

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.

WELSH STATUTORY INSTRUMENTS

2020 No. 686 (W. 153)

PUBLIC HEALTH, WALES

**The Health Protection (Coronavirus Restrictions)
(Wales) (Amendment) (No. 7) Regulations 2020**

<i>Made</i>	- - - -	<i>at 12.30 p.m. on 3 July 2020</i>
<i>Laid before Senedd Cymru</i>		<i>at 3.30 p.m. on 3 July 2020</i>
<i>Coming into force</i>	- -	<i>6 July 2020</i>

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, 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) (Wales) (Amendment) (No. 7) Regulations 2020 and they come into force on 6 July 2020.

⁽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.

Amendment of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020

2.—(1) The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020(2) are amended as follows.

(2) In regulation 1, after paragraph (5) insert—

“(6) 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 (7) and (8)) to a “household” is to be read as including both households.

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

(8) 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 (6) with any other household.”

(3) For regulation 8 substitute—

“**8.—(1)** During the emergency period no person may, without a reasonable excuse—

- (a) gather outdoors with any other person apart from—
 - (i) members of their household or of no more than one other household,
 - (ii) their carer, or
 - (iii) a person they are providing care to;
- (b) gather in premises indoors with any other person apart from—
 - (i) the members of their household,
 - (ii) their carer, or
 - (iii) a person they are providing care to.

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

- (a) obtain medical assistance, including accessing any of the services referred to in paragraph 42 of Schedule 1 or accessing veterinary services;
- (b) provide or receive care or assistance, including relevant personal care, within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, where the person receiving the care is a vulnerable person;
- (c) provide or receive emergency assistance;
- (d) donate blood;
- (e) work or provide voluntary or charitable services;
- (f) where the person is an elite athlete, train or compete;
- (g) attend a solemnization of a marriage or formation of a civil partnership—
 - (i) as a party to the marriage or civil partnership,

(2) [S.I. 2020/353 \(W. 80\)](#) as amended by the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020 ([S.I. 2020/399 \(W. 88\)](#)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020 ([S.I. 2020/452 \(W. 102\)](#)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 3) Regulations 2020 ([S.I. 2020/497 \(W. 118\)](#)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 4) Regulations 2020 ([S.I. 2020/529 \(W. 124\)](#)), the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 5) Regulations 2020 ([S.I. 2020/557 \(W. 129\)](#)) and the Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 6) Regulations 2020 ([S.I. 2020/619 \(W. 141\)](#)).

- (ii) if invited to attend, or
 - (iii) as the carer of a person attending.
 - (h) attend a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or
 - (iii) as the carer of a person attending;
 - (i) meet a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (j) access or receive critical public services, including—
 - (i) childcare or educational services;
 - (ii) social services;
 - (iii) services provided by the Department for Work and Pensions;
 - (iv) services provided to victims (such as victims of crime or domestic violence);
 - (k) in relation to children who do not live in the same household as their parents, or one of their parents, continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (l) move home;
 - (m) prepare a residential property for persons to move in;
 - (n) undertake the following activities in connection with the purchase, sale, letting or rental of unoccupied residential property—
 - (i) visiting estate or letting agents, developer sales offices or show homes;
 - (ii) viewing such a property;
 - (o) participate in activities organised by outdoor visitor attractions;
 - (p) avoid injury or illness or escape a risk of harm.
- (3) Paragraph (1) does not apply to a person who is homeless.
- (4) For the purposes of paragraph (2)(q), a property is unoccupied if no person occupies the property as a residence.”
- (4) Omit regulation 8B.
- (5) In regulation 10—
- (a) omit paragraphs (2), (3) and (4);
 - (b) in paragraph (5), for “I has responsibility for a child if I” substitute “an individual has responsibility for a child if the individual”;
 - (c) omit paragraph (6);
 - (d) in paragraph (7)—
 - (i) omit “together”;
 - (ii) for “8B” substitute “8(1)”;
 - (e) in paragraph (8A), for “8B” substitute “8(1)”;
 - (f) in paragraph (10), after “regulation 11” insert “(including requiring a person to provide information as to whether two households have entered into an agreement in accordance with regulation 1(6))”.

- (6) In regulation 12(1)(a), omit “8B”.
- (7) In Schedule 1—
 - (a) in Part 2 insert—
 - “**24A.** Indoor visitor attractions.”
 - (b) in Part 4 insert—
 - “**55.** Outdoor visitor attractions.”

Savings for offences and penalties in relation to prior acts

3. Regulations 12 and 13 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 continue to have effect in relation to any offence committed, or reasonably believed to have been committed, before these Regulations came into force as if the amendments set out in regulation 2 had not been made.

At 12.30 p.m. on 3rd July 2020

Mark Drakeford
The First Minister, one of the Welsh Ministers

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.

Regulation 2 of these Regulations amends the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (“the principal Regulations”).

The amendments consist of provision—

- (a) enabling members of a household to agree with one other household to form an extended household, and where an extended household has been formed references in the principal Regulations to a “household” mean the extended household;
- (b) revoking the requirement in the principal Regulations not to leave the area local to the place where a person is living unless you have a reasonable excuse;
- (c) rationalising the different restrictions on gatherings indoors and outdoors currently in regulations 8 and 8B of the principal Regulations;
- (d) clarifying that indoor visitor attractions are required to be closed;
- (e) clarifying that it is a reasonable excuse to gather together with others to participate in activities organised at outdoor visitor attractions, but only in accordance with the physical distancing requirements in regulation 6 of the principal Regulations.

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.