You will have seen DCC Sara Glen’s briefing on the **England coronavirus restriction Regulations**\(^1\), which reconcile powers in relation to business closures with powers to disperse gatherings and restrictions on movement.

The Welsh Government have laid the **Wales coronavirus restriction Regulations**\(^2\), which are very similar but include a few notable differences. Welsh officers and staff can use the briefing for England, but should be familiar with the following variations and additions.

### Two-metre distancing

In Wales, business premises that provide essential services (such as food retailers, off licences and pharmacies) and places of worship open for permitted uses under Reg.7(2), must take all reasonable measures to ensure a distance of two metres is maintained between people (Wales Reg.6(1), 6A and 7(2), 7A).

(\text{In England, this measure is only suggested as government guidance and is therefore unenforceable under the Regulations.})

### Exercising once a day

In Wales, individuals must not leave their homes for exercise more than once a day (Wales Reg.8(2)(b)).

(\text{In England, this measure is only suggested as government guidance and is therefore unenforceable under the Regulations.})

### Enforcement

The Welsh Regulations’ list of relevant persons is wider than those used in England. National park authorities in Wales and Natural Resources Wales can designate relevant persons who can enforce the prohibition on persons entering closed paths or lands (Wales Reg.10(11)).

### Power of entry

Welsh Regulations have given powers of entry if a relevant person has reasonable grounds for suspecting that a requirement imposed by the Welsh Regulations is being, has been or is about to be contravened on the premises and that it is necessary to enter the premises to ascertain this.

### Obligation to close public paths and land during the emergency period

Welsh Regulations have imposed an obligation on relevant authorities to close public paths or access land liable to attract large numbers of people in close proximity (Wales Reg.9).

The relevant authorities include local authorities, national park authorities in Wales, Natural Resources Wales and the National Trust.

Welsh Regulations also prohibit people from using paths or access land closed under Reg 9. Relevant persons have powers to remove people from such closed areas (Wales Reg.10 (9)).

### Amount of fixed penalty notice

The Welsh Regulations only specify an initial fine of £60 for the first offence (Wales Reg.13(6)-(7)). The amount of any subsequent fixed penalty is £120 (Wales Reg.13(8)), with no reduction for early payment.

(\text{In England, the fine doubles for subsequent offences up to a maximum of £960.})

The four E’s approach is applicable for Wales. Enforcement should be a last resort.

### Issuing a fine

English forces issue a penalty notice for COVID-19, as their fines are being collected by ACRO. The Welsh Assembly is hoping to negotiate the same process for the four Welsh forces. The main briefing details the ACRO process and includes a pro forma for the fine.

Note that the pro forma may differ between forces, even if the ACRO process is agreed for Wales, as ACRO are working with some forces to create bespoke pro formas. Please check locally with your heads of criminal justice to establish what process is in place for your force.

\(^1\) The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

\[^2\] The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020