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STATUTORY INSTRUMENTS

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**2020 No. 1374**

**The Health Protection (Coronavirus, Restrictions)  
(All Tiers) (England) Regulations 2020**

**PART 3**

**Enforcement**

**Amount of fixed penalty**

**12.**—(1) Except in the cases mentioned in paragraphs (4) and (5), the amount of the fixed penalty to be specified under regulation 11(5)(c) is as follows—

- (a) if the fixed penalty notice is the first one issued to the person under a relevant enactment, the amount is—
  - (i) £100, if the amount is paid before the end of the period of 14 days following the date of the notice;
  - (ii) otherwise, £200;
- (b) if the fixed penalty notice is not the first one issued to the person under a relevant enactment, the amount is—
  - (i) £400, if it is the second fixed penalty notice so issued;
  - (ii) £800, if it is the third fixed penalty notice so issued;
  - (iii) £1,600, if it is the fourth fixed penalty notice so issued;
  - (iv) £3,200, if it is the fifth fixed penalty notice so issued;
  - (v) £6,400, if it is the sixth or any subsequent fixed penalty notice so issued.

(2) In paragraph (1) “relevant enactment” means—

- (a) these Regulations;
- (b) the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020(1);
- (c) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020(2);
- (d) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020(3);
- (e) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020(4);
- (f) the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020(5);

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(1) [S.I. 2020/1200](#), amended by [S.I. 2020/1242](#) and [1326](#).

(2) [S.I. 2020/1103](#), which was revoked by [S.I. 2020/1200](#), with savings.

(3) [S.I. 2020/1104](#), which was revoked by [S.I. 2020/1200](#), with savings.

(4) [S.I. 2020/1105](#), which was revoked by [S.I. 2020/1200](#), with savings.

(5) [S.I. 2020/350](#), which was revoked by [S.I. 2020/684](#), with savings.

- (g) the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020(6);
  - (h) the Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020(7);
  - (i) the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020(8);
  - (j) the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Luton) Regulations 2020(9);
  - (k) the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) Regulations 2020(10);
  - (l) the Health Protection (Coronavirus, Restrictions) (Leicester) (No. 2) Regulations 2020(11);
  - (m) the Health Protection (Coronavirus, Restrictions) (North of England) Regulations 2020(12);
  - (n) the Health Protection (Coronavirus, Restrictions) (Bolton) Regulations 2020(13);
  - (o) the Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020(14);
  - (p) the Health Protection (Coronavirus, Restrictions) (North East and North West of England) Regulations 2020(15).
- (3) For the purposes of determining how many fixed penalty notices have been issued to a person under a relevant enactment, no account is to be taken of any fixed penalty notice issued to the person under—
- (a) these Regulations, if the notice was issued to the person in respect of a business restriction offence or an offence of contravening—
    - (i) the Tier 1 restriction imposed by paragraph 2 of Schedule 1,
    - (ii) the Tier 2 restriction imposed by paragraph 3 of Schedule 2, or
    - (iii) the Tier 3 restriction imposed by paragraph 3 of Schedule 3;
  - (b) the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 21(12) of those Regulations or an offence of contravening a restriction or requirement imposed by regulation 10 of those Regulations;
  - (c) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 2 of Schedule 1 to those Regulations;
  - (d) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 3 of Schedule 1 to those Regulations;

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(6) [S.I. 2020/684](#), as amended by [S.I. 2020/719](#), [750](#), [788](#), [800](#), [822](#), [824](#), [828](#), [863](#), [865](#), [907](#), [974](#), [986](#), [988](#), [1010](#), [1019](#), [1029](#), [1046](#), [1057](#), [1103](#), [1104](#), [1105](#) and [1200](#).

(7) [S.I. 2020/685](#), which was revoked by [S.I. 2020/824](#), with savings.

(8) [S.I. 2020/750](#), as amended by [S.I. 2020/800](#), [822](#), [824](#), [828](#), [865](#), [907](#), [974](#), [988](#), [1010](#), [1019](#), [1103](#) and [1200](#).

(9) [S.I. 2020/800](#), which was revoked by [S.I. 2020/822](#), with savings.

(10) [S.I. 2020/822](#), which was revoked by [S.I. 2020/1019](#), with savings.

(11) [S.I. 2020/824](#), which was revoked with the exception of regulation 2 by [S.I. 2020/1104](#), with savings.

(12) [S.I. 2020/828](#), which was revoked by [S.I. 2020/1104](#), with savings. The title of the Regulations was changed by [S.I. 2020/865](#).

(13) [S.I. 2020/974](#), which was revoked by [S.I. 2020/1074](#).

(14) [S.I. 2020/988](#), which was revoked by [S.I. 2020/1104](#), with savings.

(15) [S.I. 2020/1010](#), which was revoked by [S.I. 2020/1104](#), with savings. The title of the Regulations was changed by [S.I. 2020/1019](#).

- (e) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 3 of Schedule 1 to those Regulations;
  - (f) the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020, if the notice was issued to the person in respect of an offence of contravening a restriction or requirement imposed by regulation 4A, 4B, 5A or 5B of those Regulations;
  - (g) the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence, as defined by regulation 14(7D)(16) of those Regulations, committed on or after 14th October 2020.
- (4) In the case of a fixed penalty notice issued in respect of the offence under regulation 10(1)(a) of contravening—
- (a) a Tier 1 restriction imposed by paragraph 2 of Schedule 1,
  - (b) a Tier 2 restriction imposed by paragraph 3 of Schedule 2, or
  - (c) a Tier 3 restriction imposed by paragraph 3 of Schedule 3,
- the amount of the fixed penalty to be specified under regulation 11(5)(c) is £10,000.
- (5) In the case of a fixed penalty notice issued in respect of a business restriction offence, the amount of the fixed penalty to be specified under regulation 11(5)(c) is—
- (a) £1,000, if the fixed penalty notice is the first one issued to the person in respect of a business restriction offence;
  - (b) £2,000, if the fixed penalty notice is the second one issued to the person in respect of a business restriction offence;
  - (c) £4,000, if the fixed penalty notice is the third one issued to the person in respect of a business restriction offence;
  - (d) £10,000, if the fixed penalty notice is the fourth one, or any subsequent one, issued to the person in respect of a business restriction offence.
- (6) In determining how many fixed penalty notices have been issued to a person for the purposes of paragraph (5), a fixed penalty notice issued to the person under the following Regulations is to be treated as if it were issued in respect of a business restriction offence—
- (a) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;
  - (b) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;
  - (c) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;
  - (d) the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020, if the notice was issued to the person in respect of an offence of contravening regulation 4A or 4B of those Regulations;
  - (e) the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence, as defined by regulation 14(7D) of those Regulations, committed on or after 14th October 2020;

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(16) Regulation 14(7D) was inserted by paragraph 2(5) of Schedule 3 to [S.I. 2020/1103](#).

- (f) the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence, as defined by regulation 21(12) of those Regulations;
  - (g) the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020(17);
  - (h) the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020(18).
- (7) In this regulation, unless otherwise specified “business restriction offence” means—
- (a) an offence under regulation 10(1)(a) of contravening—
    - (i) a Tier 1 restriction imposed by Part 2 or 3 of Schedule 1;
    - (ii) a Tier 2 restriction imposed by Part 2 of 3 of Schedule 2;
    - (iii) a Tier 3 restriction imposed by Part 2 of Schedule 3;
  - (b) an offence under regulation 10(1)(c) of failing to comply with a prohibition notice given under regulation 9.

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(17) S.I. 2020/1005, as amended by S.I. 2020/1045, 1046, 1103, 1104, 1105 and 1200.

(18) S.I. 2020/1008, as amended by S.I. 2020/1046, 1074, 1103, 1104, 1105 and 1200.