

Health Protection (Coronavirus Restrictions and Closures) (Wales) Regulations 2020

Explanation of The Regulations

1. Staying at home

You should only leave the house for very limited purposes:

- **shopping for basic necessities and supplies**, for example food and medicine, which should be as infrequent as possible.
- **one form of exercise a day**, for example a run, walk, or cycle ride – alone or with members of your household.
- **medical purposes**, including to donate blood, avoid or escape risk of injury or harm, or to provide care or to help a vulnerable person.
- **travelling for work purposes** where you cannot reasonably work from home.

These reasons are exceptions – even when doing these activities, you should be minimising time spent outside of the home and ensuring you are two metres apart from anyone other than those who live in your household.

These measures should be followed by everyone. Separate advice is available for individuals or households who are isolating, if the individual or a member of the household is symptomatic, and for the most vulnerable who need to be shielded. Where parents do not live in the same household, children under 18 can move between their parents' homes.

The Welsh Government has also identified a number of critical workers whose children can still go to school or their childcare provider. **This critical worker definition does not affect whether or not you can travel to work** – if you are not a critical worker, you may still travel to work provided you cannot work from home and provided that your employer's business is still allowed to operate under legislation made by the Welsh Government (see below).

Critical workers and parents of vulnerable children may leave the house to take children to and from school or their childcare provider.

Other essential public services should be provided and accessed remotely whenever possible, but you can leave the house to access them when physical attendance is absolutely necessary.

2. Closing certain businesses and venues

To reduce social contact, the Welsh Government has required certain businesses and venues to close. These include:

- **pubs, cinemas and theatres.**

- **all retail stores selling non-essential goods** - this includes clothing and electronics stores (although they may continue to trade online); and outdoor and indoor markets, excluding food markets, it also includes hair, beauty and nail salons.
- **libraries, community centres, and youth centres.**
- **indoor and outdoor leisure facilities** such as bowling alleys, arcades and soft play facilities.
- **communal places within parks**, such as playgrounds, sports courts and outdoor gyms.
- **places of worship**, except for funerals attended by immediate families.
- **hotels, hostels, bed and breakfasts, campsites, caravan parks, and boarding houses for commercial/leisure use**, excluding permanent residents, key workers and, in certain cases, those providing emergency accommodation, for example for the homeless.

More detailed information and exemptions can be found in the Regulations made by the Welsh Government on 26 March, including the list of those businesses and other venues that must close. Other businesses can remain open and their employees can travel to work, provided they cannot work from home.

3. Stopping public gatherings

To make sure people are staying at home and apart from each other, the Welsh Government is also **stopping all public gatherings of more than two people.**

There are only exceptions to this rule for very limited purposes:

- **where the gathering is of a group of people who live together** - this means that a parent can, for example, take their children to the shops if they need to buy food if there is no option to leave them at home.
- **where the gathering is essential for work purposes, or to fulfil legal obligations** - but workers should try to minimise all meetings and other gatherings in the workplace.

In addition, the Welsh Government is stopping social events, as well as events including weddings, baptisms and other religious ceremonies. This excludes funerals, which can be attended by immediate family.

4. Going to work

As set out in the section on staying at home, people can travel to and from work where they cannot reasonably work from home.

With the exception of the organisations covered above in the section on closing certain businesses and venues, the Welsh Government has not required any other businesses to close.

Employers and employees should discuss their working arrangements, and employers should take every possible step to facilitate their employees working from home, including providing suitable IT and equipment to enable remote working. Employers also have a legal duty under the Health and Safety at Work etc. Act 1974 to take reasonable steps to ensure their employees are not exposed to risks to their health, failure to do so is an offence. They must therefore consider what safeguards they can put in place to ensure the safety of their employees.

Sometimes this will not be possible, as not everyone can work from home. Certain jobs require people to travel to their place of work – for instance if they operate machinery, work in construction or manufacturing, or are delivering front line services.

If you cannot work from home then you can still travel to work, provided you are not showing coronavirus symptoms and neither you nor any of your household are self-isolating. This is consistent with advice from the Chief Medical Officer.

Employers who have people in their offices or onsite should ensure that employees are able to follow Welsh Government guidelines including, where possible, maintaining a 2 metre distance from others, and washing their hands with soap and water often for at least 20 seconds (or using hand sanitiser gel if soap and water is not available).

Work carried out in people's homes, for example by tradespeople carrying out repairs and maintenance, can continue, provided that the tradesperson is well and has no symptoms. Again, it is important to ensure that guidelines, including maintaining a 2 metre distance from any household occupants, are followed to ensure everyone's safety.

No work should be carried out in any household which is isolating or where an individual is being shielded, unless it is to remedy a direct risk to the safety of the household, such as emergency plumbing or repairs, and where the tradesperson is willing to do so. In such cases, Public Health Wales can provide advice to tradespeople and households.

No work should be carried out by a tradesperson who has coronavirus symptoms, however mild.

As set out in the section on closing non-essential shops and public spaces, the Welsh Government has ordered certain businesses and venues to close. The Welsh Government has set out guidance on which organisations this requirement covers.

At all times, workers should follow the guidance on self-isolation if they or anyone in their household shows coronavirus symptoms.

5. Delivering these new measures

Every person must comply with these new measures.

The Welsh Government is therefore ensuring that the police and other relevant authorities have the powers to enforce them where people do not comply.

If you leave your home or gather in public for any reason other than those specified: the police may:

- Instruct you to go home, leave an area or disperse
- Instruct you to take steps to stop your children breaking these rules if they have already done so
- Take you home – or arrest you – if you do not follow their instructions or where they deem it necessary

The police will act with discretion and common sense in applying these measures and we expect the public to act responsibly, staying at home in order to save lives.

However, if they believe you have broken these rules – or you refuse to follow their instructions – a police officer may issue you with a fixed penalty notice for £60 (reduced to £30 if paid within 14 days). If a person has already received a fixed penalty notice, the amount will increase to £120 and double on each further repeat offence. The Welsh Government will keep this under review.

Similarly, a business or venue operating in contravention with these measures will be committing an offence. It is envisaged that Environmental Health and Trading Standards officers will monitor compliance, with support from the police if appropriate. Businesses and premises which breach them will be subject to prohibition notices and fines. Businesses that continue to contravene the measures will be forced to close down.

For both individuals and companies, if you do not pay, you may also be taken to court, with magistrates able to impose potentially unlimited fines.

These measures will initially last for the three weeks from 26 March, at which point they will be reviewed by the Welsh Government.