

[^{F1}SCHEDULE 3

Alert Level 3 Restrictions

Textual Amendments

- F1** Sch. 3 substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(14)**

PART 1

Restrictions on gathering

Restriction on gatherings in private dwellings

1.—(1) No person may, without a reasonable excuse, participate in a gathering in a private dwelling unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing care or assistance, including childcare or 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;
- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;
- (e) moving home;
- (f) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
- (g) accessing or receiving educational services.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
 - (b) avoiding illness, injury or other risk of harm;
 - (c) working or providing voluntary or charitable services, or obtaining services from a person working or providing voluntary or charitable services;
 - (d) participating in a gathering of no more than 4 people where all the persons in the gathering—
 - (i) live in the same premises, and
 - (ii) share toilet, washing, dining or cooking facilities with each other.
- (7) This paragraph does not apply to a person who is homeless.

Restriction on gatherings in holiday or travel accommodation

2.—(1) No person may, without reasonable excuse, participate in a gathering which takes place in holiday or travel accommodation unless all the persons participating in the gathering are members of the same household or extended household.

(2) But a person may participate in such a gathering outdoors if the gathering consists of no more than 6 persons.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) meeting a legal obligation;
- (c) providing, receiving or accessing care or assistance, including childcare or 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;
- (d) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) working or providing voluntary or charitable services;
- (d) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or

- (iii) as the carer of a person attending;
 - (e) participating in an indoor gathering of no more than 15 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,
at which no alcohol is consumed;
 - (f) participating in an outdoor gathering of no more than 30 people at holiday or travel accommodation, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
 - (g) participating in or facilitating [^{F2}a regulated gathering that takes place [^{F3}to any extent] indoors and] at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F4}at the gathering], and
 - (ii) no alcohol is consumed;
 - (h) participating in or facilitating [^{F5}a regulated gathering that takes place ^{F6}... outdoors and] at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F7}at the gathering], and
 - (ii) no alcohol is consumed;
 - (i) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.
- (7) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F2** Words in Sch. 3 para. 2(6)(g) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(i)(aa)**
- F3** Words in Sch. 3 para. 2(6)(g) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(a)(i)**
- F4** Words in Sch. 3 para. 2(6)(g)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(i)(bb)**
- F5** Words in Sch. 3 para. 2(6)(h) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(ii)(aa)**
- F6** Words in Sch. 3 para. 2(6)(h) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(a)(ii)**

F7 Words in Sch. 3 para. 2(6)(h)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(a)(ii)(bb)**

Restriction on gatherings in public places

3.—(1) No person may, without a reasonable excuse, participate in a gathering in premises to which neither paragraph 1 nor 2 applies unless all the persons participating in the gathering are members of the same household.

(2) But a person may participate in such a gathering—

- (a) outdoors in regulated premises if the gathering consists of no more than 6 persons;
- (b) outdoors other than in regulated premises if—
 - (i) the gathering consists of no more than 6 persons, or
 - (ii) all the persons participating in the gathering are members of the same extended household.

(3) In determining, for the purposes of sub-paragraph (2), the number of persons participating in a gathering no account is to be taken of—

- (a) any children under the age of 11, as long as the persons participating in the gathering (including any children under the age of 11) are from no more than 6 households, or
- (b) the carer of a person who is participating in the gathering.

(4) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—

- (a) the person is participating in the gathering for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (6) applies.

(5) Examples of purposes for which it may be reasonably necessary for a person to participate in a gathering include—

- (a) obtaining or providing medical assistance, or accessing veterinary services;
- (b) working or providing voluntary or charitable services;
- (c) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (d) providing, receiving or accessing care or assistance, including childcare or 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;
- (e) in relation to children who do not live in the same household as their parents, or one of their parents, continuing 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;
- (f) moving home;
- (g) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
- (h) accessing or receiving public services;
- (i) accessing or receiving educational services;
- (j) visiting a person who is resident in a care home, with the permission of the service provider.

(6) The circumstances referred to in sub-paragraph (4)(b) are that the person is—

- (a) providing or receiving emergency assistance;
- (b) avoiding illness, injury or other risk of harm;
- (c) attending a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony—
 - (i) as a party to the marriage, civil partnership or alternative wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
- (d) attending 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;
- (e) participating in an indoor gathering of no more than 15 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020,
at which no alcohol is consumed;
- (f) participating in an outdoor gathering of no more than 30 people at regulated premises, not counting persons under the age of 11 or persons working at the premises, to—
 - (i) celebrate a solemnisation of a marriage, formation of a civil partnership or alternative wedding ceremony that took place on or after 26 March 2020;
 - (ii) celebrate the life of a deceased person whose funeral is held on or after 26 March 2020;
- (g) attending a place of worship;
- (h) an elite athlete and is training or competing;
- (i) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
- (j) participating in or facilitating [^{F8}a regulated gathering that takes place [^{F9}to any extent] indoors and] at which—
 - (i) no more than 15 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F10}at the gathering], and
 - (ii) no alcohol is consumed;
- (k) participating in or facilitating [^{F11}a regulated gathering that takes place ^{F12}... outdoors and] at which—
 - (i) no more than 30 people are in attendance, not counting persons under the age of 11 or persons working, or providing voluntary services, [^{F13}at the gathering, unless the gathering] is organised for the purposes of protest, or picketing carried out in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992, and
 - (ii) no alcohol is consumed;
- (l) participating in or facilitating [^{F14}a regulated gathering] for the development or well-being of persons who were aged under 18 on 31 August 2020 (including sports, music and other

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 1. (See end of Document for details)

recreational activities such as those provided for children outside of school hours and during school holidays);

(m) attending or facilitating an event authorised by the Welsh Ministers in accordance with paragraph 6.

(7) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F8** Words in Sch. 3 para. 3(6)(j) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(aa)**
- F9** Words in Sch. 3 para. 3(6)(j) substituted (7.6.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(i)**
- F10** Words in Sch. 3 para. 3(6)(j)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(i)(bb)**
- F11** Words in Sch. 3 para. 3(6)(k) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(aa)**
- F12** Words in Sch. 3 para. 3(6)(k) omitted (7.6.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 11\) Regulations 2021 \(S.I. 2021/668\)](#), regs. 1(2), **2(8)(b)(ii)**
- F13** Words in Sch. 3 para. 3(6)(k)(i) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(bb)**
- F14** Words in Sch. 3 para. 3(6)(l) substituted (17.5.2021 at 6.00 a.m.) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(14)(b)(ii)(cc)**

Extended households

4.—(1) 2 households may agree to be treated as an extended household.

(2) In addition to the 2 households who may agree to be treated as an extended household under sub-paragraph (1), 1 well-being needs household may also agree to be treated as part of that extended household.

(3) To agree to be treated as an extended household, all members of the households must agree.

(4) A household may only agree to be treated as being in 1 extended household at any one time.

(5) Where a household has agreed to be treated as an extended household with any other households under paragraph 3 of Schedule 1 (“the previous extended household”), it may make an agreement under this paragraph only with those other households, unless a period of at least 10 days has expired since any member of the household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household.

(6) Where households have agreed to be treated as an extended household under—

(a) paragraph 3 of Schedule 2,

(b) paragraph 4 of Schedule 3A [^{F15}(despite its revocation by the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 9) Regulations 2021)], or

(c) paragraph 3 of Schedule 4,

those households are to be treated as having agreed to be treated as an extended household under this paragraph.

(7) A household ceases to be treated as part of an extended household if any member of the household ceases to agree to be treated as part of the extended household.

(8) Sub-paragraph (9) applies where—

- (a) a person who would be, or is, a member of an extended household is a child, and
- (b) a person who has parental responsibility for the child (“P”) is a member of the child’s household.

(9) Where this sub-paragraph applies—

- (a) the agreement required by sub-paragraph (3) is to be given by P (and not the child), and
- (b) a household ceases to be treated as part of an extended household in accordance with sub-paragraph (7) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).

(10) If a household ceases to be treated as part of an extended household, the household may not agree to be treated as part of an extended household with any other household unless a period of at least 10 days has expired since any member of the household last participated in a gathering with any member of another household in reliance on being treated as part of an extended household with that household.

(11) In this Schedule, references to an extended household are references to an extended household formed under or by virtue of this paragraph.

(12) In this paragraph, “well-being needs household” means—

- (a) a single adult household;
- (b) a household comprising of 1 or more children and no adults.]

Textual Amendments

F15 Words in [Sch. 3 para. 4\(6\)\(b\)](#) inserted (3.5.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 9\) Regulations 2021 \(S.I. 2021/542\)](#), regs. 1(2), **2(5)(a)**

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, PART 1.