



Coronavirus Act 2020

2020 CHAPTER 7

PART 1

MAIN PROVISIONS

Interpretation

1 Meaning of “coronavirus” and related terminology

(1) In this Act—

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus).

(2) A reference in this Act to infection or contamination, however expressed, is a reference to infection or contamination with coronavirus.

(3) But a reference in this Act to persons infected by coronavirus, however expressed, does not (unless a contrary intention appears) include persons who have been infected but are clear of coronavirus (unless re-infected).

Emergency registration of health professionals

2 Emergency registration of nurses and other health and care professionals

Schedule 1 contains temporary modifications of—

- (a) the Nursing and Midwifery Order 2001 (S.I. 2002/253), and
- (b) the Health Professions Order 2001 (S.I. 2002/254).

3 Emergency arrangements concerning medical practitioners: Wales

Schedule 2 contains temporary modifications of—

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (a) the National Health Service (Performers Lists) (Wales) Regulations 2004 (S.I. 2004/1020 (W. 117)), and
- (b) the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 (S.I. 2004/478 (W. 48)).

4 Emergency arrangements concerning medical practitioners: Scotland

Schedule 3 contains temporary modifications of—

- (a) the National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004 (S.S.I. 2004/114),
- (b) the National Health Service (General Medical Services Contracts (Scotland) Regulations 2018 (S.S.I. 2018/66), and
- (c) the National Health Service (Primary Medical Services Section 17C Arrangements) (Scotland) Regulations 2018 (S.S.I. 2018/67).

5 Emergency registration of and extension of prescribing powers for pharmaceutical chemists: Northern Ireland

Schedule 4 contains temporary modifications of the Pharmacy (Northern Ireland) Order 1976 (S.I. 1976/1213 (N.I. 22)).

Temporary registration of social workers

6 Emergency registration of social workers: England and Wales

Schedule 5 contains temporary modifications of—

- (a) the Social Workers Regulations 2018 (S.I. 2018/893), and
- (b) the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

7 Temporary registration of social workers: Scotland

Schedule 6 contains temporary modifications of—

- (a) the Regulation of Care (Scotland) Act 2001 (asp 8), and
- (b) the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Regulations 2013 (S.S.I. 2013/227).

PROSPECTIVE

Emergency volunteers

[^{F18} Emergency volunteering leave

Schedule 7 makes provision for emergency volunteering leave.]

Textual Amendments

- F1** S. 8 expires in part (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021](#) (S.I. 2021/856), [reg. 2\(1\)\(a\)](#) (see 2020 c. 7, s. 89(2)(n))

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

F29 Compensation for emergency volunteers

Textual Amendments

- F2** S. 9 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 2\(1\)\(b\)](#)

Mental health and mental capacity

10 Temporary modification of mental health and mental capacity legislation

- [^{F3}(1) Schedule 8 contains temporary modifications of the Mental Health Act 1983, and related provision.]
- (2) Schedule 9 contains temporary modifications of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), the Criminal Procedure (Scotland) Act 1995 and related subordinate legislation.
- [^{F4}(3) Schedule 10 contains temporary modifications of the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)), and related provision.]
- (4) Schedule 11 contains temporary modifications of the Mental Capacity Act (Northern Ireland) 2016 (c. 18 (N.I.)), and related provision.

Textual Amendments

- F3** S. 10(1) expires (E.) (10.12.2020) by [The Coronavirus Act 2020 \(Expiry of Mental Health Provisions\) \(England and Wales\) Regulations 2020 \(S.I. 2020/1467\)](#), [reg. 2\(1\)\(a\)](#) (with [reg. 2\(2\)](#))
S. 10(1) expires in part (W.) (10.12.2020) by [The Coronavirus Act 2020 \(Expiry of Mental Health Provisions\) \(England and Wales\) Regulations 2020 \(S.I. 2020/1467\)](#), [reg. 2\(1\)\(b\)\(ii\)](#)
- F4** S. 10(3) suspended in part (10.5.2021) by [The Coronavirus Act 2020 \(Suspension\) Order \(Northern Ireland\) 2021 \(S.R. 2021/98\)](#), [arts. 1\(1\), 2](#) (with [art. 3, Sch.](#))

Commencement Information

- I1** S. 10 in force at 27.3.2020 at 9.00 a.m. for W. by [S.I. 2020/366](#), [reg. 2\(a\)](#)
- I2** S. 10(3) in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(a\)](#)
- I3** S. 10(4) in force at 2.4.2020 for specified purposes by [S.R. 2020/58](#), [art. 2\(b\)](#)

Health service indemnification

11 Indemnity for health service activity: England and Wales

- (1) The appropriate authority may—
- (a) indemnify a person in respect of a qualifying liability incurred by the person, or
 - (b) make arrangements for a person to be indemnified, in respect of a qualifying liability incurred by the person, by an authorised person.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (2) References in this section to a qualifying liability are to a liability in tort, in respect of or consequent on death, personal injury or loss, arising out of or in connection with a breach of a duty of care owed in connection with the provision, after the coming into force of this section, of a relevant service.
- (3) “Relevant service” means a service which is provided by a person as part of the health service and which—
- (a) relates to—
 - (i) caring for or treating a person who has, or is suspected of having, coronavirus disease, whether or not in respect of that disease,
 - (ii) caring for or treating a person (other than a person within subparagraph (i)) who has been, or is suspected of being, infected or contaminated, in respect of that infection or contamination or suspected infection or contamination, or
 - (iii) diagnosing or determining whether a person has been infected or contaminated,
 - (b) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service (other than one within paragraph (a)) as part of the health service being unable to do so in consequence of providing a service within paragraph (a), or
 - (c) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service as part of the health service being unable to do so because of a reason relating to coronavirus.
- (4) In a case within subsection (1)(a), any question relating to—
- (a) whether a person has incurred a qualifying liability, or
 - (b) the amount of any payment by virtue of subsection (1),
- is to be determined by the appropriate authority.
- (5) In a case within subsection (1)(b)—
- (a) any question relating to whether a person has incurred a qualifying liability is to be determined by the authorised person;
 - (b) any question relating to the amount of any payment by virtue of subsection (1) is to be determined by the authorised person in accordance with the arrangements.
- (6) Subsection (1) does not apply where arrangements are already in place (whether under an insurance policy or otherwise) for the person to be indemnified in respect of the liability.
- (7) In this section—
- “the appropriate authority” means—
- (a) in relation to a relevant service provided as part of the English health service, the Secretary of State;
 - (b) in relation to a relevant service provided as part of the Welsh health service, the Welsh Ministers;
- “authorised person” means a person authorised by the appropriate authority;
- “the health service” means the English health service or the Welsh health service;

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“the English health service” means the health service continued under section 1(1) of the National Health Service Act 2006;

“the Welsh health service” means the health service continued under section 1(1) of the National Health Service (Wales) Act 2006.

12 Indemnity for health service activity: Scotland

- (1) The Scottish Ministers may—
 - (a) indemnify a person in respect of a qualifying liability incurred by the person, or
 - (b) make arrangements for a person to be indemnified, in respect of a qualifying liability incurred by the person, by an authorised person.
- (2) References in this section to a qualifying liability are to a liability in delict, in respect of or consequent on death, personal injury or loss, arising out of or in connection with a breach of a duty of care owed in connection with the provision, after the coming into force of this section, of a relevant service.
- (3) “Relevant service” means a service which is provided by a person as part of the health service and which—
 - (a) relates to—
 - (i) caring for or treating a person who has, or is suspected of having, coronavirus disease, whether or not in respect of that disease,
 - (ii) caring for or treating a person (other than a person within subparagraph (i)) who has been, or is suspected of being, infected or contaminated, in respect of that infection or contamination or suspected infection or contamination, or
 - (iii) diagnosing or determining whether a person has been infected or contaminated,
 - (b) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service (other than one within paragraph (a)) as part of the health service being unable to do so in consequence of providing a service within paragraph (a), or
 - (c) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service as part of the health service being unable to do so because of a reason relating to coronavirus.
- (4) In a case within subsection (1)(a), any question relating to—
 - (a) whether a person has incurred a qualifying liability, or
 - (b) the amount of any payment by virtue of subsection (1),is to be determined by the Scottish Ministers.
- (5) In a case within subsection (1)(b)—
 - (a) any question relating to whether a person has incurred a qualifying liability is to be determined by the authorised person;
 - (b) any question relating to the amount of any payment by virtue of subsection (1) is to be determined by the authorised person in accordance with the arrangements.
- (6) Subsection (1) does not apply where arrangements are already in place (whether under an insurance policy or otherwise) for the person to be indemnified in respect of the liability.

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

(7) In this section—

“authorised person” means a person authorised by the Scottish Ministers;
“the health service” means the health service continued under section 1(1) of the National Health Service (Scotland) Act 1978.

13 Indemnity for health and social care activity: Northern Ireland

(1) The Department of Health may—

- (a) indemnify a person in respect of a qualifying liability incurred by the person, or
- (b) make arrangements for a person to be indemnified, in respect of a qualifying liability incurred by the person, by an authorised person.

(2) References in this section to a qualifying liability are to a liability in tort, in respect of or consequent on death, personal injury or loss, arising out of or in connection with a breach of a duty of care owed in connection with the provision, after the coming into force of this section, of a relevant service.

(3) “Relevant service” means a service which is provided by a person as part of the system of health and social care and which—

- (a) relates to—
 - (i) caring for or treating a person who has, or is suspected of having, coronavirus disease, whether or not in respect of that disease,
 - (ii) caring for or treating a person (other than a person within subparagraph (i)) who has been, or is suspected of being, infected or contaminated, in respect of that infection or contamination or suspected infection or contamination, or
 - (iii) diagnosing or determining whether a person has been infected or contaminated,
- (b) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service (other than one within paragraph (a)) as part of the system of health and social care being unable to do so in consequence of providing a service within paragraph (a), or
- (c) relates to diagnosis, care or treatment and is provided in consequence of another person who usually provides such a service as part of the system of health and social care being unable to do so because of a reason relating to coronavirus.

(4) In a case within subsection (1)(a), any question relating to—

- (a) whether a person has incurred a qualifying liability, or
 - (b) the amount of any payment by virtue of subsection (1),
- is to be determined by the Department of Health.

(5) In a case within subsection (1)(b)—

- (a) any question relating to whether a person has incurred a qualifying liability is to be determined by the authorised person;
- (b) any question relating to the amount of any payment by virtue of subsection (1) is to be determined by the authorised person in accordance with the arrangements.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

(6) Subsection (1) does not apply where arrangements are already in place (whether under an insurance policy or otherwise) for the person to be indemnified in respect of the liability.

(7) In this section—

“authorised person” means a person authorised by the Department of Health;

“the Department of Health” means the Department of Health in Northern Ireland;

“the system of health and social care” means the system promoted under section 2(1) of the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.)).

NHS and local authority care and support

14 NHS Continuing Healthcare assessments: England

(1) A relevant body does not have to comply with—

- (a) the duty imposed by regulation 21(2)(a) of the 2012 Regulations (assessment of eligibility for NHS Continuing Healthcare), or
- (b) the duty imposed by regulation 21(12) of those Regulations (duty to have regard to National Framework), so far as relating to the duty referred to in paragraph (a).

(2) Accordingly, regulation 28 of the 2012 Regulations (assessment of need for nursing care) applies only if a relevant body chooses to comply with the duty imposed by regulation 21(2)(a) of those Regulations.

(3) If, despite subsection (1)(a), an assessment of eligibility for NHS Continuing Healthcare is nevertheless carried out as mentioned in regulation 21(2)(a) of the 2012 Regulations, the relevant body must comply with the duty imposed by regulation 21(3) of those Regulations (duty to ensure assessment is carried out before certain other steps are taken).

(4) An NHS trust does not have to comply with—

- (a) the duty imposed by direction 2(2) of the 2013 Directions (assessment of eligibility for NHS Continuing Healthcare), or
- (b) the duty imposed by direction 2(10) of those Directions (duty to have regard to National Framework), so far as relating to the duty referred to in paragraph (a).

(5) If, despite subsection (4)(a), an assessment of eligibility for NHS Continuing Healthcare is nevertheless carried out as mentioned in direction 2(2) of the 2013 Directions, the NHS trust must take reasonable steps to ensure that it is carried out before the NHS trust gives notice as mentioned in direction 2(1) of those Directions.

(6) Subsections (1) and (4) apply in relation to duties arising before the commencement day as they apply in relation to duties arising on or after that day.

(7) In subsection (6) “the commencement day”, in relation to subsection (1) or (4), means—

- (a) the day on which that subsection comes into force, or

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- (b) where on any day the operation of the subsection is revived by regulations under section 88(3), that day.
- (8) Regulation 3 of the Care and Support (Discharge of Hospital Patients) Regulations 2014 (S.I. 2014/2823) (contents of assessment notice under paragraph 1(1) of Schedule 3 to the Care Act 2014) has effect as if paragraph (1)(f)(ii) were omitted.
- (9) In this section—
- “the 2012 Regulations” means the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996);
- “the 2013 Directions” means the Delayed Discharges (Continuing Care) Directions 2013;
- “NHS trust” means a National Health Service trust in England established under section 25 of the National Health Service Act 2006;
- “relevant body” means—
- (a) a clinical commissioning group established under section 14D of that Act, or
- (b) the National Health Service Commissioning Board.

[^{F5}15 Local authority care and support

Schedule 12 contains provision modifying the powers and duties of local authorities in England and Wales in relation to the provision of care and support.]

Textual Amendments

- F5** S. 15 suspended in part (22.3.2021) by [The Coronavirus Act 2020 \(Suspension: Local Authority Care and Support\) \(Wales\) Regulations 2021](#) (S.I. 2021/316), regs. 1(2), **2(b)**
- S. 15 expires in part (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021](#) (S.I. 2021/856), **reg. 4(a)** (see 2020 c. 7, s. **89(2)(r)**)
- S. 15 expires in part (1.8.2021) by [The Coronavirus Act 2020 \(Early Expiry: Local Authority Care and Support\) \(Wales\) Regulations 2021](#) (S.I. 2021/850), regs. 1(2), **2(b)** (see 2020 c. 7, s. **89(2)(r)**)

Commencement Information

- I4** S. 15 in force at 31.3.2020 for E. by [S.I. 2020/388](#), **reg. 2**

16 Duty of local authority to assess needs: Scotland

[^{F6}(1) A local authority need not comply with a provision mentioned in subsection (2) to the extent that the authority considers that—

- (a) it would not be practical to comply with that provision, or
- (b) to do so would cause unnecessary delay in providing community care services to any person.]

[^{F7}(2) The provisions are—

- (a) section 12A of the 1968 Act (duty of local authority to assess needs);
- (b) section 1 of the 2013 Act (general principles regarding provision of social care), insofar as it relates to Part 2 of the 1968 Act.]

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- [^{F8}(3) A local authority need not comply with a provision mentioned in subsection (4) to the extent that it considers that—
- (a) it would not be practical to comply with that provision, or
 - (b) to do so would cause unnecessary delay in providing support to any person under section 24 of the 2016 Act (duty to provide support).]
- (4) The provisions are—
- [^{F9}(a) section 6 of the 2016 Act (duty to prepare adult carer support plan);]
 - [^{F10}(b) regulation 2(1) of the 2018 Regulations (identification of adult carer's outcomes and needs for support);]
 - [^{F11}(c) section 12 of the 2016 Act (duty to prepare young carer statement);]
 - [^{F11}(d) regulation 3(1) of the 2018 Regulations (identification of young carer's outcomes and needs for support);]
 - [^{F12}(e) section 1 of the 2013 Act, insofar as it relates to Part 2 or 3 of the 2016 Act.]
- (5) Subsection (6) applies where, in reliance on subsection (3), a local authority does not comply with regulation 2(1) or 3(1) of the 2018 Regulations in relation to a person.
- (6) Section 24 of the 2016 Act applies in relation to the person as if any reference in that section to a person's identified needs were a reference to the person's needs for support in order to enable the person to provide or continue to provide care for a cared-for person.
- [^{F13}(7) A local authority need not comply with a provision mentioned in subsection (8) to the extent that the authority considers that—
- (a) it would not be practical to comply with that provision, or
 - (b) to do so would cause unnecessary delay in providing services to any child under section 22(1) of the 1995 Act (promotion of welfare of children in need).]
- [^{F13}(8) The provisions are—
- (a) section 23(3) of the 1995 Act (duty to assess needs of child affected by disability);
 - (b) section 1 of the 2013 Act, insofar as it relates to section 22 or 23 of the 1995 Act.]
- [^{F14}(9) A local authority need not comply with section 29(5) of the 1995 Act (duty to assess needs of person who was looked after by the authority) to the extent that the authority considers that—
- (a) it would not be practical to comply with that provision, or
 - (b) to do so would cause unnecessary delay in providing advice, guidance or assistance to any person under section 29(1) or (5A) of the 1995 Act (after care for person who was looked after by the authority).]
- (10) Subsection (11) applies where, in reliance on subsection (9), a local authority does not carry out an assessment under section 29(5) of the 1995 Act in relation to a person who has made an application to the authority under section 29(2) of that Act.
- (11) Section 29(5A) of the 1995 Act applies in relation to the person as if the authority had carried out the assessment.
- (12) Subsection (1), (3), (7) or (9) applies in relation to a duty arising before the commencement day as it applies in relation to a duty arising on or after that day.

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (13) In subsection (12), “the commencement day”, in relation to a subsection, means—
- (a) the day on which the subsection comes into force, or
 - (b) where on any day the operation of the subsection is revived by regulations under section 88(3), that day.
- (14) In this section and section 17—
- “1968 Act” means the Social Work (Scotland) Act 1968;
 - “1995 Act” means the Children (Scotland) Act 1995;
 - “2013 Act” means the Social Care (Self-directed Support) (Scotland) Act 2013 (asp 1);
 - “2016 Act” means the Carers (Scotland) Act 2016 (asp 9);
 - “2018 Regulations” means the Carers (Scotland) Act 2016 (Adult Carers and Young Carers: Identification of Outcomes and Needs for Support) Regulations 2018 (S.S.I. 2018/109);
 - “cared-for person” is to be construed in accordance with section 1(1) of the 2016 Act;
 - “community care services” has the meaning given by section 12A(8) of the 1968 Act;
 - “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

Textual Amendments

- F6** S. 16(1) suspended (30.11.2020) by [The Coronavirus Act 2020 \(Suspension Adult Social Care\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/377\)](#), regs. 1(1), **2(a)** (with reg. 3)
- F7** S. 16(2) suspended (30.11.2020) by [The Coronavirus Act 2020 \(Suspension Adult Social Care\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/377\)](#), regs. 1(1), **2(a)** (with reg. 3)
- F8** S. 16(3) suspended (29.9.2021) by [The Coronavirus Act 2020 \(Suspension: Children and Young Persons Social Care\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/315\)](#), regs. 1(1), **2(a)** (with reg. 3)
- F9** S. 16(4)(a) suspended (30.11.2020) by [The Coronavirus Act 2020 \(Suspension Adult Social Care\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/377\)](#), regs. 1(1), **2(b)** (with reg. 4)
- F10** S. 16(4)(b) suspended (30.11.2020) by [The Coronavirus Act 2020 \(Suspension Adult Social Care\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/377\)](#), regs. 1(1), **2(b)** (with reg. 4)
- F11** S. 16(4)(c)(d) suspended (29.9.2021) by [The Coronavirus Act 2020 \(Suspension: Children and Young Persons Social Care\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/315\)](#), regs. 1(1), **2(b)** (with reg. 3)
- F12** S. 16(4)(e) suspended in part (30.11.2020) by [The Coronavirus Act 2020 \(Suspension Adult Social Care\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/377\)](#), regs. 1(1), **2(c)** (with reg. 4)
S. 16(4)(e) suspended in part (29.9.2021) by [The Coronavirus Act 2020 \(Suspension: Children and Young Persons Social Care\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/315\)](#), regs. 1(1), **2(c)** (with reg. 3)
- F13** S. 16(7)(8) suspended (29.9.2021) by [The Coronavirus Act 2020 \(Suspension: Children and Young Persons Social Care\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/315\)](#), regs. 1(1), **2(d)** (with reg. 3)
- F14** S. 16(9) suspended (29.9.2021) by [The Coronavirus Act 2020 \(Suspension: Children and Young Persons Social Care\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/315\)](#), regs. 1(1), **2(e)** (with reg. 3)

Commencement Information

- I5** S. 16 in force at 5.4.2020 by [S.S.I. 2020/121](#), **reg. 2(a)**

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

17 Section 16: further provision

- (1) The Scottish Ministers may issue guidance to local authorities about the exercise of their functions under the following provisions in consequence of section 16—
 - (a) Part 2 of the 1968 Act;
 - (b) sections 22, 23 and 29 of the 1995 Act;
 - (c) sections 25, 26 and 27 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13);
 - (d) section 1 of the 2013 Act;
 - (e) Parts 2 and 3 of the 2016 Act.
- (2) A local authority—
 - (a) must have regard to any guidance issued under subsection (1);
 - (b) must comply with such guidance issued under subsection (1) as the Scottish Ministers direct;
 - (c) may disregard, so far as it is inconsistent with guidance issued under subsection (1)—
 - (i) any guidance issued under section 5(1) of the 1968 Act;
 - (ii) a code of practice published under section 274(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003.
- (3) The Scottish Ministers may—
 - (a) from time to time revise any guidance issued under subsection (1);
 - (b) vary or revoke a direction made under subsection (2)(b).
- (4) A local authority must not recover a charge under section 87 of the 1968 Act for—
 - (a) community care services provided to a person if, in reliance on section 16(1), the authority did not—
 - (i) comply with section 12A of the 1968 Act before providing the services, or
 - (ii) comply with section 1 of the 2013 Act in relation to the services;
 - (b) services provided to a child under section 22(1) of the 1995 Act if, in reliance on section 16(7), the authority did not—
 - (i) where the services were provided following a request being made to the authority in relation to the child under section 23(3) of the 1995 Act, assess the child's needs for the services before providing them, or
 - (ii) comply with section 1 of the 2013 Act in relation to the services;
 - (c) advice, guidance or assistance provided to a person under section 29(1) or (5A) of the 1995 Act if, in reliance on section 16(9), the local authority did not carry out an assessment of the person's needs under section 29(5) of that Act before providing the advice, guidance or assistance.
- (5) For the purposes of subsection (4), a local authority did not—
 - (a) comply with a provision if it only partially complied with the provision;
 - (b) carry out an assessment if it only partially carried out the assessment.
- (6) Nothing in subsection (4) prevents a local authority from recovering charges if—
 - (a) the authority provides—
 - (i) services in the circumstances described in paragraph (a) or (b) of subsection (4), or

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (ii) advice, guidance or assistance in the circumstances described in paragraph (c) of that subsection,
 - (b) the authority subsequently complies with the provisions mentioned in paragraph (a), (b) or (c) of that subsection (as the case may be) in relation to the services or the advice, guidance or assistance, and
 - (c) the charges relate only to the period after the authority so complies.
- (7) Subsection (8) applies where—
- (a) a local authority provides accommodation to a person under Part 2 of the 1968 Act in the circumstances described in paragraph (a) of subsection (4),
 - (b) the authority subsequently complies with the provisions mentioned in that paragraph in relation to the provision of the accommodation, and
 - (c) after it complies with those provisions, the authority continues to provide the accommodation to the person.
- (8) Despite subsections (4)(a) and (6), the authority may recover charges for the provision of the accommodation for any period—
- (a) before the authority complied with the provisions mentioned in subsection (4) (a), and
 - (b) during which the person was a permanent resident.
- (9) For the purposes of subsection (8), a person is a permanent resident if the person is expected to be provided with accommodation by the authority for a period of more than 52 weeks.
- (10) Subsection (11) applies where—
- (a) any provision of section 16 has had effect for a period, and
 - (b) that period has ended.
- (11) In determining for the purposes of any proceedings whether a local authority has complied with any duty to carry out a relevant assessment within a reasonable period, a court must take into account (among other things) the following factors—
- (a) the length of any period for which any provision of section 16 had effect, and
 - (b) the number of relevant assessments which need to be carried out by the local authority following the end of any such period.
- (12) In subsection (11), “relevant assessment” means—
- (a) an assessment under—
 - (i) section 12A(1)(a) of the 1968 Act;
 - (ii) section 23(3) of the 1995 Act;
 - (iii) section 29(5) of the 1995 Act;
 - (b) the preparation of—
 - (i) an adult carer support plan under section 6 of the 2016 Act;
 - (ii) a young carer statement under section 12 of the 2016 Act.

Commencement Information

I6 S. 17 in force at 5.4.2020 by S.S.I. 2020/121, reg. 2(b)

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Registration of deaths and still-births etc

18 Registration of deaths and still-births etc

- (1) Part 1 of Schedule 13 contains temporary modifications of legislation relating to the registration of deaths and still-births in England and Wales, and related provision.
- (2) Part 2 of Schedule 13 contains temporary modifications of legislation relating to the registration of deaths and still-births in Scotland, and related provision.
- (3) Part 3 of Schedule 13 contains temporary modifications of legislation relating to the registration of deaths and still-births in Northern Ireland, and related provision.

Commencement Information

I7 S. 18 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

19 Confirmatory medical certificate not required for cremations: England and Wales

- (1) Regulation 16 of the Cremation (England and Wales) Regulations 2008 (S.I. 2008/2841) (which sets out preconditions for the cremation of the remains of a deceased person) has effect as if paragraph (1)(c)(i) did not require a confirmatory medical certificate to be given in accordance with regulation 17(2) of the Regulations.
- (2) In relation to a case where regulation 16 has effect as mentioned in subsection (1), the Cremation (England and Wales) Regulations 2008 have effect with the following modifications.
- (3) Regulation 2(1) (interpretation) has effect as if for the definition of “medical certificate” and “confirmatory medical certificate” there were substituted—

““medical certificate” is a reference to the certificate so named given in accordance with regulation 17(1);”.
- (4) Regulation 12 (supplementary powers of medical referee) has effect as if sub-paragraph (a) were omitted.
- (5) Regulation 14(2)(b)(i) (forms) has effect as if the words “the confirmatory medical certificate,” were omitted.
- (6) Regulation 17 (medical certificate and confirmatory medical certificate) has effect as if—
 - (a) in the heading the words “and confirmatory medical certificate” were omitted, and
 - (b) paragraphs (2) to (4) were omitted.
- (7) Regulation 22 (right to inspect medical certificate and confirmatory medical certificate) has effect as if—
 - (a) in the heading the words “and confirmatory medical certificate” were omitted,
 - (b) in paragraph (1)(a)(i) the words “and confirmatory medical certificate” were omitted,
 - (c) in paragraph (1)(a)(ii) for “those certificates” there were substituted “ that certificate ”,

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (d) in paragraph (2) the words “and confirmatory medical certificate” were omitted and for “those certificates” there were substituted “ that certificate ”,
 - (e) in paragraph (3)(a) the words “and confirmatory medical certificate” were omitted, and
 - (f) in paragraph (3)(b) for “such a” there were substituted “ the ”.
- (8) Regulation 23 (authorisation of cremation of the remains of a deceased person by medical referee) has effect as if—
- (a) in paragraph (1)(d)(ii) for “certificates have” there were substituted “ a certificate has ”,
 - (b) in paragraph (2) the words “and confirmatory medical certificate” were omitted.
- (9) Regulation 24(4)(b) (medical referee not satisfied about the cause of death of the deceased person) has effect as if the words “or confirmatory medical certificate” were omitted.
- (10) Regulation 33(2)(k) (register kept by registrar) has effect as if the words “and confirmatory medical certificate” were omitted.
- (11) At the end of a period for which this section has effect, it continues to apply in relation to the cremation of the remains of a person who died during that period but whose remains have not been cremated unless, at the end of that period, a medical certificate has not been completed in relation to the deceased person for the purposes of regulation 16(1)(c)(i) of the Cremation (England and Wales) Regulations 2008.

Commencement Information

18 S. 19 in force at 26.3.2020 by S.I. 2020/361, reg. 2(b)

20 Review of cause of death certificates and cremations: Scotland

- (1) Part 1 of Schedule 14 contains temporary modifications of legislation relating to the review of medical certificates of cause of death in Scotland, and related provision.
- (2) Part 2 of Schedule 14 contains temporary modifications of legislation relating to cremation in Scotland, and related provision.

21 Modifications of requirements regarding medical certificates for cremations: Northern Ireland

- (1) The Cremation (Belfast) Regulations (Northern Ireland) 1961 (S.R. & O. (N.I.) 1961 No. 61) have effect with the following modifications.
- (2) Regulation 10 (conditions to be met for cremations) has effect as if for paragraph (a) there were substituted—
 - “(a) a certificate in Form B in the Schedule has been given by a registered medical practitioner who can certify definitely as to the cause of death; or”.
- (3) Regulation 12 (Medical Referee's power to give certificates in Forms C and D) has effect as if the words “if he has personally investigated the cause of death to give a certificate in Form C, and” were omitted.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (4) In regulation 13 (duties of the Medical Referee)—
- (a) paragraph (e) has effect as if the reference to “the medical certificates” did not include the confirmatory medical certificate (Form C);
 - (b) paragraph (f) has effect as if—
 - (i) the words “for which he had been seen and treated by a registered medical practitioner within twenty-eight days prior to his death” were omitted;
 - (ii) the reference to “the certificates” did not include the confirmatory medical certificate (Form C).
- (5) Form A in the Schedule (application for cremation) has effect as if, at question 8(e), the words “for which he or she had been seen and treated by a registered medical practitioner within twenty-eight days prior to death” were omitted.
- (6) Form B in the Schedule (certificate by registered medical practitioner) has effect as if—
- (a) in the paragraph above question 1, the words “attended the deceased during his or her last illness and within twenty-eight days before death, and” were omitted;
 - (b) in question 7, at the beginning there were inserted “If you saw the deceased alive,”;
 - (c) in question 16(e), the words “for which he or she had been seen and treated by a registered medical practitioner within twenty-eight days prior to death” were omitted;
 - (d) in the certification after question 20, the words “for which he had been seen and treated by me within twenty-eight days prior to death” were omitted;
 - (e) in the Note at the end, for “the medical practitioner who is to give the confirmatory medical certificate on Form C” there were substituted “ the Medical Referee ”.
- (7) At the end of a period for which this section has effect, it continues to apply in relation to the cremation of the remains of a person who died during that period but whose remains have not been cremated unless, at the end of that period, a certificate in Form B in the Schedule to the Cremation (Belfast) Regulations (Northern Ireland) 1961 has not been completed in relation to the deceased person for the purposes of regulation 10(a) of those Regulations.

Commencement Information

19 S. 21 in force at 26.3.2020 by S.I. 2020/361, reg. 2(c)

Investigatory powers

[^{F15}22] Appointment of temporary Judicial Commissioners

- (1) The power in subsection (2) is exercisable if the Investigatory Powers Commissioner notifies the Secretary of State—
- (a) that, as a result of the effects of coronavirus, there is a shortage of persons able to carry out functions conferred on Judicial Commissioners by—
 - (i) the Police Act 1997 (“the 1997 Act”),

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- (ii) the Regulation of Investigatory Powers Act 2000 and the Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11) (“the 2000 Acts”), and
 - (iii) the Investigatory Powers Act 2016 (“the 2016 Act”), and
 - (b) that in the Commissioner's opinion the power needs to be exercised in order to deal with that shortage.
- (2) The Secretary of State may by regulations made by statutory instrument provide for the Investigatory Powers Commissioner to be able to appoint persons to carry out functions conferred on Judicial Commissioners by the 1997 Act, the 2000 Acts and the 2016 Act.

A person so appointed is referred to in this section as a “temporary Commissioner”.
- (3) The regulations must provide that a temporary Commissioner may be appointed for one or more terms not exceeding six months each and not exceeding 12 months in total.
- (4) The regulations may—
 - (a) provide for the 1997 Act, the 2000 Acts and the 2016 Act to apply in relation to temporary Commissioners with specified omissions or other modifications;
 - (b) make consequential, supplementary or transitional provision.
- (5) The regulations need not reproduce the effect of section 227(4) to (6) of the 2016 Act (requirements for recommendations, consultation etc). But they must require the Investigatory Powers Commissioner to notify the following persons of any appointment made under the regulations—
 - (a) the Prime Minister;
 - (b) the Secretary of State;
 - (c) the Lord Chancellor;
 - (d) the Lord Chief Justice of England and Wales;
 - (e) the Lord President of the Court of Session;
 - (f) the Lord Chief Justice of Northern Ireland.
- (6) Subject to any provision made under subsection (4), a reference to a Judicial Commissioner in the 1997 Act, the 2000 Acts or the 2016 Act is to be read (so far as the context allows) as referring also to a temporary Commissioner.
- (7) The regulations must provide for them to cease to have effect at the end of the period of 12 months beginning with the day on which they come into force.
- (8) A person's appointment as a temporary Commissioner comes to an end (if it has not already done so) when the regulations cease to have effect.
- (9) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) In this section “Investigatory Powers Commissioner” has the meaning given in section 263(1) of the 2016 Act.]

Textual Amendments

- F15** S. 22 suspended (21.4.2021) by [The Coronavirus Act 2020 \(Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies\) Regulations 2021 \(S.I. 2021/486\)](#), regs. 1(2), 2

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 22(1) modified (10.8.2021 for specified purposes, 15.9.2021 for specified purposes, 30.9.2021 in so far as not already in force) by [Covert Human Intelligence Sources \(Criminal Conduct\) Act 2021 \(c. 4\)](#), s. 9(2), [Sch. para. 16](#); S.I. 2021/605, reg. 2(a)(b)(c)

[^{F16}23 Time limits in relation to urgent warrants etc under Investigatory Powers Act

- (1) The power in subsection (2) is exercisable if the Investigatory Powers Commissioner notifies the Secretary of State that, in the Commissioner's opinion, the power needs to be exercised in response to the effects that coronavirus is having, or is likely to have, on the capacity of Judicial Commissioners to carry out their functions.
- (2) The Secretary of State may by regulations made by statutory instrument modify the Investigatory Powers Act 2016 so as to alter, for the purposes of any of the specified provisions of that Act (see subsection (3)), the length of a period referred to in that Act as “the relevant period”.
- (3) The specified provisions are—
 - (a) sections 24(3), 109(3), 180(3) and 209(3) (period within which Judicial Commissioner must decide whether to approve decision to issue urgent warrant);
 - (b) sections 32(2)(a), 116(2)(a), 184(2)(a) and 213(2)(a) (period at end of which urgent warrant ceases to have effect);
 - (c) sections 33(5)(a), 117(5)(a), 185(3)(a) and 214(3)(a) (period during which urgent warrant may be renewed);
 - (d) sections 38(5), 122(5), 124(3), 147(3), 166(3), 188(3) and 217(3) (period within which Judicial Commissioner or other appropriate person must decide whether to approve decision to make urgent modification of warrant).
- (4) A modification made by the regulations may not increase the length of a period so that it ends after the 12th working day after the day on which the warrant was issued or, as the case may be, the modification was made.
- (5) The regulations may make consequential, supplementary or transitional provision.
- (6) The regulations must provide for them to cease to have effect at the end of the period of 12 months beginning with the day on which they come into force.
- (7) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section—

“Investigatory Powers Commissioner” has the meaning given in section 263(1) of the Investigatory Powers Act 2016;

“Judicial Commissioner” has the meaning given in that section and also includes a person appointed under regulations made under section 22.]

Textual Amendments

- F16** S. 23 suspended (21.4.2021) by [The Coronavirus Act 2020 \(Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies\) Regulations 2021 \(S.I. 2021/486\)](#), regs. 1(2), 2

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Fingerprints and DNA profiles

F17 24 Extension of time limits for retention of fingerprints and DNA profiles

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Textual Amendments

F17 S. 24 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 2(1)(c)** (with reg. 2(2))

PROSPECTIVE

Food supply

F18 25 Power to require information relating to food supply chains

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Textual Amendments

F18 Ss. 25-27 expire (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 2(1)(d)**

F18 26 Authorities which may require information

.....

Textual Amendments

F18 Ss. 25-27 expire (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 2(1)(d)**

F18 27 Restrictions on use and disclosure of information

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Textual Amendments

F18 Ss. 25-27 expire (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 2(1)(d)**

F19 28 Enforcement of requirement to provide information

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Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Textual Amendments

F19 S. 28 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 2\(1\)\(e\)](#)

F20 **29 Meaning of “food supply chain” and related expressions**

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Textual Amendments

F20 S. 29 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 2\(1\)\(f\)](#)

Inquests

30 Suspension of requirement to hold inquest with jury: England and Wales

- (1) For the purposes of section 7(2)(c) of the Coroners and Justice Act 2009 (requirement for inquest to be held with jury if senior coroner has reason to suspect death was caused by notifiable disease etc), COVID-19 is not a notifiable disease.
- (2) This section applies to an inquest that is opened while this section is in force (regardless of the date of the death).

31 Suspension of requirement to hold inquest with jury: Northern Ireland

- (1) For the purposes of section 18(1)(c) of the Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)) (requirement for inquest to be held with jury if it appears to coroner that death was caused by notifiable disease), COVID-19 is not a disease that requires notice to be given.
- (2) This section applies to an inquest that is opened while this section is in force (regardless of the date of the death).

32 Deaths in custody from natural illness: Northern Ireland

- (1) Subsection (2) applies if—
 - (a) an inquest is required to be held in pursuance of section 39(2) of the 1953 Act (death of a prisoner), and
 - (b) it appears to the coroner that the death was caused by natural illness.
- (2) The coroner need not comply with the requirement in section 18(1) of the 1959 Act; and, accordingly, the coroner may proceed to hold or continue to hold the inquest without a jury.
- (3) But if in any case to which subsection (2) applies it appears to the coroner, either before or in the course of an inquest begun without a jury, that it is desirable to summon a jury, the coroner may proceed to cause a jury to be summoned as if it were being summoned in accordance with section 18(1) of the 1959 Act.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (4) Section 13(2) of the 1959 Act has effect in relation to an inquest held without a jury in reliance on subsection (2) as if for the words from “Where more than” to “all the deaths so resulting” there were substituted “Where more than one inquest is required to be held in pursuance of section 39(2) of the 1953 Act and it appears to the coroner that all of the deaths were caused by natural illness and that one inquest ought to be held into them all,”.
- (5) In this section—
 “the 1953 Act” means the Prison Act (Northern Ireland) 1953 (c. 18 (N.I.));
 “the 1959 Act” means the Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)).

Disclosure: Wales

^{x1}33 Disapplication etc by Welsh Ministers of DBS provisions

- (1) The Welsh Ministers may by notice make provision—
- (a) disapplying, for a specified period, a health DBS provision or a social care DBS provision;
 - (b) modifying, for a specified period, a health DBS provision or a social care DBS provision.
- (2) For the purposes of subsection (1) a “health DBS provision” is a provision of regulations under section 22 of the Care Standards Act 2000 (regulation of establishments and agencies) which imposes requirements—
- (a) as to the persons who are fit to work at an establishment in Wales or for the purposes of an agency in Wales, and
 - (b) which relate to the obtaining in relation to such persons of certificates or information from the Disclosure and Barring Service.
- (3) For the purposes of subsection (1) a “social care DBS provision” is a provision of regulations under section 27 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) (regulations about regulated services) which imposes requirements—
- (a) as to the persons who are fit to work in a regulated service, and
 - (b) which relate to the obtaining in relation to such persons of certificates or information from the Disclosure and Barring Service.
- (4) A notice under subsection (1) may limit the disapplication or modification of a health DBS provision or a social care DBS provision by reference to—
- (a) a specified person or description of persons;
 - (b) a specified area;
 - (c) any other matter.
- (5) A notice under subsection (1) must state why the Welsh Ministers consider that the issuing of the notice is an appropriate and proportionate action in all the circumstances relating to the incidence or transmission of coronavirus.
- (6) The specified period in a notice under subsection (1) must not exceed one month.
- (7) The Welsh Ministers may by notice (a “cancellation notice”) cancel a notice under subsection (1) with effect from the time specified in the cancellation notice.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (8) A cancellation notice may contain transitional or saving provision.
- (9) Nothing in subsection (6) or (7) prevents the making of a further notice in relation to a health DBS provision or a social care DBS provision.
- (10) Subject to subsection (11), the Welsh Ministers must—
- (a) publish a notice under this section, and
 - (b) take such other steps as the Welsh Ministers consider reasonable to bring the notice to the attention of those persons likely to be affected by it.
- (11) Where the notice relates to a person specified by name—
- (a) the Welsh Ministers must give a copy of the notice to that person, and
 - (b) the published version of the notice must not identify any individual without their consent.
- (12) In this section—
- “the Disclosure and Barring Service” means the Disclosure and Barring Service established by section 87(1) of the Protection of Freedoms Act 2012;
 - “specified”, in relation to a notice under subsection (1), means specified in the notice.
- (13) Expressions used in this section and in the Care Standards Act 2000 or the Regulation and Inspection of Social Care (Wales) Act 2016 have the same meaning as in that Act.

Editorial Information

- X1** The power conferred under this provision to issue or cancel a notice may be exercised by means of a notice published in [The Gazette](#)

Disclosure: Scotland

^{x2}**34 Temporary disapplication of disclosure offences: Scotland**

- (1) The Scottish Ministers may issue a direction that disapplies or modifies—
- (a) section 35 of the 2007 Act (organisations not to use barred individuals for regulated work);
 - (b) section 36 of the 2007 Act (personnel suppliers not to supply barred individuals for regulated work).
- (2) In this section and section 35, “the 2007 Act” means the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14).
- (3) A direction under subsection (1)—
- (a) may be of general application or specify particular persons or descriptions of persons to whom the direction applies;
 - (b) may be framed by reference to particular kinds of regulated work with children or protected adults (within the meaning of section 91 of the 2007 Act);
 - (c) may be framed by reference to any other matters the Scottish Ministers consider appropriate;
 - (d) may make different provision for different purposes;

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (e) may make such other provision as the Scottish Ministers consider appropriate in connection with the giving of the direction.
- (4) The Scottish Ministers must publish a direction under subsection (1).
- (5) A direction under subsection (1) has effect—
 - (a) for the period specified in the direction, or
 - (b) until revoked by a further direction under that subsection.

Editorial Information

- X2** The power conferred under this provision to issue or revoke a direction may be exercised by means of a notice published in [The Gazette](#)

35 Power to reclassify certain disclosure requests: Scotland

- (1) Where the Scottish Ministers receive a disclosure request under—
 - (a) section 52 of the 2007 Act for a scheme record, or
 - (b) section 53 of the 2007 Act for a short scheme record,
 they may treat it as a disclosure request for a statement of scheme membership under section 54 of the 2007 Act.
- (2) Where the fee for a disclosure request for a statement of scheme membership is lower than the fee for a disclosure request for a scheme record or for a short scheme record, the Scottish Ministers must refund the difference in the fees to the applicant.

Vaccinations: Scotland

36 Vaccination and immunisation: Scotland

- (1) Section 40 of the National Health Service (Scotland) Act 1978 (vaccination and immunisation) has effect as if—
 - (a) for subsection (1) there were substituted—
 - “(1) The Scottish Ministers may make arrangements for the vaccination or immunisation of persons against any disease.”, and
 - (b) in subsection (3), for “medical practitioners” there were substituted “ persons ”.
- (2) Article 4 of the Functions of Health Boards (Scotland) Order 1991 (S.I. 1991/570 (S. 55)) has effect as if for paragraph (g) there were substituted—
 - “(g) the power of the Scottish Ministers under section 40 to make arrangements for the vaccination or immunisation of persons against any disease and to supply vaccines, sera or other preparations for such vaccination or immunisation;”.

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Schools, childcare providers etc

37 Temporary closure of educational institutions and childcare premises

- (1) Part 1 of Schedule 16 makes provision enabling the Secretary of State and the Welsh Ministers to give directions for the restriction of attendance at premises used for the provision of education or childcare.
- (2) Part 2 of Schedule 16 makes provision enabling the Scottish Ministers to give directions to restrict access to schools and other educational premises.
- (3) Part 3 of Schedule 16 makes provision enabling—
 - (a) the Department of Education in Northern Ireland to give directions requiring the temporary closure of schools;
 - (b) the Department for the Economy in Northern Ireland to give directions requiring the temporary closure of further and higher education institutions;
 - (c) the Department of Health in Northern Ireland to give directions requiring the temporary cessation of childcare provision.

38 Temporary continuity: education, training and childcare

- (1) Part 1 of Schedule 17 makes provision enabling the Secretary of State and the Welsh Ministers—
 - (a) to give directions requiring the provision, or continuing provision, of education, training and childcare;
 - (b) to give notices disapplying or modifying enactments.
- (2) Part 2 of Schedule 17 makes provision enabling the Scottish Ministers to give directions requiring the provision, or continuing provision, of education and childcare.
- (3) Part 3 of Schedule 17 makes provision enabling—
 - (a) the Department of Education in Northern Ireland and the Department for the Economy in Northern Ireland to give directions requiring the provision, or continuing provision, of education;
 - (b) the Department of Health in Northern Ireland to give directions requiring the provision, or continuing provision, of childcare;
 - (c) the Department of Education in Northern Ireland to give notices disapplying or modifying enactments.

Statutory sick pay

39 Statutory sick pay: funding of employers' liabilities

- (1) The Social Security Contributions and Benefits Act 1992 has effect as if after section 159A there were inserted—

“159B Funding of employers' statutory sick pay liabilities in relation to coronavirus

- (1) The Commissioners for Her Majesty's Revenue and Customs may by regulations make provision for the payment by employers of statutory sick pay in respect of incapacity for work related to coronavirus to be funded by

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Her Majesty's Revenue and Customs to such extent and in such manner as may be prescribed.

- (2) Regulations under subsection (1) may—
- (a) make provision for a person who has made a payment of statutory sick pay in respect of an employee whose incapacity for work is related to coronavirus to be entitled, except in prescribed circumstances, to recover some or all of that payment;
 - (b) include provision for a person who has made a payment of statutory sick pay in respect of an employee whose incapacity for work is related to coronavirus to be entitled, except in prescribed circumstances, to recover an additional amount, determined in such manner as may be prescribed.
- (3) Regulations under subsection (1) may make provision about when an employee's incapacity for work is related to coronavirus.
- (4) Regulations under subsection (1) may, in particular, make provision—
- (a) for funding in advance as well as in arrear;
 - (b) for funding, or the recovery of amounts due under provision made by virtue of subsection (2)(b), by means of deductions from such amounts for which employers are accountable to Her Majesty's Revenue and Customs as may be prescribed, or otherwise;
 - (c) for the recovery by Her Majesty's Revenue and Customs of any sums overpaid to employers under the regulations.
- (5) Where in accordance with any provision of regulations under subsection (1) an amount has been deducted from an employer's contributions payments, the amount so deducted is (except in such cases as may be prescribed) to be treated for the purposes of any provision made by or under any enactment in relation to primary or secondary Class 1 contributions—
- (a) as having been paid (on such date as may be determined in accordance with the regulations), and
 - (b) as having been received by Her Majesty's Revenue and Customs, towards discharging the employer's liability in respect of such contributions.
- (6) Regulations under subsection (1) may make provision—
- (a) about the procedure for an employer to make a claim under those regulations;
 - (b) about the determination of claims by Her Majesty's Revenue and Customs;
 - (c) requiring an employer to keep records in relation to payments of statutory sick pay in respect of incapacity for work related to coronavirus.
- (7) Regulations under subsection (1) may have retrospective effect in relation to a day of incapacity for work that falls on or after 13 March 2020.
- (8) In this section—
- “contributions payments”, in relation to an employer, means any payments which the employer is required, by or under any enactment, to make in discharge of any liability in respect of primary or secondary Class 1 contributions;

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

“coronavirus” means severe acute respiratory syndrome coronavirus 2.

- (9) Regulations under subsection (1) must be made with the concurrence of the Secretary of State.”
- (2) The Social Security Administration Act 1992 has effect as if in section 113A (statutory sick pay and statutory maternity pay: breach of regulations)—
- (a) in subsection (1)(c), after “153(5)(b)” there were inserted “ or 159B ”;
 - (b) in subsection (3), after “132” there were inserted “ of this Act, or section 159B of the Contributions and Benefits Act ”.
- (3) The Social Security Administration Act 1992 has effect as if in section 113B (statutory sick pay and statutory maternity pay: fraud and negligence)—
- (a) in subsection (1)(b)(iii), after “153(5)(b)” there were inserted “ or 159B ”;
 - (b) after subsection (2) there were inserted—

“(2A) Where an employer fraudulently or negligently receives a payment in pursuance of regulations under section 159B of the Contributions and Benefits Act (funding of employers' statutory sick pay liabilities in relation to coronavirus), the employer is liable to a penalty not exceeding £3,000.”

40 Statutory sick pay: power to disapply waiting period limitation

- (1) The Secretary of State may by regulations make provision disapplying section 155(1) of the Social Security Contributions and Benefits Act 1992 in relation to an employee whose incapacity for work is related to coronavirus.
- (2) Regulations under subsection (1) may make provision about when an employee's incapacity for work is related to coronavirus.
- (3) Section 175(3) to (5) of the Social Security Contributions and Benefits Act 1992 applies to regulations made under subsection (1) as if that subsection were contained in that Act.
- (4) Regulations under subsection (1) may have retrospective effect in relation to a day of incapacity for work that falls on or after 13 March 2020.
- (5) In this section “employee” and “incapacity for work” have the same meaning as in Part 11 of the Social Security Contributions and Benefits Act 1992.
- (6) Regulations under subsection (1) are to be made by statutory instrument.
- (7) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

41 Statutory sick pay: modification of regulation making powers

- (1) The Social Security Contributions and Benefits Act 1992 has effect as if in section 151 (employer's liability for statutory sick pay), after subsection (4) there were inserted—
- “(4A) Regulations under subsection (4) may make provision about whether an employee is deemed to be incapable (as referred to in that subsection) in relation to severe acute respiratory syndrome coronavirus 2 by reference to

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

guidance or any other document published by Public Health England, NHS National Services Scotland, the Public Health Wales National Health Service Trust or any other person specified in the regulations as that guidance or other document is amended from time to time.”

- (2) The Social Security Contributions and Benefits Act 1992 has effect as if in section 175 (regulations), after subsection (5) there were inserted—

“(5A) But regulations under—

- (a) section 151(4) in relation to severe acute respiratory syndrome coronavirus 2, or
- (b) section 159B,

may provide for a person to exercise a discretion in dealing with any matter under those regulations.”

42 Statutory sick pay: funding of employers' liabilities: Northern Ireland

- (1) The Social Security Contributions and Benefits (Northern Ireland) Act 1992 has effect as if after section 155A there were inserted—

“155B Funding of employers' statutory sick pay liabilities in relation to coronavirus

- (1) The Commissioners for Her Majesty's Revenue and Customs may by regulations make provision for the payment by employers of statutory sick pay in respect of incapacity for work related to coronavirus to be funded by Her Majesty's Revenue and Customs to such extent and in such manner as may be prescribed.
- (2) Regulations under subsection (1) may—
- (a) make provision for a person who has made a payment of statutory sick pay in respect of an employee whose incapacity for work is related to coronavirus to be entitled, except in prescribed circumstances, to recover some or all of that payment;
 - (b) include provision for a person who has made a payment of statutory sick pay in respect of an employee whose incapacity for work is related to coronavirus to be entitled, except in prescribed circumstances, to recover an additional amount, determined in such manner as may be prescribed.
- (3) Regulations under subsection (1) may make provision about when an employee's incapacity for work is related to coronavirus.
- (4) Regulations under subsection (1) may, in particular, make provision—
- (a) for funding in advance as well as in arrear;
 - (b) for funding, or the recovery of amounts due under provision made by virtue of subsection (2)(b), by means of deductions from such amounts for which employers are accountable to Her Majesty's Revenue and Customs as may be prescribed, or otherwise;
 - (c) for the recovery by Her Majesty's Revenue and Customs of any sums overpaid to employers under the regulations.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (5) Where in accordance with any provision of regulations under subsection (1) an amount has been deducted from an employer's contributions payments, the amount so deducted is (except in such cases as may be prescribed) to be treated for the purposes of any provision made by or under any statutory provision in relation to primary or secondary Class 1 contributions—
- (a) as having been paid (on such date as may be determined in accordance with the regulations), and
 - (b) as having been received by Her Majesty's Revenue and Customs, towards discharging the employer's liability in respect of such contributions.
- (6) Regulations under subsection (1) may make provision—
- (a) about the procedure for an employer to make a claim under those regulations;
 - (b) about the determination of claims by Her Majesty's Revenue and Customs;
 - (c) requiring an employer to keep records in relation to payments of statutory sick pay in respect of incapacity for work related to coronavirus.
- (7) Regulations under subsection (1) may have retrospective effect in relation to a day of incapacity for work that falls on or after 13 March 2020.
- (8) In this section—
- “contributions payments”, in relation to an employer, means any payments which the employer is required, by or under any statutory provision, to make in discharge of any liability in respect of primary or secondary Class 1 contributions;
 - “coronavirus” means severe acute respiratory syndrome coronavirus 2;
 - “prescribed” means specified in or determined in accordance with regulations made under subsection (1).
- (9) Regulations under subsection (1) must be made with the concurrence of the Secretary of State.”
- (2) The Social Security Administration (Northern Ireland) Act 1992 has effect as if in section 107A (statutory sick pay and statutory maternity pay: breach of regulations)—
- (a) in subsection (1)(c), after “149(5)(b)” there were inserted “ or 155B ”;
 - (b) in subsection (3), after “124” there were inserted “ of this Act, or section 155B of the Contributions and Benefits Act ”.
- (3) The Social Security Administration (Northern Ireland) Act 1992 has effect as if in section 107B (statutory sick pay and statutory maternity pay: fraud and negligence)—
- (a) in subsection (1)(b)(iii), after “149(5)(b)” there were inserted “ or 155B ”;
 - (b) after subsection (2) there were inserted—
- “(2A) Where an employer fraudulently or negligently receives a payment in pursuance of regulations under section 155B of the Contributions and Benefits Act (funding of employers' statutory sick pay liabilities in relation to coronavirus), the employer is liable to a penalty not exceeding £3,000.”

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

43 Statutory sick pay: power to disapply waiting period limitation: Northern Ireland

- (1) The Secretary of State may by regulations make provision disapplying section 151(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 in relation to an employee whose incapacity for work is related to coronavirus.
- (2) Regulations under subsection (1) may make provision about when an employee's incapacity for work is related to coronavirus.
- (3) Section 171(3) to (5) and (10) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 applies to regulations made under subsection (1) as if that subsection were contained in that Act.
- (4) Regulations under subsection (1) may have retrospective effect in relation to a day of incapacity for work that falls on or after 13 March 2020.
- (5) In this section “employee” and “incapacity for work” have the same meaning as in Part 11 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992.
- (6) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

44 Statutory sick pay: modification of regulation making powers: Northern Ireland

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 has effect as if—

- (a) in section 147 (employer's liability for statutory sick pay), after subsection (4) there were inserted—

“(4A) Regulations under subsection (4) may make provision about whether an employee is deemed to be incapable (as referred to in that subsection) in relation to severe acute respiratory syndrome coronavirus 2 by reference to guidance or any other document published by the Regional Agency for Public Health and Social Well-being, Public Health England, NHS National Services Scotland, the Public Health Wales National Health Service Trust or any other person specified in the regulations as that guidance or other document is amended from time to time.”;

- (b) in section 171 (regulations), after subsection (5) there were inserted—

“(5A) But regulations under—

- (a) section 147(4) in relation to severe acute respiratory syndrome coronavirus 2, or
- (b) section 155B,

may provide for a person to exercise a discretion in dealing with any matter under those regulations.”

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Pensions

45 NHS pension schemes: suspension of restrictions on return to work: England and Wales

- (1) The National Health Service Pension Scheme Regulations 1995 (S.I. 1995/300) have effect as if—
 - (a) regulation S1 (suspension of pension on return to NHS employment) were omitted, and
 - (b) in the opening words of regulation S2(3) (reduction of pension on return to NHS employment) the words “or (c)” were omitted.
- (2) The National Health Service Pension Regulations 2008 (S.I. 2008/653) have effect as if the following regulations were omitted—
 - (a) regulation 2.D.6(2)(a) (abatement of pension following increase in pensionable pay), and
 - (b) regulation 3.D.6(2)(a) (abatement of pension following increase in engagement in employment).
- (3) The National Health Service Pension Regulations 2015 (S.I. 2015/94) have effect as if regulation 86(3) (abatement of pension following continuation of employment) were omitted.

46 NHS pension schemes: suspension of restrictions on return to work: Scotland

- (1) The National Health Service Superannuation Scheme (Scotland) Regulations 2011 (S.S.I. 2011/117) have effect as if—
 - (a) regulation S1 (suspension of pension on return to NHS employment) were omitted, and
 - (b) in the opening words of regulation S2(4) (reduction of pension on return to NHS employment) the words “or (c)” were omitted.
- (2) The National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013 (S.S.I. 2013/174) have effect as if the following regulations were omitted—
 - (a) regulation 2.D.6(2)(a) (abatement of pension following increase in pensionable pay), and
 - (b) regulation 3.D.6(2)(a) (abatement of pension following increase in engagement in employment).
- (3) The National Health Service Pension Scheme (Scotland) Regulations 2015 (S.S.I. 2015/94) have effect as if regulation 85(3) (abatement of pension following continuation of employment) were omitted.

47 Health and social care pension schemes: suspension of restrictions on return to work: Northern Ireland

- (1) The Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 (S.R. (N.I.) 1995 No.95) have effect as if—
 - (a) regulation 84 (suspension of pension on return to HPSS employment) were omitted, and

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- (b) in the opening words of regulation 85(3) (reduction of pension on return to HPSS employment) the words “or (c)” were omitted.
- (2) The Health and Social Care (Pension Scheme) Regulations (Northern Ireland) 2008 (S.R. (N.I.) 2008 No.256) have effect as if the following regulations were omitted—
 - (a) regulation 50(2)(a) (abatement of pension following increase in pensionable pay), and
 - (b) regulation 181(2)(a) (abatement of pension following increase in engagement in employment).
- (3) The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015 (S.R. (N.I.) 2015 No.120) have effect as if regulation 85(3) (abatement of pension following continuation of employment) were omitted.

Protection of public health

48 Powers to act for the protection of public health: Northern Ireland

Schedule 18 contains temporary modifications of the Public Health Act (Northern Ireland) 1967.

49 Health protection regulations: Scotland

Schedule 19 contains provision enabling the Scottish Ministers to make regulations for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Scotland (whether from risks originating there or elsewhere).

Power to suspend port operations

50 Power to suspend port operations

Schedule 20 confers power on the Secretary of State in relation to the suspension of port operations.

Powers relating to potentially infectious persons

51 Powers relating to potentially infectious persons

Schedule 21 confers powers relating to potentially infectious persons and makes related provision.

Powers relating to events, gatherings and premises

52 Powers to issue directions relating to events, gatherings and premises

Schedule 22 confers powers to issue directions in relation to events, gatherings and premises.

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Courts and tribunals: use of video and audio technology

53 Expansion of availability of live links in criminal proceedings

Schedule 23 contains temporary modifications of—

- (a) the Criminal Justice Act 2003,
- (b) the Criminal Appeal Act 1968, and
- (c) the Criminal Justice Act 1988.

54 Expansion of availability of live links in other criminal hearings

Schedule 24 contains temporary modifications of—

- (a) the Crime and Disorder Act 1998,
- (b) the Extradition Act 2003,
- (c) the Police and Criminal Evidence Act 1984,
- (d) the Prosecution of Offences Act 1985, and
- (e) the Serious Organised Crime and Police Act 2005.

55 Public participation in proceedings conducted by video or audio

Schedule 25 contains temporary modifications of—

- (a) the Courts Act 2003, and
- (b) the Tribunals, Courts and Enforcement Act 2007.

56 Live links in magistrates' court appeals against requirements or restrictions imposed on a potentially infectious person

Schedule 26 contains temporary modifications of the Magistrates' Courts Act 1980.

57 Use of live links in legal proceedings: Northern Ireland

Schedule 27 makes provision for, and in connection with, the use of live links in proceedings in courts and tribunals in Northern Ireland.

Powers in relation to bodies

[^{F21}[^{F22}[^{F33}58 Powers in relation to transportation, storage and disposal of dead bodies etc

Schedule 28 confers powers to facilitate the transportation, storage and disposal of dead bodies and human remains.]]]

Textual Amendments

F21 S. 58 suspended in part (E.N.I.) (21.4.2021) by [The Coronavirus Act 2020 \(Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies\) Regulations 2021 \(S.I. 2021/486\)](#), regs. 1(2), 3

F22 S. 58 suspended in part (S.) (9.7.2021) by [The Coronavirus Act 2020 \(Suspension: Disposal of Bodies\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/250\)](#), regs. 1(1), 2

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F23 S. 58 suspended in part (W.) (24.9.2021) by [The Coronavirus Act 2020 \(Suspension: Transportation, Storage and Disposal of Dead Bodies etc\) \(Wales\) Regulations 2021 \(S.I. 2021/1042\)](#), regs. 1(2), **2(a)**

Postponement of elections, referendums, recall petitions and canvass

59 Elections and referendums due to be held in England in period after 15 March 2020

- (1) This section applies to the poll for a relevant election or relevant referendum if the poll—
 - (a) is required to be held on a day falling within the period beginning with 16 March 2020 and ending with the day 30 days after that on which this Act is passed, but
 - (b) is not held in that period.
- (2) Section 39 of the 1983 Act (local elections void etc) does not apply, and is treated as never having applied, in relation to the poll.
- (3) Section 63 of that Act (breach of official duty) does not apply, and is treated as never having applied, in relation to any act or omission in connection with the poll.
- (4) In determining for the purpose of this section whether a poll has been held, postal votes are to be ignored.
- (5) This section does not affect the application of section 39 or 63 of the 1983 Act in relation to a poll the date for which is determined by virtue of section 61 (power to postpone).
- (6) In this section—
 - “the 1983 Act” means the Representation of the People Act 1983;
 - “local government area” has the same meaning as in the 1983 Act (see section 203(1) of that Act);
 - “relevant election” means an election of a councillor for any local government area in England to fill a casual vacancy;
 - “relevant referendum” means a referendum under or by virtue of Schedule 4B to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans).

60 Postponement of elections due to be held on 7 May 2020

Local government

- (1) The poll for the ordinary election of councillors for any local government area in England that would otherwise be held on the ordinary day of election in 2020 is to be held instead on the ordinary day of election in 2021.
- (2) A councillor who would otherwise, pursuant to section 7 or 16 of the Local Government Act 1972 (elections of councillors), retire on the fourth day after the ordinary day of election in 2020 is instead to retire on the fourth day after the ordinary day of election in 2021; and the councillor's term of office is extended accordingly.
- (3) A councillor who—

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- (a) is returned at an election the poll for which is held on the ordinary day of election in 2021, and
- (b) fills a vacancy arising as a result of the expiry of a term of office extended under subsection (2),

is (notwithstanding section 7 or 16 of the Local Government Act 1972) to retire on the fourth day after the ordinary day of election in 2024; and the councillor's term of office is reduced accordingly.

- (4) In determining under section 7(3) or (9)(c) of the Local Government Act 1972 which councillors are to retire in accordance with that provision on the fourth day after the ordinary day of election in 2021, councillors who retire in accordance with subsection (2) of this section are to be ignored.
- (5) In subsections (1) to (4)—
 - (a) “local government area” has the same meaning as in the Representation of the People Act 1983 (see section 203(1) of that Act);
 - (b) a reference to the ordinary day of election in a year is to the ordinary day of election of councillors in that year determined under section 37 of that Act (ordinary day of local elections in England).

The Mayor of London and the London Assembly

- (6) The poll for the ordinary election that would otherwise, pursuant to section 3(2) of the Greater London Authority Act 1999 (time of ordinary election for the Mayor of London and the London Assembly), be held on 7 May 2020 is to be held instead on 6 May 2021.
- (7) The postponement of that ordinary election is to be ignored in determining the years in which subsequent ordinary elections are to be held.

Elected mayors of local authorities

- (8) The poll for the election of any elected mayor that would otherwise, pursuant to regulations under section 9HB of the Local Government Act 2000 (time of elections etc), be held on 7 May 2020 is to be held instead on 6 May 2021.
- (9) The postponement under subsection (8) of an election is to be ignored in determining the years in which subsequent elections of elected mayors are to be held.

Elected mayors of combined authorities

- (10) The poll for the election of any mayor that would otherwise, pursuant to an order under Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, be held on 7 May 2020 is to be held instead on 6 May 2021.
- (11) The postponement under subsection (10) of an election is to be ignored in determining the years in which subsequent elections of mayors are to be held.

Police and crime commissioners

- (12) The ordinary election that would otherwise, pursuant to section 50(1) of the Police Reform and Social Responsibility Act 2011 (ordinary election of police and crime commissioners), be held in 2020 is to be held instead in 2021.

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Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (13) The postponement of that ordinary election is to be ignored in determining the years in which subsequent ordinary elections are to be held.

61 Power to postpone certain other elections and referendums

- (1) The Secretary of State or the Minister for the Cabinet Office may, by regulations made by statutory instrument, provide—
- (a) that the poll for a relevant election or a relevant referendum is to be held on such date, or within such period, as is specified in the regulations;
 - (b) that polls for relevant elections or relevant referendums that would otherwise be required to be held on dates that fall within a period specified in the regulations are instead to be held on such later date, or within such period, as is specified in the regulations.
- (2) For the purposes of this section an election or referendum is “relevant” if—
- (a) the date of the poll for the election or the referendum falls within the period beginning with 16 March 2020 and ending with 5 May 2021, and
 - (b) subsection (3) or (4) applies to it.
- (3) This subsection applies to—
- (a) an election of a councillor for any local government area in England to fill a casual vacancy;
 - (b) a local election in Northern Ireland to fill a casual vacancy;
 - (c) an election to fill a casual vacancy in respect of a constituency member of the Greater London Assembly;
 - (d) an election to fill a vacancy in the office of the Mayor of London;
 - (e) an election to fill a casual vacancy in the office of an elected mayor under Part 1A of the Local Government Act 2000;
 - (f) an election to fill a vacancy in the office of a mayor for the area of a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;
 - (g) an election to fill a vacancy in the office of a police and crime commissioner for a police area.
- (4) This subsection applies to—
- (a) a poll under section 116 of the Local Government Act 2003 (local polls);
 - (b) a referendum under section 9MB of the Local Government Act 2000 (referendums on governance arrangements);
 - (c) a referendum by virtue of section 9MC of the Local Government Act 2000 (referendums following petition);
 - (d) a referendum under section 52ZG or 52ZN of the Local Government Finance Act 1992 (referendums in relation to council tax);
 - (e) a referendum under or by virtue of Schedule 4B to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans).
- (5) Regulations under subsection (1) must not specify—
- (a) a date later than 6 May 2021, or
 - (b) a period ending later than 6 May 2021.
- (6) The power to make regulations under subsection (1) may be exercised more than once in respect of any relevant election or relevant referendum.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (7) Regulations under subsection (1) may make provision by reference to relevant elections or relevant referendums of a description specified in the regulations (for example, by reference to the nature, date or location of the elections or referendums).
- (8) The power to make regulations under subsection (1) is capable of being exercised so as to amend, repeal or revoke any enactment.

In this subsection “enactment” has the same meaning as in section 92.

- (9) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) In this section—

“local election” has the same meaning as in the Electoral Law Act (Northern Ireland) 1962 (see section 130(1) of that Act);

“local government area” has the same meaning as in the Representation of the People Act 1983 (see section 203(1) of that Act).

62 Power to postpone a recall petition under the Recall of MPs Act 2015

- (1) In relation to a Speaker's notice received by a petition officer in the period beginning with the day on which this Act is passed and ending with 21 April 2021, section 7 of the 2015 Act (where and from when a recall petition may be signed) has effect as if for subsection (4) there were substituted—

“(4) The petition officer must designate under subsection (1)(b)—

- (a) a working day that falls no later than 6 May 2021, or
- (b) if it is not reasonably practicable to designate such a day, the first subsequent working day that it is reasonably practicable to designate.”

- (2) The Secretary of State or the Minister for the Cabinet Office may, by regulations made by statutory instrument, provide that the designated day for a relevant recall petition is postponed until a date specified in the regulations.
- (3) For the purposes of this section a recall petition is “relevant” if the day designated in relation to it under section 7(1)(b) of the 2015 Act (date from which petition may be signed) falls within the period beginning with the day on which this Act is passed and ending with 5 May 2021.
- (4) The date specified in regulations under subsection (2) must be no later than 6 May 2021.
- (5) The power to make regulations under subsection (2) may be exercised more than once in respect of any relevant recall petition.
- (6) A statutory instrument containing regulations under subsection (2) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section—
 - “the 2015 Act” means the Recall of MPs Act 2015;
 - “the designated day” has the same meaning as in the 2015 Act (see section 7(5) of that Act);
 - “petition officer” has the same meaning as in the 2015 Act (see section 6(2) of that Act);

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“recall petition” has the same meaning as in the 2015 Act (see section 1(2) of that Act);

“Speaker's notice” has the same meaning as in the 2015 Act (see section 5(7) of that Act).

63 Power to make supplementary etc provision

- (1) The Secretary of State or the Minister for the Cabinet Office may, by regulations made by statutory instrument, make consequential, supplementary, incidental, transitional or saving provision in connection with sections 60 to 62 or regulations made under them.
- (2) Regulations under subsection (1) may, in particular, make provision about—
 - (a) acts or omissions in connection with an election, referendum or recall petition prior to its postponement (including provision disapplying any enactment imposing criminal liability in respect of such acts or omissions);
 - (b) things that have yet to be done in connection with an election, referendum or recall petition prior to its postponement;
 - (c) the conduct of elections, referendums or recall petitions that have been postponed or steps to be taken in respect of such elections, referendums or recall petitions;
 - (d) the manner of voting in elections or referendums, or of signing of recall petitions, that have been postponed;
 - (e) the terms of office of incumbent office-holders or those elected at a postponed election;
 - (f) the nomination of candidates;
 - (g) expenses incurred in relation to elections or referendums by persons other than local authorities (including the expenses of candidates);
 - (h) compensation for local authorities or candidates incurring additional expenditure as a result of this Act;
 - (i) the membership or governance arrangements of a local authority in relation to which an order has been made under section 7 of the Local Government and Public Involvement in Health Act 2007 (implementation of structural changes proposals), the membership or governance arrangements of any shadow authority established under such an order, or any other matter dealt with in such an order.
- (3) Regulations under subsection (1) may make retrospective provision, including provision having effect in relation to times before the coming into force of this Act.
- (4) The power to make regulations under subsection (1) is capable of being exercised so as to amend, repeal or revoke any enactment.

In this subsection “enactment” has the same meaning as in section 92.

- (5) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

64 Northern Ireland: timing of canvass and Assembly by-elections

- (1) Section 10ZA of the Representation of the People Act 1983 (Northern Ireland: timing of the canvass) is amended in accordance with subsections (2) and (3).
- (2) In subsection (1)—

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- (a) after paragraph (a) insert—
 - “(aa) the year 2021;
 - (ab) the year 2030;”;
 - (b) in paragraph (b), for “2010” substitute “ 2030 ”.
- (3) In subsection (4)—
- (a) omit paragraph (b) (including the “and” at the end);
 - (b) after paragraph (c) insert—
 - “(d) 2021,
 - (e) 2030, and
 - (f) every tenth year following 2030.”
- (4) Subsection (5) applies if, at any time during the relevant period, Article 7(2) of the 2001 Order requires the Chief Electoral Officer for Northern Ireland to set a date as the date of the poll for an Assembly by-election.
- (5) Before setting the date, the Chief Electoral Officer must consult the Secretary of State.
- (6) In subsection (4)—
- “the relevant period” means the period beginning with the date on which this Act is passed and ending with 1 February 2021;
 - “the 2001 Order” means the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599).

Postponement of elections: Wales

65 Elections due to be held in Wales in period after 15 March 2020

- (1) This section applies to the poll for a relevant election if the poll—
- (a) is required to be held on a day falling within the period beginning with 16 March 2020 and ending with the day 30 days after that on which this Act is passed, but
 - (b) is not held in that period.
- (2) Section 39 of the 1983 Act (local elections void etc) does not apply, and is treated as never having applied, in relation to the poll.
- (3) Section 63 of that Act (breach of official duty) does not apply, and is treated as never having applied, in relation to any act or omission in connection with the poll.
- (4) In determining for the purpose of this section whether a poll has been held, postal votes are to be ignored.
- (5) This section does not affect the application of section 39 or 63 of the 1983 Act in relation to a poll the date for which is determined by virtue of section 67 (power to postpone).
- (6) In this section—
- “the 1983 Act” means the Representation of the People Act 1983;
 - “relevant election” means an election to fill a casual vacancy in the office of councillor in a county council, county borough council or community council in Wales.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

66 Postponement of National Assembly for Wales elections for constituency vacancies

- (1) This section applies where under section 10 of the Government of Wales Act 2006 (“the 2006 Act”), an election is to be held to fill a vacant seat of a constituency member (“the election”).
- (2) The Presiding Officer may, where a date has been fixed for the poll for the election, fix a later date (which may be outwith the period required under section 10(5) or (6) of the 2006 Act).
- (3) The Presiding Officer must fix a date under subsection (2) for the poll for the election to be held as soon as reasonably practicable.
- (4) The power under subsection (2)—
 - (a) may be exercised more than once,
 - (b) may not be exercised so as to fix a date for the poll for the election that is within the period mentioned in 10(7) of the 2006 Act, and
 - (c) may not be exercised so as to fix a date after 6 May 2021.
- (5) Before exercising the power under subsection (2), the Presiding Officer must consult the Welsh Ministers.

67 Power to postpone local authority elections in Wales for casual vacancies

- (1) The Welsh Ministers may, by regulations made by statutory instrument, provide—
 - (a) that the poll for a relevant election is to be held on such date, or within such period, as is specified in the regulations;
 - (b) that polls for relevant elections that would otherwise be required to be held on dates that fall within a period specified in the regulations are instead to be held on such later date, or within such period, as is specified in the regulations.
- (2) For the purposes of this section an election is “relevant” if—
 - (a) the date of the poll for the election falls within the period beginning with 16 March 2020 and ending with 5 May 2021, and
 - (b) it is an election to fill a casual vacancy in the office of councillor in a county council, county borough council or community council in Wales.
- (3) Regulations under subsection (1) must not specify—
 - (a) a date later than 6 May 2021, or
 - (b) a period ending later than 6 May 2021.
- (4) The power to make regulations under subsection (1) may be exercised more than once in respect of any relevant election.
- (5) Regulations under subsection (1) may make provision by reference to relevant elections of a description specified in the regulations (for example, by reference to the nature, date or location of the elections).
- (6) The power to make regulations under subsection (1) is capable of being exercised so as to amend or repeal a provision of an Act of Parliament or of an Act or Measure of the National Assembly for Wales.
- (7) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

68 Power to make supplementary etc provision

- (1) The Welsh Ministers may, by regulations made by statutory instrument, make consequential, supplementary, incidental, transitional or saving provision in connection with section 66 or regulations made under section 67.
- (2) Regulations under subsection (1) may, in particular, make provision about—
 - (a) acts or omissions in connection with an election prior to its postponement (including provision disapplying any enactment imposing criminal liability in respect of such acts or omissions);
 - (b) things that have yet to be done in connection with an election prior to its postponement;
 - (c) the conduct of elections that have been postponed or steps to be taken in respect of such elections;
 - (d) the manner of voting in elections that have been postponed;
 - (e) the terms of office of incumbent office-holders or those elected at a postponed election;
 - (f) the nomination of candidates;
 - (g) expenses incurred in relation to elections by persons other than local authorities (including the expenses of candidates);
 - (h) compensation for local authorities or candidates incurring additional expenditure as a result of the Act.
- (3) Regulations under subsection (1) may make retrospective provision, including provision having effect in relation to times before the coming into force of this Act.
- (4) The power to make regulations under subsection (1) is capable of being exercised so as to amend or repeal a provision of an Act of Parliament or of an Act or Measure of the National Assembly for Wales.
- (5) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Postponement of elections: Scotland

^{x3}69 Postponement of Scottish Parliament elections for constituency vacancies

- (1) This section applies where under section 9 of the Scotland Act 1998 (“the 1998 Act”), an election is to be held to fill a vacant seat of a constituency member (“the election”).
- (2) The Presiding Officer may—
 - (a) where a date has been fixed for the poll for the election, fix a later date (which may be outwith the period required under section 9(3) of the 1998 Act), or
 - (b) where no such date has been fixed, fix a date for the poll that is outwith that period.
- (3) The Presiding Officer must fix a date under subsection (2) for the poll at the election to be held as soon as reasonably practicable.
- (4) The Presiding Officer must notify the constituency returning officer for the election of the date fixed for the poll under subsection (2) in the same manner as if it had been fixed under section 9 of the 1998 Act.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (5) The power under subsection (2)—
- (a) may be exercised more than once,
 - (b) may not be exercised so as to fix a date for the poll at the election that is within the period mentioned in section 9(4) of the 1998 Act, and
 - (c) may not be exercised so as to fix a date after 6 May 2021.
- (6) Before exercising the power under subsection (2), the Presiding Officer must consult—
- (a) the Scottish Ministers, and
 - (b) the convener of the Electoral Management Board for Scotland.
- (7) Subsection (8) applies where—
- (a) notice of the date for the poll for the election has been published under Part 1 of Schedule 2 to the Scottish Parliament (Elections etc.) Order 2015 (S.S.I. 2015/425) (“the 2015 Order”), and
 - (b) under subsection (2)(a), the Presiding Officer fixes a later date for the poll (“the new date”).
- (8) The constituency returning officer must—
- (a) publish a notice stating that the date has changed, and
 - (b) comply with the requirements of Part 1 of Schedule 2 to the 2015 Order as if the new date had just been fixed under section 9 of the 1998 Act.
- (9) In this section “constituency returning officer” has the same meaning as in the 2015 Order.

Editorial Information

- X3** The power conferred under this provision to publish a notice may be exercised by means of a notice published in [The Gazette](#)

^{x4}70 Postponement of local authority elections in Scotland for casual vacancies

- (1) This section applies where under section 37 of the Local Government (Scotland) Act 1973 (“the 1973 Act”), an election is to be held to fill a casual vacancy in the office of councillor in a local authority (“the election”).
- (2) The returning officer may—
- (a) where a date has been fixed for the poll for the election, fix a later date (which may be outwith the period required under section 37(1) of the 1973 Act), or
 - (b) where no such date has been fixed, fix a date for the poll that is outwith that period.
- (3) The returning officer must fix a date under subsection (2) for the poll at the election to be held as soon as reasonably practicable.
- (4) The power under subsection (2)—
- (a) may be exercised more than once,
 - (b) may not be exercised so as to fix a date for the poll at the election that is within the period mentioned in subsection (2) of section 37 of the 1973 Act,

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

unless the holding of the election within that period is permitted under that subsection, and

(c) may not be exercised so as to fix a date after 6 May 2021.

(5) Before exercising the power under subsection (2), the returning officer must consult—

(a) the Scottish Ministers, and

(b) the convener of the Electoral Management Board for Scotland.

(6) Subsection (7) applies where—

(a) notice of the date for the poll for the election has been published under Part 1 of Schedule 1 to the Scottish Local Government Elections Order 2011 (S.S.I. 2011/399) (“the 2011 Order”), and

(b) under subsection (2)(a), the returning officer fixes a later date for the poll (“the new date”).

(7) The returning officer must—

(a) publish a notice stating that the date has changed, and

(b) comply with the requirements of Part 1 of Schedule 1 to the 2011 Order as if the new date had just been fixed under section 37 of the 1973 Act.

(8) In this section—

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 and “area” in relation to a local authority means the local government area for which the authority is constituted;

“returning officer”, in relation to a local authority, means an officer appointed by the local authority under section 41(1) of the Representation of the People Act 1983.

Editorial Information

X4 The power conferred under this provision to publish a notice may be exercised by means of a notice published in [The Gazette](#)

Other administrative requirements

^{F24}71 **Signatures of Treasury Commissioners**

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Textual Amendments

F24 S. 71 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 2\(1\)\(g\)](#)

National Insurance Contributions

72 **Power under section 143 of the Social Security Administration Act 1992**

(1) This section applies to an order made under section 143 of the Social Security Administration Act 1992 (power to alter contributions) if—

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (a) it is made on or after 19 March 2020 and before the end of the period of 2 years beginning with the day on which this Act is passed, and
 - (b) it does not increase a figure referred to in section 143(1) or (3) of that Act above the figure that would apply on 6 April 2020, ignoring the effect of any order made under section 143 or 145 of that Act on or after 19 March 2020.
- (2) Section 143(1) of that Act has effect in relation to an order to which this section applies as if the words from “with a view” to “future period” were omitted.
- (3) Section 143(4)(a) of that Act (no increase above 0.25%) does not apply to an order to which this section applies.
- (4) Section 144 of that Act (requirement to lay report and orders not to have effect before next tax year) does not apply to an order to which this section applies.
- (5) Section 190(1) of that Act (affirmative procedure for certain orders) does not apply in relation to an order to which this section applies (and accordingly such an order is subject to annulment in pursuance of a resolution of either House of Parliament).

73 Power under section 145 of the Social Security Administration Act 1992

- (1) This section applies to an order made under section 145 of the Social Security Administration Act 1992 (power to alter primary and secondary contributions) if—
- (a) it is made on or after 19 March 2020 and before the end of the period of 2 years beginning with the day on which this Act is passed, and
 - (b) it does not increase a rate or figure referred to in section 145(1), (2) or (4) of that Act above the rate or figure that would apply on 6 April 2020, ignoring the effect of any order made under section 143 or 145 of that Act on or after 19 March 2020.
- (2) Section 145(3) of that Act (no increase above 0.25%) does not apply to an order to which this section applies.
- (3) Subsections (2) to (5) of section 147 of that Act (requirement to lay report and coming into force and effect of order) do not apply to an order to which this section applies.
- (4) Section 190(1) of that Act (affirmative procedure for certain orders) does not apply in relation to an order to which this section applies (and accordingly such an order is subject to annulment in pursuance of a resolution of either House of Parliament).

74 Power under section 5 of the National Insurance Contributions Act 2014

- (1) This section applies to regulations under section 5 of the National Insurance Contributions Act 2014 (power to amend the employment allowance provisions) made on or after 19 March 2020 and before the end of the period of 2 years beginning with the day on which this Act is passed.
- (2) Section 5(5) to (9) of that Act (Parliamentary procedure) does not apply to such regulations but a statutory instrument containing such regulations is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) But subsection (2) does not apply to regulations falling within section 5(1)(a) of that Act which decrease a person's employment allowance for a tax year below £4,000 (accordingly, section 5(5) of that Act continues to apply to a statutory instrument containing such regulations).

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Financial assistance for industry

75 Disapplication of limit under section 8 of the Industrial Development Act 1982

(1) Financial assistance provided under section 8 of the Industrial Development Act 1982 (general power to give selective financial assistance to industry) is not to count towards the limit set by subsections (4) and (5) of that section if the assistance has been designated under subsection (2) as “coronavirus-related”.

(2) The providing authority may make that designation if it appears to the authority that the assistance is provided (wholly or to a significant degree) for the purpose of preventing, reducing, or compensating for any effect or anticipated effect (direct or indirect) of coronavirus or coronavirus disease.

“The providing authority” means whichever of the Secretary of State, the Scottish Ministers or the Welsh Ministers provides the assistance.

(3) As soon as reasonably practicable after the end of any quarter in which assistance designated as coronavirus-related is provided by the Secretary of State, the Secretary of State must lay before Parliament a report stating the amount of, and containing such other details as the Secretary of State considers appropriate about—

- (a) the designated assistance provided by the Secretary of State in that quarter, and
- (b) all designated assistance provided by the Secretary of State from the time when this section came into force until the end of that quarter.

“Quarter” means a period of three months ending at the end of March, June, September or December.

HMRC functions

^{X5}76 HMRC functions

Her Majesty's Revenue and Customs are to have such functions as the Treasury may direct in relation to coronavirus or coronavirus disease.

Editorial Information

X5 The power conferred under this provision to make a direction may be exercised by means of a notice published in [The Gazette](#)

Up-rating of working tax credit etc

77 Up-rating of working tax credit etc

(1) In the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 (S.I. 2002/2005), in the table in Schedule 2 (maximum rates of the elements of a working tax credit), item 1 (basic element) has effect in relation to the tax year 2020-21 as if the amount specified in the second column (maximum annual rate) were £3,040.

(2) The modification made by subsection (1) does not apply for the purposes of any annual review carried out in accordance with section 41 of the Tax Credits Act 2002.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (3) Where a sum mentioned in section 150(1) of the Social Security Administration Act 1992 (annual review in relation to up-rating of benefits) is modified in relation to the tax year 2020-21 for purposes connected with coronavirus or coronavirus disease, the modification does not apply for the purposes of any annual review carried out in accordance with that section.

Local authority meetings

78 Local authority meetings

- (1) The relevant national authority may by regulations make provision relating to—
- (a) requirements to hold local authority meetings;
 - (b) the times at or by which, periods within which, or frequency with which, local authority meetings are to be held;
 - (c) the places at which local authority meetings are to be held;
 - (d) the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority meetings;
 - (e) public admission and access to local authority meetings;
 - (f) the places at which, and manner in which, documents relating to local authority meetings are to be open to inspection by, or otherwise available to, members of the public.
- (2) The provision which may be made by virtue of subsection (1)(d) includes in particular provision for persons to attend, speak at, vote in, or otherwise participate in, local authority meetings without all of the persons, or without any of the persons, being together in the same place.
- [^{F25}(3) The regulations may make provision only in relation to local authority meetings required to be held, or held, before 7 May 2021.]
- (4) The power to make regulations under this section includes power—
- (a) to disapply or modify any provision of an enactment or subordinate legislation;
 - (b) to make different provision for different purposes;
 - (c) to make consequential, supplementary, incidental, transitional or saving provision.
- (5) In this section the “relevant national authority” means—
- (a) in relation to local authorities in England, the Secretary of State;
 - (b) in relation to local authorities in Wales, the Welsh Ministers;
 - (c) in relation to local authorities in Northern Ireland, the Department for Communities in Northern Ireland.
- (6) In this section “local authority meeting” means a meeting of—
- (a) a local authority;
 - (b) an executive of a local authority (within the meaning of Part 1A or 2 of the Local Government Act 2000 or Part 6 of the Local Government Act (Northern Ireland) 2014);
 - (c) a joint committee of two or more local authorities;
 - (d) a committee or sub-committee of anything within paragraphs (a) to (c).

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (7) In this section “local authority”, in relation to England, means—
- (a) a county council;
 - (b) a district council;
 - (c) a London borough council;
 - (d) the Common Council of the City of London;
 - (e) the Greater London Authority;
 - (f) the Council of the Isles of Scilly;
 - (g) a parish council;
 - (h) a joint board continued in being by virtue of section 263(1) of the Local Government Act 1972;
 - (i) a port health authority constituted under section 2 of the Public Health (Control of Disease) Act 1984;
 - (j) an authority established under section 10 of the Local Government Act 1985;
 - (k) a joint authority established under Part 4 of the Local Government Act 1985;
 - (l) a joint committee constituted to be a local planning authority under section 29 of the Planning and Compulsory Purchase Act 2004;
 - (m) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - (n) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, or created by an order under section 4A of that Act;
 - (o) a National Park authority established under section 63 of the Environment Act 1995;
 - (p) the Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988;
 - (q) a conservation board established under section 86 of the Countryside and Rights of Way Act 2000;
 - (r) an appeal panel constituted under the School Admissions (Appeals Arrangements) (England) Regulations 2012 (S.I. 2012/9).
 - [^{F26}(s) a Mayoral development corporation established under section 198 of the Localism Act 2011;
 - (t) an urban development corporation established under section 135 of the Local Government, Planning and Land Act 1980;
 - (u) a parish meeting constituted under section 13 of the Local Government Act 1972;
 - (v) Transport for London.]
- (8) In this section “local authority”, in relation to Wales, means—
- (a) a county council;
 - (b) a county borough council;
 - (c) a community council;
 - (d) a joint board continued in being by virtue of section 263(1) of the Local Government Act 1972;
 - (e) a port health authority constituted under section 2 of the Public Health (Control of Disease) Act 1984;
 - (f) a joint committee constituted to be a local planning authority under section 29 of the Planning and Compulsory Purchase Act 2004;

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (g) a strategic planning panel established under section 60D of the Planning and Compulsory Purchase Act 2004;
 - (h) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
 - (i) a National Park authority established under section 63 of the Environment Act 1995;
 - (j) an appeal panel constituted under the Education (Admission Appeals Arrangements) (Wales) Regulations 2005 (S.I. 2005/1398).
- (9) In this section “local authority”, in relation to Northern Ireland, means a district council.
- (10) In this section—
- “enactment” includes—
 - (a) an enactment comprised in an Act or Measure of the National Assembly for Wales;
 - (b) an enactment comprised in Northern Ireland legislation;
 - “subordinate legislation” means—
 - (a) subordinate legislation within the meaning of the Interpretation Act 1978;
 - (b) an instrument made under an Act or Measure of the National Assembly for Wales;
 - (c) an instrument made under Northern Ireland legislation.
- (11) Regulations under this section made by the Secretary of State or the Welsh Ministers are to be made by statutory instrument.
- (12) A statutory instrument containing regulations under this section made by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament.
- (13) A statutory instrument containing regulations under this section made by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (14) The power of the Department for Communities in Northern Ireland to make regulations under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).
- (15) Regulations under this section made by the Department for Communities in Northern Ireland are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.

Textual Amendments

F25 S. 78(3) repealed (N.I.) (27.8.2021) by [Local Government \(Meetings and Performance\) Act \(Northern Ireland\) 2021 \(c. 8 \(N.I.\)\)](#), **ss. 1(1), 6(1)**

F26 S. 78(7)(s)-(v) inserted (22.7.2020) by [Business and Planning Act 2020 \(c. 16\)](#), **ss. 22, 25(4)**

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Business improvement districts

F2779 Extension of BID arrangements: England

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Textual Amendments

F27 S. 79 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 4\(b\)](#)

80 Extension of BID arrangements: Northern Ireland

- (1) This section applies to BID arrangements if—
 - (a) they are in force on the day on which this Act is passed, and
 - (b) the period specified in the arrangements as the period for which they are in force is due to end on a date (“the 2020 expiry date”) that is on or before 31 December 2020.
- (2) BID arrangements to which this section applies are to be read as if—
 - (a) the period specified in the arrangements as the period for which they are in force ended on 31 March 2021,
 - (b) there were a chargeable period in relation to the arrangements beginning on the day after the 2020 expiry date and ending on 31 March 2021 (“the 2021 chargeable period”),
 - (c) the arrangements provided for the amount of BID levy chargeable for the 2021 chargeable period—
 - (i) to be calculated in the same manner as for the last 2020 chargeable period, and
 - (ii) to be apportioned on a just and reasonable basis, where the 2021 chargeable period is not the same length as the last 2020 chargeable period, and
 - (d) the description of eligible ratepayers liable for BID levy in relation to the arrangements for the 2021 chargeable period were the same as that for the last 2020 chargeable period.
- (3) “The last 2020 chargeable period” is the last chargeable period in relation to the BID arrangements to end on or before the 2020 expiry date.
- (4) The requirement in section 16(1) of the Business Improvement Districts Act (Northern Ireland) 2013 (c. 5 (N. I.)) (“the 2013 Act”) that the period for which BID arrangements have effect may not exceed 5 years does not apply to BID arrangements to which this section applies.
- (5) Nothing in this section prevents the termination or alteration of BID arrangements in accordance with regulations under section 16(4) of the 2013 Act.
- (6) Expressions used in this section and in the 2013 Act have the same meaning in this section as they have in that Act.
- (7) This section binds the Crown.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Residential tenancies: protection from eviction

81 Residential tenancies in England and Wales: protection from eviction

Schedule 29 makes provision about notice periods in relation to possession proceedings in respect of certain residential tenancies etc.

Business tenancies: protection from forfeiture etc

82 Business tenancies in England and Wales: protection from forfeiture etc

- (1) A right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent may not be enforced, by action or otherwise, during the relevant period.
- (2) During the relevant period, no conduct by or on behalf of a landlord, other than giving an express waiver in writing, is to be regarded as waiving a right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent.
- (3) Subsections (4) to (6) apply in relation to any proceedings in the High Court commenced before the relevant period to enforce a right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent.
- (4) Any order made by the High Court during the relevant period to the effect that possession of the property comprised in the relevant business tenancy is to be given to the landlord must ensure that the tenant does not have to give possession of the property to the landlord before the end of the relevant period.
- (5) Subsection (6) applies where—
 - (a) the High Court has made an order which would otherwise have the effect of requiring possession of the property comprised in the relevant business tenancy to be given to the landlord during the relevant period unless the tenant complies with some requirement before a time falling within that period, and
 - (b) before possession is given to the landlord in accordance with the order, the tenant applies to vary the order.
- (6) In dealing with the application, the High Court must ensure that the tenant does not have to give possession of the property to the landlord before the end of the relevant period.
- (7) Subsections (8) to (10) apply in relation to any proceedings in the county court commenced before the relevant period to enforce a right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent.
- (8) The county court may not make an order, during the relevant period, under section 138(3) of the County Courts Act 1984 which specifies a period that expires before the end of the day which is the last day of the relevant period when the order is made.
- (9) Subsection (10) applies where—
 - (a) the period specified in an order made, before or during the relevant period, under section 138(3) of the County Courts Act 1984, or
 - (b) the period so specified as extended, or in accordance with subsection (10) treated as extended, under section 138(4) of that Act,would otherwise expire during the relevant period.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (10) The period mentioned in paragraph (a) or (as the case may be) (b) of subsection (9) is to be treated as extended, under section 138(4) of that Act, so that it expires at the end of the relevant period.
- (11) For the purposes of determining whether the ground mentioned in section 30(1)(b) of the Landlord and Tenant Act 1954 (persistent delay in paying rent which has become due) is established in relation to a relevant business tenancy, any failure to pay rent under that tenancy during the relevant period (whether rent due before or in that period) is to be disregarded.
- (12) In this section—
- “relevant business tenancy” means —
- (a) a tenancy to which Part 2 of the Landlord and Tenant Act 1954 applies, or
- (b) a tenancy to which that Part of that Act would apply if any relevant occupier were the tenant;
- “relevant national authority” means—
- (a) in relation to England, the Secretary of State, and
- (b) in relation to Wales, the Welsh Ministers;
- “relevant occupier”, in relation to a tenancy, means a person, other than the tenant, who lawfully occupies premises which are, or form part of, the property comprised in the tenancy;
- “relevant period” means the period—
- (a) beginning with the day after the day on which this Act is passed, and
- (b) ending with 30 June 2020 or such later date as may be specified by the relevant national authority in regulations made by statutory instrument (and that power may be exercised on more than one occasion so as to further extend the period);
- “rent” includes any sum a tenant is liable to pay under a relevant business tenancy.
- (13) A statutory instrument containing regulations of the Secretary of State under subsection (12) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (14) A statutory instrument containing regulations of the Welsh Ministers under subsection (12) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Subordinate Legislation Made

- P1** S. 82(12): 25.3.2022 specified (E.) (30.6.2021) for the purposes of para. (b) in the definition of “relevant period” by [The Business Tenancies \(Protection from Forfeiture: Relevant Period\) \(Coronavirus\) \(England\) \(No. 2\) Regulations 2021 \(S.I. 2021/732\)](#), regs. 1(1), 2
- P2** S. 82(12): 25.3.2022 specified (W.) (30.9.2021) for the purposes of para. (b) in the definition of “relevant period” by [The Business Tenancies \(Extension of Protection from Forfeiture etc.\) \(Wales\) \(Coronavirus\) \(No. 3\) Regulations 2021 \(S.I. 2021/952\)](#), regs. 1(2), 2

83 Business tenancies in Northern Ireland: protection from forfeiture etc

- (1) A right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent may not be enforced, by action or otherwise, during the relevant period.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

- (2) During the relevant period, no conduct by or on behalf of a landlord, other than giving an express waiver in writing, is to be regarded as waiving a right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent.
- (3) Subsections (4) and (5) apply in relation to any proceedings commenced in any court before the relevant period to enforce a right of re-entry or forfeiture, under a relevant business tenancy, for non-payment of rent.
- (4) During the relevant period, the court may not make an order in pursuance of the right of re-entry or forfeiture to the effect that possession of the property comprised in the tenancy is to be given to the landlord before the end of the last day of the relevant period when the order is made.
- (5) Where a court has, before or during the relevant period, made an order in pursuance of the right of re-entry or forfeiture to the effect that possession of the property comprised in the tenancy is to be given to the landlord before the end of the last day of the relevant period the order is to be treated as if it specified that the land is to be delivered up immediately after the end of the relevant period.
- (6) For the purposes of determining whether the ground mentioned in Article 12(1)(b) of the Business Tenancies (Northern Ireland) Order 1996 (S.I. 1996/725 (N.I. 5)) (persistent delay in paying rent which has become due) is established in relation to a relevant business tenancy, any failure to pay rent under that tenancy during the relevant period (whether rent due before or in that period) is to be disregarded.
- (7) In this section—
- “court” means the county court or the High Court;
- “relevant business tenancy” means—
- (a) a tenancy to which the Business Tenancies (Northern Ireland) Order 1996 (S.I. 1996/725 (N.I. 5)) applies, or
- (b) a tenancy to which that Order would apply if any relevant occupier were the tenant;
- “relevant occupier”, in relation to a tenancy, means a person, other than the tenant, who lawfully occupies premises which are, or form part of, the property comprised in the tenancy;
- “relevant period” means the period—
- (a) beginning with the day after the day on which this Act is passed, and
- (b) ending with 30 June 2020 or such later date as may be specified in regulations made by the Department of Finance in Northern Ireland (and that power may be exercised on more than one occasion so as to further extend the period);
- “rent” includes any sum a tenant is liable to pay under a relevant business tenancy.
- (8) The power to make regulations under subsection (7) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).
- (9) Regulations under subsection (7) are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.

Status: Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1. (See end of Document for details)

Subordinate Legislation Made

- P3** S. 83(7): 30.9.2021 specified (29.6.2021) for the purposes of para. (b) in the definition of “relevant period” by [The Business Tenancies \(Coronavirus\) \(Restriction on Forfeiture: Relevant Period\) \(Northern Ireland\) \(No. 2\) Regulations 2021 \(S.R. 2021/185\)](#), regs. 1(1), **2**
- P4** S. 83(7): 25.3.2022 specified (29.9.2021) for the purposes of para. (b) in the definition of “relevant period” by [The Business Tenancies \(Coronavirus\) \(Restriction on Forfeiture: Relevant Period\) \(Northern Ireland\) \(No. 3\) Regulations 2021 \(S.R. 2021/255\)](#), regs. 1(1), **2**

General Synod of the Church of England

F28 84 Postponement of General Synod elections

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Textual Amendments

- F28** S. 84 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 3(1)** (with reg. 3(2))

Status:

Point in time view as at 30/09/2021. This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Coronavirus Act 2020, PART 1.