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## 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 threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

These Regulations amend the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (S.I. 2020/1609 (W. 335)) (“the principal Regulations”) to ensure the continued proportionality of regulation 20 of those Regulations.

Prior to the amendments, regulation 20 provided that a person aged 11 and over was required to wear a face covering in the indoor public areas of any premises to which the public have or are permitted access (unless the person had a reasonable excuse for not wearing a face covering or a specific exemption applied).

The amendments narrow the scope of regulation 20 by providing an exhaustive list of the premises to which the requirement applies. The requirement now applies to the indoor public areas of the following, when the public have access to the premises—

- retail premises (premises of any business offering goods or services for sale or hire, including financial services providers, post offices and shopping centres);
- premises of veterinary surgeons and animal grooming services;
- storage and distribution facilities, including delivery drop off points;
- premises of estate or letting agents, developer sales offices and show homes;
- premises of close contact services (hair salons and barbers, nail and beauty salons including tanning and electrolysis services, and body piercing and tattooing services);
- premises used for the provision of takeaway food;
- premises used for the provision of medical or health services;
- premises used for the provision of social care services.

The amendments mean that the face covering requirement no longer applies to particular types of premises that are open to the public (for example, leisure and entertainment premises, and visitor attractions).

The amendments also clarify that the face covering requirement does not apply to residents of the social care premises listed when the residents are on the premises. The Regulations also make consequential amendments.

Despite the amendments made by these Regulations, the principal Regulations continue to provide that no alert level applies to Wales. This means that none of the restrictions and requirements in Schedules 1 to 4 to the principal Regulations applies (and if future regulations were to move Wales to any of alert levels 1 to 4, the restrictions and requirements in Schedules 1 to 4 to the principal Regulations could be amended before taking effect).

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

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

out, due to the need to put them in place urgently to ensure that the principal Regulations' restrictions and requirements continue to be proportionate.