

SCHEDULE 4

Alert Level 4 Restrictions

PART 1

Restrictions on movement and gathering with others

Requirement to stay at home

1.—(1) No person may, without a reasonable excuse, leave the place where they are living or remain away from that place.

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

- (a) the person leaves or remains away from the place where they are living for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
- (b) one of the circumstances in sub-paragraph (4) applies.

(3) Examples of purposes for which it may be reasonably necessary for a person to leave or remain away from the place where they are living include—

- (a) obtaining supplies from a business or service listed in paragraphs 55 to 66, including—
 - (i) food and medical supplies for those in the same household or extended household (including animals in the household or extended household) or for vulnerable persons;
 - (ii) supplies for the essential upkeep, maintenance and functioning of the household or extended household, or the household of a vulnerable person;
- (b) obtaining or providing medical assistance, or accessing veterinary services;
- (c) working or providing voluntary or charitable services;
- (d) meeting a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (e) 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;
- (f) 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;
- (g) moving home;
- (h) obtaining money from or depositing money with any business or service listed in paragraph 39(g) of Schedule 7;
- (i) viewing a property in connection with the purchase, sale, letting or rental of the property;
- (j) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
- (k) accessing or receiving public services;
- (l) accessing or receiving educational services.

(4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—

- (a) providing or receiving emergency assistance;

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- (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) attending a place of worship;
 - (f) exercising, either—
 - (i) alone,
 - (ii) with other members of the person's household or extended household, ^{F1}...
 - (iii) with the person's carer [^{F2}, or]
 - [^{F3}(iv) with 1 other person who is not a member of the person's household or extended household or the person's carer, and any children under the age of 11 who are members of either person's household;]
 - (g) an elite athlete and is training or competing;
 - (h) providing coaching or other support to an elite athlete, or providing support at—
 - (i) an elite sporting event, or
 - (ii) a sporting event taking place outside Wales;
 - (i) travelling to vote in an election;
 - (j) travelling to or from, or is present at, a place where a member of their extended household is living.
- (5) In sub-paragraph (4)(f)—
- (a) exercise must start and finish at the place where the person is living or where a member of the person's extended household is living, or
 - (b) where, for reasons of physical or mental illness or impairment, or a disability (within the meaning of section 6 of the Equality Act 2010), the person needs to exercise in another place, exercise must take place in an area local to the place where the person is living.
- (6) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F1** Word in Sch. 4 para. 1(4)(f)(ii) omitted (17.5.2021 at 6.00 a.m.) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 10\) Regulations 2021 \(S.I. 2021/583\)](#), regs. 1(2), **2(15)(a)(i)**
- F2** Word in Sch. 4 para. 1(4)(f)(iii) 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(15)(a)(ii)**
- F3** Sch. 4 para. 1(4)(f)(iv) inserted (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(15)(a)(iii)**

Commencement Information

II Sch. 4 para. 1 in force at 20.12.2020, see [reg. 1\(3\)](#)

Requirement not to gather with other people

- 2.**—(1) No person may, without a reasonable excuse, gather with any other person apart from—
- (a) members of their household,
 - (b) their carer, or
 - (c) a person they are providing care to.
- (2) For the purposes of sub-paragraph (1), a person has a reasonable excuse if—
- (a) the person is gathering with other people for a purpose that is reasonably necessary and there is no reasonably practicable alternative, or
 - (b) one of the circumstances in sub-paragraph (4) applies.
- (3) 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 sub-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) viewing a property in connection with the purchase, sale, letting or rental of the property;
 - (h) undertaking activities in connection with the purchase, sale, letting or rental of residential property;
 - (i) accessing or receiving public services;
 - (j) accessing or receiving educational services;
 - (k) avoiding illness, injury or other risk of harm.
- (4) The circumstances referred to in sub-paragraph (2)(b) are that the person is—
- (a) providing or receiving emergency assistance;
 - (b) 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 wedding,
 - (ii) if invited to attend, or
 - (iii) as the carer of a person attending;
 - (c) attending a funeral—
 - (i) as a person responsible for arranging the funeral,
 - (ii) if invited by a person responsible for arranging the funeral, or

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- (iii) as the carer of a person attending;
- (d) attending a place of worship;
- (e) an elite athlete and is training or competing;
- (f) providing coaching or other support to an elite athlete, or providing support at an elite sporting event;
- (g) participating in a gathering with members of their extended household at a place where members of the extended household are living;
- (h) 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;
- [^{F4}(i) exercising outdoors, except in a private dwelling, with—
 - (i) members of the person’s extended household, [^{F5}or]
 - [1 other person and any children under the age of 11 who are members of either
 - ^{F6}(ii) person’s household,]
 - together with any carer of a person participating who is present.]
- (5) This paragraph does not apply to a person who is homeless.

Textual Amendments

- F4** Sch. 4 para. 2(4)(i) inserted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(b)**
- F5** Word in Sch. 4 para. 2(4)(i)(i) inserted (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(15)(b)(i)**
- F6** Sch. 4 para. 2(4)(i)(ii) inserted (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(15)(b)(ii)**

Commencement Information

- I2** Sch. 4 para. 2 in force at 20.12.2020, see [reg. 1\(3\)](#)

Extended households

3.—(1) A [^{F7}well-being needs] household and another household may agree to be treated as an extended household.

(2) To agree to be treated as an extended household, all [^{F8}members of the households] must agree.

(3) A household may only agree to be treated as being in 1 extended household [^{F9}at any one time].

(4) Where a [^{F10}well-being needs] household has agreed to be treated as an extended household with up to—

- (a) 3 other households under paragraph 3 of Schedule 1, or
- (b) 2 other households under—
 - (i) paragraph 3 of Schedule 2, or
 - (ii) paragraph 3 of Schedule 3,

[^{F11}(“the previous extended household”),] an agreement under this paragraph may be made only between the [^{F10}well-being needs] household and 1 of those other households [^{F12}unless a period of at least 10 days has expired since any member of the [^{F10}well-being needs] household last participated in a gathering with a member of those households in reliance on being treated as part of the previous extended household].

(5) A household ceases to be treated as [^{F13}part of] an extended household if any ^{F14}... member of the household ceases to agree to be treated as [^{F13}part of] the extended household.

[^{F15}(5A) Sub-paragraph (5B) 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.

(5B) Where this sub-paragraph applies—

- (a) the agreement required by sub-paragraph (2) 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 (5) if P ceases to agree to be treated as part of the extended household (whether or not the child also ceases to agree).]

(6) If a household ceases to be treated as [^{F16}part of] an extended household, the household may not agree to be treated as [^{F16}part of] an extended household with any other household [^{F17}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].

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

[^{F18}(8) 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

- F7** Words in Sch. 4 para. 3(1) substituted (27.2.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/210), regs. 1(2), **2(9)(a)**
- F8** Words in Sch. 4 para. 3(2) substituted (13.3.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/307), regs. 1(2), **2(7)(a)(i)**
- F9** Words in Sch. 4 para. 3(3) inserted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(i)**
- F10** Words in Sch. 4 para. 3(4) substituted (27.2.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/210), regs. 1(2), **2(9)(a)**
- F11** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(ii)(aa)**
- F12** Words in Sch. 4 para. 3(4) inserted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(ii)(bb)**
- F13** Words in Sch. 4 para. 3(5) substituted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(iii)**
- F14** Word in Sch. 4 para. 3(5) omitted (13.3.2021 immediately before the start of the day) by virtue of The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/307), regs. 1(2), **2(7)(a)(ii)**

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- F15** Sch. 4 para. 3(5A)(5B) inserted (13.3.2021 immediately before the start of the day) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/307), regs. 1(2), **2(7)(a)(iii)**
- F16** Words in Sch. 4 para. 3(6) substituted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(iv)(aa)**
- F17** Words in Sch. 4 para. 3(6) inserted (30.1.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/103), regs. 1(2), **2(6)(c)(iv)(bb)**
- F18** Sch. 4 para. 3(8) inserted (27.2.2021) by The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/210), regs. 1(2), **2(9)(b)**

Commencement Information

- I3** Sch. 4 para. 3 in force at 20.12.2020, see reg. 1(3)

Changes to legislation:

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