

WELSH STATUTORY INSTRUMENTS

2020 No. 1609

The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales) Regulations 2020

PART 5

Face coverings

Requirement to wear face covering on public transport

^{F1}19.

Textual Amendments

F1 Reg. 19 omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(4)** (with reg. 3)

Requirement to wear face covering in certain indoor public places

20.—(1) A person (“P”) must wear a face covering in indoor public areas of [^{F2}—

^{F3}(a)

^{F3}(b)

^{F3}(c)

^{F3}(d)

^{F3}(e)

^{F3}(f)

^{F3}(g)

(h) premises used for the provision of medical, health or dental services, audiology, chiropody, chiropractor, osteopath, optometry, physiotherapy or acupuncture services, or other medical or health services including services relating to mental health;

(i) premises used for the provision of a social care service, including care home services, secure accommodation services, residential family centre services and adult day care services;

^{F4}(j)]

(2) But this is not required—

(a) where P is a child under the age of 11;

^{F5}(aa)

(b) where P has a reasonable excuse not to wear a face covering, as to which see paragraph (3).

- (3) The circumstances in which P has a reasonable excuse to not wear a face covering include—
 - (a) where P is unable to put on, wear or remove a face covering because of a physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010);
 - (b) where P is undertaking an activity and wearing a face covering during that activity may be considered to be a risk to P's health;
 - (c) where P has to remove the face covering to communicate with a person who has difficulty communicating (in relation to speech, language or otherwise);
 - (d) where P has to remove the face covering in order to avoid harm or injury, or the risk of harm or injury, to P or others;
 - (e) where P is at the premises to avoid injury, or to escape a risk of harm, and does not have a face covering;
 - (f) where P has to remove the face covering to—
 - (i) take medication;
 - (ii) eat or drink, where reasonably necessary;
 - (g) where P is asked to remove the face covering by an enforcement officer;
 - ^{F6}(h)
- ^{F7}(i) in relation to premises described in paragraph (1)(i), where P is resident in the premises.]
- ^{F8}(3A) Paragraph (1) does not apply—
- (a) when the public do not have access to the premises;
 - (b) where P is in premises where food or drink is sold, or otherwise provided, for consumption on the premises.]
- ^{F9}(4) For the purposes of ^{F10}paragraph (3A)(b)], where—
- (a) a business (“business A”) sells, or otherwise provides, food or drink for consumption on the business premises,
 - (b) business A forms part of a larger business (“business B”), and
 - (c) business B also carries on its business on the premises, but does not sell, or otherwise provide, food or drink for consumption on those premises,

P is to be treated as being in premises where food or drink is sold, or otherwise provided, for consumption on the premises only where P is in the part of the premises at which business A carries on its business.]

^{F11}(5)

^{F12}(6)

^{F13}(7) For the purposes of paragraph (1)(i), a “social care service” has the same meaning as a “regulated service” in section 2(1) of the Regulation and Inspection of Social Care (Wales) Act 2016.]

Textual Amendments

F2 Reg. 20(1)(a)-(j) substituted for words in reg. 20(1) (28.2.2022) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2022 \(S.I. 2022/180\)](#), regs. 1(2), **2(2)(a)**

- F3** Reg. 20(1)(a)-(g) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(5)(a)(i)** (with reg. 3)
- F4** Reg. 20(1)(j) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(5)(a)(ii)** (with reg. 3)
- F5** Reg. 20(2)(aa) omitted (28.2.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(b)**
- F6** Reg. 20(3)(h) omitted (28.1.2022 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2022 (S.I. 2022/83), regs. 1(2), **2(6)(b)**
- F7** Reg. 20(3)(i) inserted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(c)**
- F8** Reg. 20(3A) inserted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(d)**
- F9** Reg. 20(4) inserted (7.8.2021 at 6.00 a.m.) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 15) Regulations 2021 (S.I. 2021/925), regs. 1(3), **2(16)(c)**
- F10** Words in reg. 20(4) substituted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(e)**
- F11** Reg. 20(5) omitted (28.2.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(f)**
- F12** Reg. 20(6) omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(5)(b)** (with reg. 3)
- F13** Reg. 20(7) inserted (28.2.2022) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 6) Regulations 2022 (S.I. 2022/180), regs. 1(2), **2(2)(h)**

Commencement Information

- I1** Reg. 20 in force at 20.12.2020, see reg. 1(3)

Guidance about requirements to wear face coverings

^{F14}**21.**

Textual Amendments

- F14** Reg. 21 omitted (28.3.2022) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 8) Regulations 2022 (S.I. 2022/388), regs. 1(2), **2(6)** (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 5.