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WELSH STATUTORY INSTRUMENTS

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**2021 No. 583**

**The Health Protection (Coronavirus Restrictions) (No. 5)  
(Wales) (Amendment) (No. 10) Regulations 2021**

**Amendment to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020**

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020<sup>(1)</sup> are amended as follows.

(2) In regulation 3, for “28 May” substitute “27 August”.

(3) Omit Part 3A.

(4) After regulation 17(4) insert—

“(4A) Sub-paragraphs (a) and (b)(i) and (ii) of paragraph (1) do not apply to—

(a) cinemas;

(b) sports grounds;

(c) theatres.”

(5) In regulation 25(2), in the words before sub-paragraph (a), omit “14B,”.

(6) Omit regulation 29.

(7) Omit regulation 38.

(8) In regulation 48(1), omit “49A,”.

(9) Omit regulation 49A.

(10) In regulation 53(1)(c), omit “49A,”.

(11) In regulation 57—

(a) in paragraph (4)(b)(ii), after “gathering” insert “at the event”;

(b) in paragraph (7), in the words before sub-paragraph (a), for “an activity is “organised”” substitute “a gathering is “regulated””;

(c) in paragraph (8), in each place it occurs, for “activity” substitute “gathering”.

(12) In Schedule 1—

(a) in paragraph 1(2)(a), after “11” insert “, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households”;

(b) in paragraph 2—

(i) in sub-paragraph (2)(a), after “11” insert

“, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than—

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(1) S.I. 2020/1609 (W. 335) as amended by S.I. 2020/1610 (W. 336), S.I. 2020/1623 (W. 340), S.I. 2020/1645 (W. 345), S.I. 2021/20 (W. 7), S.I. 2021/46 (W. 10), S.I. 2021/57 (W. 13), S.I. 2021/66 (W. 15), S.I. 2021/95 (W. 26), S.I. 2021/103 (W. 28), S.I. 2021/172 (W. 40), S.I. 2021/210 (W. 52), S.I. 2021/307 (W. 79), S.I. 2021/413 (W. 133), S.I. 2021/502 (W. 150) and S.I. 2021/542 (W. 154).

- (i) 6 households in the case of a gathering indoors, or outdoors in regulated premises, or
- (ii) 30 households, in the case of a gathering outdoors in premises that are not regulated premises”;
- (ii) in sub-paragraph (5)—
  - (aa) in paragraph (i)—
    - (i) in the words before subparagraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
    - (ii) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (bb) in paragraph (j)—
    - (i) in the words before subparagraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
    - (ii) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
  - (cc) in paragraph (k), for “organised activity” substitute “regulated gathering”;
- (c) in paragraph 4(3), for paragraph (c) substitute—
  - “(c) where—
    - (i) the showing of a film,
    - (ii) a theatrical performance,
    - (iii) a market, or
    - (iv) a religious service,is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;
  - (d) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event is not to be treated as an event.”;
- (d) in paragraph 5—
  - (i) for sub-paragraph (1) substitute—
    - “(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;
  - (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—
    - “(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.”
- (13) In Schedule 2—

- (a) in paragraph 2—
  - (i) in sub-paragraph (1)(b)—
    - (aa) in the words before sub-paragraph (i), for “4” substitute “6”;
    - (bb) in sub-paragraph (i), after “11” insert “, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households”;
  - (ii) in sub-paragraph (2)—
    - (aa) in paragraph (a), after “indoors” insert “or outdoors in regulated premises”;
    - (bb) omit paragraph (aa);
    - (cc) for paragraph (b) substitute—
      - “(b) takes place outdoors other than in regulated premises if all the persons participating in the gathering are members of the same household or extended household.”;
  - (iii) in sub-paragraph (3B), for “sub-paragraphs (2)(aa)(i), (2)(b)(ii) and (3A)” substitute “sub-paragraph (3A)”;
  - (iv) in sub-paragraph (6)(i)—
    - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
    - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (v) in sub-paragraph (6)(j)—
    - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
    - (bb) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
  - (vi) in sub-paragraph (6)(k), for “organised activity” substitute “regulated gathering”;
- (b) in paragraph 4(3), for paragraph (c) substitute—
  - “(c) where—
    - (i) the showing of a film,
    - (ii) a theatrical performance,
    - (iii) a market, or
    - (iv) a religious service,is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;
  - (d) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event is not to be treated as an event.”;
- (c) in paragraph 5—
  - (i) for sub-paragraph (1) substitute—
    - “(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;

- (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—
    - “(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.”
- (14) In Schedule 3—
- (a) in paragraph 2(6)—
    - (i) in paragraph (g)—
      - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
    - (ii) in paragraph (h)—
      - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
  - (b) in paragraph 3(6)—
    - (i) in paragraph (j)—
      - (aa) in the words before sub-paragraph (i), for “an indoor organised activity” substitute “a regulated gathering that takes place wholly or mainly indoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity” substitute “at the gathering”;
    - (ii) in paragraph (k)—
      - (aa) in the words before sub-paragraph (i), for “an outdoor organised activity” substitute “a regulated gathering that takes place wholly or mainly outdoors and”;
      - (bb) in sub-paragraph (i), for “as part of the activity, unless the activity” substitute “at the gathering, unless the gathering”;
      - (cc) in paragraph (l), for “an organised activity” substitute “a regulated gathering”;
  - (c) in paragraph 5(3), for paragraph (c) substitute—
    - “(c) where—
      - (i) a market, or
      - (ii) a religious service,is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event;
    - (d) the following are not to be treated as events—
      - (i) the showing of a film at a drive-in cinema;

- (ii) a performance at a drive-in theatre;
  - (iii) an elite sporting event at which the only people present are elite athletes and persons working or providing voluntary services at the event.”;
- (d) in paragraph 6—
  - (i) for sub-paragraph (1) substitute—

“(1) The Welsh Ministers may give authorisation in writing for an event to be held.”;
  - (ii) omit sub-paragraph (2);
  - (iii) after sub-paragraph (4) insert—

“(4A) A requirement, restriction or other condition specified by the Welsh Ministers in an authorisation given under sub-paragraph (1) may modify regulations 16, 17 and 17A (requirement to take all reasonable measures to minimise exposure to coronavirus) for a specified period in so far as it applies to the premises at which the event is held.”;
- (e) in paragraph 9(4), for “an organised activity” substitute “a regulated gathering”;
- (f) for paragraph 10 substitute—

**“Exemption from the requirement to be closed: venues for weddings and celebrations of life of deceased**

**10.** Despite the preceding provisions of this Part—

- (a) premises used as a venue for the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony, or the celebration of such an event, may open to the public—
    - (i) to the extent that this is required for the purposes of the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony at the premises, or the celebration of such an event at the premises;
    - (ii) for the purposes of enabling a person to visit the premises, by appointment, with a view to booking the premises for the solemnisation of a marriage, formation of civil partnership or alternative wedding ceremony, or for the celebration of such an event;
  - (b) premises used as a venue for the celebration of the life of a deceased person may open to the public to the extent that this is required for such a celebration at the premises.”
- (15) In Schedule 4—
- (a) in paragraph 1(4)(f)—
    - (i) in paragraph (ii), omit “or” at the end;
    - (ii) in paragraph (iii), for “;” substitute “, or”;
    - (iii) after paragraph (iii) insert—

“(iv) with 1 other person who is not a member of the person’s household or extended household or the person’s carer, and any children under the age of 11 who are members of either person’s household;”;
  - (b) in paragraph 2(4)(i)—
    - (i) in paragraph (i), insert “or” at the end;
    - (ii) after paragraph (i) insert—

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“(ii) 1 other person and any children under the age of 11 who are members of either person’s household,”;

(c) in paragraph 4(3), for paragraph (c) substitute—

“(c) where—

(i) a market, or

(ii) a religious service,

is held in premises ordinarily used for that purpose or outdoors, it is not to be treated as an event.”

(16) In Schedule 5, paragraph 1, in Column 3 of the table, for “3” substitute “2”.

(17) Omit Schedule 5A.