

Regulations made by the Welsh Ministers, laid before Senedd Cymru under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of Senedd Cymru within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution or recess for more than four days.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2020 No. 820 (W. 180)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 3) Regulations
2020**

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 serious and imminent 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. 2) (Wales) Regulations 2020. The amendments—

- (a) permit restaurants, cafés, bars and public houses to open indoors (although measures must be taken to minimise the risk of exposure to coronavirus on the premises);
- (b) permit bingo halls, bowling alleys and auction houses to open (but again measures must be taken to minimise the risk of exposure to coronavirus);
- (c) relax the restriction on gatherings, so that any outdoor gathering of no more than 30 people

is permitted (whether or not it involves organised outdoor activities).

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

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2020 No. 820 (W. 180)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus
Restrictions) (No. 2) (Wales)
(Amendment) (No. 3) Regulations
2020**

Made at 12.00 p.m. on 31 July 2020

Laid before Senedd Cymru

at 4.00 p.m. on 31 July 2020

Coming into force 3 August 2020

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 45C(1) and (3)(c), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984(1).

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

The Welsh Ministers consider that the amendments made by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Welsh Ministers are of the opinion that, by reason of urgency,

(1) 1984 c. 22. Sections 45C, 45F and 45P were inserted by section 129 of the Health and Social Care Act 2008 (c. 14). The functions under these sections are conferred on “the appropriate Minister”. Under section 45T(6) of the 1984 Act the appropriate Minister, as respects Wales, is the Welsh Ministers.

it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, Senedd Cymru.

Title and coming into force

1. The title of these Regulations is the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 3) Regulations 2020 and they come into force on 3 August 2020.

Amendment of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020⁽¹⁾ are amended as follows.

(2) Omit regulation 6.

(3) In regulation 7—

(a) in the heading, for “other” substitute “certain”;

(b) in paragraph (2)(a), omit “4,”.

(4) In regulation 9, omit “6(1) or” in both places it occurs.

(5) In regulation 12—

(a) in paragraph (2)(a)(ii), in the Welsh language text, after “gynnal” insert “rhyngddynt”;

(b) in paragraph (3), omit sub-paragraph (d).

(6) In regulation 14—

(a) in paragraph (1), omit sub-paragraph (a);

(b) for the heading substitute—

“Restriction on indoor gatherings”.

(7) After regulation 14 insert—

“Restriction on outdoor gatherings

14A.—(1) No person may, without a reasonable excuse, participate in a gathering outdoors that consists of more than 30 people.

(2) A reasonable excuse includes the need to do the following—

(a) work or provide voluntary or charitable services;

(1) S.I. 2020/725 (W. 162), as amended by the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020 (S.I. 2020/752 (W. 169)) and the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/803 (W. 176)).

- (b) where the person is an elite athlete, train or compete;
 - (c) meet a legal obligation;
 - (d) access or receive public services;
 - (e) access childcare or participate in supervised activities for children.”
- (8) Omit regulation 15.
- (9) In regulation 17(2), omit “6(1),”.
- (10) In regulation 18—
- (a) in paragraph (1), omit “6(1),”;
 - (b) in paragraphs (4) and (6), after “14(1)” insert “or 14A(1)”.
- (11) In regulation 20(1)—
- (a) in sub-paragraph (a), omit “6(1),”;
 - (b) in sub-paragraph (b), after “14(1)” insert “or 14A(1)”.
- (12) In regulation 20(11), in the Welsh language text, for “gronfeydd y” substitute “asedau’r”.
- (13) Omit Schedule 1.
- (14) In Schedule 2—
- (a) for paragraph 3 substitute—

“3. Venues where live or recorded music is provided for members of the public or members of the venue to dance.

3A. Sexual entertainment venues (within the meaning given by paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(1)).”;
 - (b) omit paragraph 4;
 - (c) in paragraph 13 omit “Bowling alleys and”;
 - (d) omit paragraph 18.
- (15) In Schedule 4, after paragraph 35 insert—
- “36. Restaurants and cafés (including workplace canteens and dining rooms in members’ clubs).**
 - 37. Bars (including bars in members’ clubs).**
 - 38. Public houses.**
 - 39. Bingo halls.**
 - 40. Bowling alleys.**
 - 41. Auction houses.”**

(1) 1982 c. 30. Paragraph 2A of Schedule 3 was inserted by section 27(3) of the Policing and Crime Act 2009 (c. 26).

Savings for offences and penalties in relation to prior acts

3. Regulations 20 and 21 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 continue to have effect in relation to any offence committed, or reasonably believed to have been committed, before the amendments made by these Regulations came into force as if those amendments had not been made.

Mark Drakeford

The First Minister, one of the Welsh Ministers

At 12:00 p.m. on 31 July 2020