
WELSH STATUTORY INSTRUMENTS

2020 No. 725

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

PART 1

Introduction

Title, application and coming into force

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

(2) These Regulations apply in relation to 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(1)—
 - (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.

Interpretation

2.—(1) In these Regulations—

- (a) “burial” includes the interment of a dead person’s ashes;

(1) 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).

- (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⁽²⁾,
 - (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⁽³⁾;
- (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⁽⁴⁾;
- (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⁽⁵⁾.
- (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—
- (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⁽⁶⁾.

(2) 2014 anaw 4.

(3) 2016 anaw 2.

(4) 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.

(5) 2006 c. 47, as amended by section 65 of the Protection of Freedoms Act 2012 (c. 9).

(6) S.I. 2007/787 (W. 68)

(4) If two households agree to be treated as a single (extended) household for the purposes of these Regulations, any reference in these Regulations (other than in paragraphs (5) to (7)) to a “household” is to be read as including both households.

(5) To agree to be treated as a single household all of the adults of the two households must agree.

(6) But—

(a) a household may only agree to be treated as a single household with one other household, and

(b) if two households cease to agree to be treated as a single household, neither household may agree to be treated as a single household under paragraph (4) with any other household.

(7) If two households have agreed to be treated as a single (extended) household for the purposes of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 they are to be treated as also having agreed for the purposes of these Regulations.

Revocation

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

(a) the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(7);

(b) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020(8);

(c) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020(9);

(d) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 3) Regulations 2020(10);

(e) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 4) Regulations 2020(11);

(f) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 5) Regulations 2020(12);

(g) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 6) Regulations 2020(13);

(h) the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 7) Regulations 2020(14).

(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.

Review

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

(a) by 30 July 2020;

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

(8) S.I. 2020/399 (W. 88).

(9) S.I. 2020/452 (W. 102).

(10) S.I. 2020/497 (W. 118).

(11) S.I. 2020/529 (W. 124).

(12) S.I. 2020/557 (W. 129).

(13) S.I. 2020/619 (W. 141).

(14) S.I. 2020/686 (W. 153).

- (b) at least once in the period of 21 days beginning with 31 July 2020;
- (c) at least once in each subsequent period of 21 days.

Expiry

- 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.