
WELSH STATUTORY INSTRUMENTS

2020 No. 725

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

PART 1

Introduction

Interpretation

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⁽¹⁾,
 - (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⁽²⁾;
- (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⁽³⁾;
- (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;

⁽¹⁾ 2014 anaw 4.

⁽²⁾ 2016 anaw 2.

⁽³⁾ 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.

- (v) any person who is a vulnerable adult within the meaning given by section 60(1) of the Safeguarding Vulnerable Groups Act 2006(4).
- (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(5).
- (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.

(4) 2006 c. 47, as amended by section 65 of the Protection of Freedoms Act 2012 (c. 9).

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