reg. 16A(6)(c) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(2)(b)(i)**
- F26** Words in reg. 16A(6)(c) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(2)(b)(ii)**
- F27** Words in reg. 16A(6)(c) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(2)(b)(iii)**
- F28** Reg. 16A(7) omitted (15.12.2021) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 22) Regulations 2021 (S.I. 2021/1407), regs. 1(2), **2(2)(b)**
- F29** Reg. 16A(8) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(3)**
- F30** Words in reg. 16A(9)(b) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(4)(a)**
- F31** Word in reg. 16A(9)(b)(i)(bb) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(4)(b)**
- F32** Word in reg. 16A(9)(b)(ii) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(4)(c)**
- F33** Reg. 16A(9)(b)(iii) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(4)(d)**
- F34** Word in reg. 16A(10)(a) omitted (22.11.2021 at 4.00 a.m.) by virtue of The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(a)(i)**
- F35** Word in reg. 16A(10)(a)(i) substituted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(a)(ii)**
- F36** Word in reg. 16A(10)(a)(ii) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(a)(iii)**
- F37** Reg. 16A(10)(a)(iii)(iv) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(a)(iv)**
- F38** Reg. 16A(10)(aa) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(b)**
- F39** Reg. 16A(10)(ca) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(5)(c)**
- F40** Words in reg. 16A(12) inserted (1.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, Restrictions, International Travel, Notification and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1212), regs. 1(3), **18**
- F41** Words in reg. 16A(12) inserted (22.11.2021 at 4.00 a.m.) by The Health Protection (Coronavirus, International Travel and Restrictions) (Wales) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1291), regs. 1(2), **9(6)**

**F42** Reg. 16A(13) inserted (22.11.2021 at 4.00 a.m.) by [The Health Protection \(Coronavirus, International Travel and Restrictions\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2021 \(S.I. 2021/1291\)](#), regs. 1(2), **9(7)**

### Specific measures applicable to licensed premises

<sup>F43</sup>17. ....

#### Textual Amendments

**F43** Reg. 17 omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(13)**

### Specific measures applicable to retail premises

<sup>F44</sup>17A. ....

#### Textual Amendments

**F44** Reg. 17A omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(13)**

### Guidance about taking reasonable measures

**18.**—(1) A person required to take reasonable measures under regulation 16(1) [<sup>F45</sup>or 16A(1)]<sup>F46</sup> ... must have regard to guidance issued by the Welsh Ministers about those measures.

(2) The Welsh Ministers—

- (a) may revise guidance issued under paragraph (1), 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).

(4) Guidance issued by the Welsh Ministers under—

- (a) paragraph (1) of regulation 20 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020 <sup>M1</sup>, or
- (b) paragraph (1) of regulation 24 of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020 <sup>M2</sup>,

is to be treated as if it were guidance issued under paragraph (1) of this regulation.

#### Textual Amendments

**F45** Words in [reg. 18\(1\)](#) inserted (11.10.2021 at 7.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 17\) Regulations 2021 \(S.I. 2021/1119\)](#), regs. 1(2), **2(3)**

**Status:** Point in time view as at 26/12/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 4. (See end of Document for details)

**F46** Words in reg. 18(1) omitted (7.8.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 15\) Regulations 2021 \(S.I. 2021/925\)](#), regs. 1(3), **2(14)**

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**Commencement Information**

**I2** Reg. 18 in force at 20.12.2020, see [reg. 1\(3\)](#)

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**Marginal Citations**

**M1** [S.I. 2020/1149](#) (W. 261).

**M2** [S.I. 2020/1219](#) (W. 276), as amended by [S.I. 2020/1237](#) (W. 279), [S.I. 2020/1288](#) (W. 286), [S.I. 2020/1409](#) (W. 311), [S.I. 2020/1477](#) (W. 316) and [S.I. 2020/1522](#) (W. 326).



**Status:**

Point in time view as at 26/12/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 4.