
STATUTORY INSTRUMENTS

2020 No. 350

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

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and come into force at 1:00 p.m. on 26th March 2020.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

[^{F1}(zza) “child” means a person under the age of 18;]

[^{F2}(za) “childcare” has the same meaning as in section 18 of the Childcare Act 2006, and “early years childcare” is childcare provided for a child who is a young child within the meaning of section 19 of that Act;]

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

[^{F3}(aa) “elite athlete” means an individual who—

(i) derives a living from competing in a sport,

(ii) is a senior representative nominated by a relevant sporting body,

(iii) is a member of the senior training squad for a relevant sporting body, or

(iv) is aged 16 or above and on an elite development pathway;

[“linked household” has the meaning given in regulation 7A(3);]

^{F4}(aaa)

(ab) references to a “parent” of a child include any person who is not a parent of the child but who has parental responsibility for, or who has care of, the child, ^{F5}... ;]

(b) a “person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;

(c) “vulnerable person” includes—

(i) any person aged 70 or older;

(ii) any person under 70 who has an underlying health condition, including but not limited to, the conditions listed in Schedule 1;

(iii) any person who is pregnant.

[^{F6}(4) For the purposes of the definition of “elite athlete”, in paragraph (3)—

(a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare athletes—

(i) so that they may derive a living from competing in that sport, or

(ii) to compete at that sport at the Tokyo or Beijing Olympic or Paralympic Games, or, if that sport is not part of the Tokyo Olympic and Paralympic Games programme, in the Commonwealth Games to be held in Birmingham;

Status: Point in time view as at 13/06/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. (See end of Document for details)

- (b) “relevant sporting body” means the national governing body of a sport which may nominate athletes to represent—
- (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme;
- (c) “senior representative” means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
- (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games;
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme.]

Textual Amendments

- F1** Reg. 1(3)(zza) inserted (13.6.2020) by *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/588)*, regs. 1(2), **2(2)(a)**
- F2** Reg. 1(3)(za) inserted (1.6.2020) by *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558)*, regs. 1(2), **2(2)(a)(i)**
- F3** Reg. 1(3)(aa)(ab) inserted (1.6.2020) by *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558)*, regs. 1(2), **2(2)(a)(ii)**
- F4** Reg. 1(3)(aaa) inserted (13.6.2020) by *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/588)*, regs. 1(2), **2(2)(b)**
- F5** Words in reg. 1(3)(ab) omitted (13.6.2020) by virtue of *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/588)*, regs. 1(2), **2(2)(c)**
- F6** Reg. 1(4) inserted (1.6.2020) by *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558)*, regs. 1(2), **2(2)(b)**

Commencement Information

- I1** Reg. 1 in force at made date at 1.00 p.m., see reg. 1(1)

Revocation and saving

2.—(1) The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 ^{M1} (the “first Regulations”) are revoked.

(2) Notwithstanding the revocation of the first Regulations, they continue in force in relation to any offence committed under the first Regulations before these Regulations came into force.

(3) A designation made in exercise of powers conferred by regulation 4(1) and (2) of the first Regulations is to be treated as it had been made in the exercise of powers conferred by regulations 8(12)(a)(iv) and 11 of these Regulations.

Commencement Information

- I2** Reg. 2 in force at made date at 1.00 p.m., see reg. 1(1)

Marginal Citations

- M1** *S.I. 2020/327.*

The emergency period and review of need for restrictions

3.—(1) For the purposes of these Regulations, the “emergency period”—

- (a) starts when these Regulations come into force, and
- (b) ends in relation to a restriction or requirement imposed by these Regulations on the day and at the time specified in a direction published by the Secretary of State terminating the requirement or restriction.

(2) The Secretary of State must review the need for restrictions and requirements imposed by these Regulations at least once every [^{F7}28] days, with the first review being carried out by 16th April 2020.

(3) As soon as the Secretary of State considers that any restrictions or requirements set out in these Regulations are no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in England with the coronavirus, the Secretary of State must publish a direction terminating that restriction or requirement.

(4) A direction published under this regulation may—

- (a) terminate any one or more requirement or restriction;
- (b) terminate a requirement or restriction in relation to a specified business or service or a specified description of business or service.

[^{F8}(4A) Section 16 of the Interpretation Act 1978 applies in relation to the termination of a restriction or requirement by a direction as it applies in relation to the repeal of an enactment.]

(5) In this regulation, “specified” means specified in a direction published under this regulation.

Textual Amendments

- F7** Word in reg. 3(2) substituted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(3)** (with reg. 3(1))
- F8** Reg. 3(4A) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(2)**

Commencement Information

- I3** Reg. 3 in force at made date at 1.00 p.m., see reg. 1(1)

Requirement to close premises and businesses during the emergency

4.—(1) A person responsible for carrying on a business which is listed in Part 1 of Schedule 2 must—

- (a) during the emergency period—
 - (i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and
 - (ii) cease selling food or drink for consumption on its premises; or
- (b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.

(2) For the purposes of paragraph (1)(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.

(3) For the purposes of paragraph (1)(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

Status: Point in time view as at 13/06/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. (See end of Document for details)

(4) A person responsible for carrying on a business or providing a service which is listed in Part 2 of Schedule 2 must cease to carry on that business or to provide that service during the emergency period.

(5) Paragraph (4) does not prevent the use of—

(a) premises used for the businesses or services listed in paragraphs 5, 6, 8, 9 or 10 of that Part to broadcast a performance to people outside the premises, whether over the internet or as part of a radio or television broadcast;

(b) any suitable premises used for the businesses or services listed in that Schedule to host blood donation sessions.

[^{F9}(c) facilities for training for elite athletes, including indoor fitness studios, gyms, sports courts, indoor or outdoor swimming pools and other indoor leisure centres.]

(6) If a business listed in Part 1 or 2 of Schedule 2 (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) if it closes down business A.

Textual Amendments

F9 Reg. 4(5)(c) inserted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(4)**

Commencement Information

I4 Reg. 4 in force at made date at 1.00 p.m., see reg. 1(1)

Further restrictions and closures during the emergency period

5.—(1) A person responsible for carrying on a business, not listed in Part 3 of Schedule 2, of offering goods for sale or for hire in a shop, or providing library services must, during the emergency period—

(a) cease to carry on that business or provide that service except by making deliveries or otherwise providing services in response to orders received—

(i) through a website, or otherwise by on-line communication,

(ii) by telephone, including orders by text message, or

(iii) by post;

(b) close any premises which are not required to carry out its business or provide its services as permitted by sub-paragraph (a);

(c) cease to admit any person to its premises who is not required to carry on its business or provide its service as permitted by sub-paragraph (a).

(2) Paragraph (1) does not apply to any business which provides hot or cold food for consumption off the premises.

(3) Subject to paragraph (4), a person responsible for carrying on a business consisting of the provision of holiday accommodation, whether in a hotel, hostel, bed and breakfast accommodation, holiday apartment, home, cottage or bungalow, campsite, caravan park or boarding house, must cease to carry on that business during the emergency period.

(4) A person referred to in paragraph (3) may continue to carry on their business and keep any premises used in that business open—

(a) to provide accommodation for any person, who—

(i) is unable to return to their main residence;

- (ii) uses that accommodation as their main residence;
- (iii) needs accommodation while moving house;
- (iv) needs accommodation to attend a funeral;
- [^{F10}(v) is isolating themselves from others as required by law;
- (vi) is an elite athlete, the coach of an elite athlete, or (in the case of an elite athlete who is under the age of 18), the parent of an elite athlete, and needs accommodation for the purposes of training or competition;]
- [^{F11}(aa) to provide accommodation for any person—
 - (i) who works in one of the critical sectors listed in the guidance titled “Guidance for critical workers who can access schools or educational settings” published by the Cabinet Office and the Department for Education and updated on 5th May 2020, and
 - (ii) whose need for accommodation is connected to their work;]
 - (b) to provide accommodation or support services for the homeless,
 - (c) to host blood donation sessions, or
 - (d) for any purpose requested by the Secretary of State, or a local authority.
- (5) A person who is responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted in paragraph (6).
- (6) A place of worship may be used—
 - (a) for funerals,
 - (b) to broadcast an act of worship, whether over the internet or as part of a radio or television broadcast, ^{F12}...
 - (c) to provide essential voluntary services or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency) ^{F13}[^{F14} ...
 - (d) for early years childcare provided by a person registered on the Early Years Register under Part 3 of the Childcare Act 2006.][^{F15}or
 - (e) for private prayer by individuals, and for these purposes, “private prayer” means prayer which does not form part of communal worship.]
- (7) A person who is responsible for a community centre must ensure that, during the emergency period, the community centre is closed except where it is used—
 - [^{F16}(a) to provide essential voluntary activities or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency), or
 - (b) for early years childcare provided by a person registered on the Early Years Register under Part 3 of the Childcare Act 2006.]
- (8) [^{F17}Subject to paragraph (8A),] A person who is responsible for a crematorium ^{F18}... must ensure that, during the emergency period, the crematorium is closed to members of the public, except for funerals or burials.
 - [^{F19}(8A) Paragraph (8) does not apply to the grounds surrounding a crematorium, including any burial ground or garden of remembrance.]
- (9) If a business referred to in paragraph (1) or (3) (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) or (3) to cease to carry on its business if it ceases to carry on business A.

Status: Point in time view as at 13/06/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. (See end of Document for details)

Textual Amendments

- F10** Reg. 5(4)(a)(v)(vi) inserted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(5)(a)**
- F11** Reg. 5(4)(aa) inserted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(2)** (with reg. 3)
- F12** Word in reg. 5(6)(b) omitted (1.6.2020) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(5)(b)(i)**
- F13** Word in reg. 5(6)(c) omitted (13.6.2020) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(4)(c)(i)**
- F14** Reg. 5(6)(d) and word inserted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(5)(b)(ii)**
- F15** Reg. 5(6)(e) and word inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(4)(c)(ii)**
- F16** Reg. 5(7)(a)(b) substituted for words (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(5)(c)**
- F17** Words in reg. 5(8) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(a)(i)**
- F18** Words in reg. 5(8) omitted (22.4.2020 at 11.00 a.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(a)(ii)**
- F19** Reg. 5(8A) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(b)**

Commencement Information

- I5** Reg. 5 in force at made date at 1.00 p.m., see reg. 1(1)

Restrictions on movement

^{F20}6.—(1) No person may, without reasonable excuse, stay overnight at any place other than the place where they are living ^{F21}or where their linked household is living].

(2) For the purposes of paragraph (1), the circumstances in which a person (“P”) has a reasonable excuse include cases where—

- (a) P needs to stay elsewhere to attend a funeral, as—
 - (i) a member of the deceased person’s household,
 - (ii) a close family member of the deceased person, or
 - (iii) if no-one within paragraph (i) or (ii) is attending, a friend of the deceased person;
- (b) P is an elite athlete, a coach of an elite athlete, or (in the case of an elite athlete who is under the age of 18), a parent of the elite athlete, and needs to stay elsewhere for the purposes of training or competition;
- (c) P needs to stay elsewhere while moving house;
- (d) it is reasonably necessary for P to stay elsewhere—
 - (i) for work purposes, or for the provision of voluntary or charitable services;
 - (ii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006;
 - (iii) to provide emergency assistance;
 - (iv) to avoid injury or illness, or to escape a risk of harm;

- (v) to obtain medical assistance;
- [^{F22}(vi) to enable P to attend a birth or make a visit as permitted by regulation 7(2)(g), (h) or (i);]
- (e) P needs to stay elsewhere to fulfil a legal obligation or participate in legal proceedings;
- (f) P is a child that does not live in the same household as their parents, or one of their parents, and the overnight stay is necessary to continue existing arrangements for access to, and contact between, parents and children;
- (g) P is unable to return to the place where P lives, because—
 - (i) it is not safe for P to live there,
 - (ii) P may not lawfully travel there, or is required by law to stay in another place, or
 - (iii) the place where P is living is not available to P for any other reason.
- (3) Paragraph (1) does not apply to any person who is homeless.
- (4) For the purposes of paragraph (1), the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.]

Textual Amendments

- F20** Reg. 6 substituted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(6)** (with reg. 3(2))
- F21** Words in reg. 6(1) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(5)(a)**
- F22** Reg. 6(2)(d)(vi) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(5)(b)**

Restrictions on gatherings

- [^{F23}7.—(1) During the emergency period, unless paragraph (2) applies, no person may participate in a gathering which takes place in a public or private place—
- (a) outdoors, and consists of more than six persons, or
 - (b) indoors, and consists of two or more persons.
- (2) This paragraph applies where—
- (a) all the persons in the gathering are members of the same household [^{F24}or members of two households which are linked households in relation to each other];
 - (b) the person is attending a funeral, as—
 - (i) a member of the deceased person’s household,
 - (ii) a close family member of the deceased person, or
 - (iii) if no-one within paragraph (i) or (ii) is attending, a friend of the deceased person;
 - (c) the person concerned is an elite athlete, the coach of an elite athlete, or (in the case of an elite athlete under the age of 18), the parent of an elite athlete, and the gathering is necessary for training or competition;
 - (d) the gathering is reasonably necessary—
 - (i) for work purposes, or for the provision of voluntary or charitable services;
 - (ii) to facilitate a house move;

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- (iii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006;
 - (iv) to provide emergency assistance;
 - (v) for the purposes of early years childcare provided by a person registered on the Early Years Register under Part 3 of the Childcare Act 2006;
 - (vi) to enable one or more persons in the gathering to avoid injury or illness or to escape a risk of harm;
 - (vii) to continue existing arrangements for access to, and contact between, parents and children where the children do not live in the same household as their parents, or one of their parents;
 - (e) the person concerned is fulfilling a legal obligation or participating in legal proceedings;
 - (f) the gathering takes place at an educational facility and is reasonably necessary for the purposes of education.
 - [^{F25}(g) the person concerned is attending a person giving birth (“M”), at M’s request;
 - (h) the person concerned (“P”) is visiting a person P reasonably believes is dying (“D”), and P is—
 - (i) a member of D’s household,
 - (ii) a close family member of D,
 - (iii) a friend of D, or
 - (iv) where no-one falling within paragraphs (i) to (iii) is visiting D, any other person;
 - (i) the person concerned (“P”) is visiting a person (“V”) receiving treatment in a hospital or staying in a hospice or care home, or is accompanying V to a medical appointment and P is—
 - (i) a member of V’s household,
 - (ii) a close family member of V, or
 - (iii) a friend of V,
 and for these purposes, “care home” has the meaning given in section 3 of the Care Standards Act 2000.]
- (3) For the purposes of this regulation—
- (a) there is a gathering when two or more people are present together in the same place in order to engage in any form of social interaction with each other, or to undertake any other activity with each other;
 - (b) a place is indoors if it would be considered to be enclosed or substantially enclosed for the purposes of section 2 of the Health Act 2006, under the Smoke Free (Premises and Enforcement) Regulations 2006.]

Textual Amendments

- F23** Reg. 7 substituted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(7)** (with reg. 3(2))
- F24** Words in reg. 7(2)(a) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(6)(a)**
- F25** Reg. 7(2)(g)-(i) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(6)(c)**

[^{F26}Linked households

7A.—(1) Where a household comprises one adult, or one adult and one or more persons who are under the age of 18 on 12th June 2020 (“the first household”), the adult may choose to be linked with one other household (“the second household”), provided that—

- (a) the second household is not linked with any other household; and
- (b) all the adult members of the second household agree.

(2) There is no limit on the number of adults or children which may be in the second household.

(3) The first and second households are “linked households” in relation to each other.

(4) The first and second households cease to be linked households if neither household satisfies the condition in the opening words of paragraph (1).

(5) Once the first and second households have ceased being linked households, neither the first household nor the second household may be linked with any other household.]

Textual Amendments

F26 Reg. 7A inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), 2(7)

Enforcement of requirement

8.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by regulation 4, 5 or 7.

(2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—

- (a) the person is contravening a requirement in regulation 4 or 5, and
- (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.

(3) Where a relevant person considers that a person is [^{F27}staying overnight at a place other than] the place where they are living in contravention of regulation 6(1), the relevant person may—

- (a) direct that person to return to the place where they are living, ^{F28} ...

^{F29}(b)

^{F30}(4)

(5) Where the person [^{F31}staying overnight at a place other than] the place where they are living without reasonable excuse is a child accompanied by an individual who has responsibility for the child—

- (a) the relevant person may direct that individual to take the child to the place where [^{F32}the child is] living, and
- (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.

(6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 6(1), the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.

(7) For the purposes of this regulation, an individual has responsibility for a child if the individual—

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- (a) has custody or charge of the child for the time being, or
 - (b) has parental responsibility for the child (within the meaning of the Children Act 1989^{M2}).
- (8) A relevant person may only exercise the power in paragraph (3), (5) or (6) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement [F33: in regulation 6(1)].
- (9) Where a relevant person considers that [F34: a number of] people are gathered together in contravention of regulation 7, the relevant person may—
- (a) direct the gathering to disperse;
 - (b) direct any person in the gathering to return to the place where they are living;
 - (c) remove any person in [F35: a gathering in a public place] to the place where they are living.
- [F36:(10) A relevant person exercising the power in paragraph (9)(c) to remove a person in a gathering [F37: in a public place] to a place where they are living may use reasonable force, if necessary, in exercise of the power.
- (10A) Where a person who is in a gathering in contravention of regulation 7 is a child accompanied by an individual who has responsibility for the child—
- (a) the relevant person may direct that individual to take the child to the place where the child is living, and
 - (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.
- (10B) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 7, the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.
- (10C) A relevant person may only exercise the power in paragraph (9), (10A) or (10B) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the restriction in regulation 7.]
- (11) A relevant person exercising a power under paragraph (3), (5), (6) [F38: (9), (10A) or (10B)] may give the person concerned any reasonable instructions they consider to be necessary.
- (12) For the purposes of this regulation—
- (a) a “relevant person” means—
 - (i) a constable,
 - (ii) a police community support officer,
 - (iii) subject to paragraph (13), a person designated by a local authority for the purposes of this regulation, or
 - (iv) a person designated by the Secretary of State for the purposes of this regulation;
 - (b) references to a requirement include references to a restriction.
- (13) A local authority may only designate a person for the purposes of this regulation in relation to a requirement in regulation 4 or 5.

Textual Amendments

F27 Words in reg. 8(3) substituted (1.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(8)(a)(i)**

F28 Word in reg. 8(3)(a) omitted (1.6.2020) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/558\)](#), regs. 1(2), **2(8)(a)(ii)**

- F29** Reg. 8(3)(b) omitted (1.6.2020) by virtue of The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(a)(iii)**
- F30** Reg. 8(4) omitted (1.6.2020) by virtue of The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(b)**
- F31** Words in reg. 8(5) substituted (1.6.2020) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(c)**
- F32** Words in reg. 8(5)(a) substituted (22.4.2020 at 11.00 a.m.) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447), regs. 1, **2(5)(a)**
- F33** Words in reg. 8(8) inserted (1.6.2020) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(d)**
- F34** Words in reg. 8(9) substituted (1.6.2020) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(e)(i)**
- F35** Words in reg. 8(9)(c) substituted (1.6.2020) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(e)(ii)**
- F36** Reg. 8(10)-(10C) substituted for reg. 8(10) (22.4.2020 at 11.00 a.m.) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447), regs. 1, **2(5)(b)**
- F37** Words in reg. 8(10) inserted (1.6.2020) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558), regs. 1(2), **2(8)(f)**
- F38** Words in reg. 8(11) substituted (22.4.2020 at 11.00 a.m.) by The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447), regs. 1, **2(5)(c)**

Commencement Information

- I6** Reg. 8 in force at made date at 1.00 p.m., see reg. 1(1)

Marginal Citations

- M2** 1989 c. 41. The term is defined in s. 3.

Offences and penalties

9.—(1) A person who—

- (a) without reasonable excuse contravenes a requirement in regulation 4, 5, 7 or 8, or
- (b) contravenes a requirement in regulation 6,

commits an offence.

(2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations [^{F39}, including any person who is a relevant person for the purposes of regulation 8,] commits an offence.

(3) A person who, without reasonable excuse, contravenes a direction given under regulation 8, or fails to comply with a reasonable instruction or a prohibition notice given by a relevant person under regulation 8, commits an offence.

(4) An offence under this regulation is punishable on summary conviction by a fine.

(5) If an offence under this regulation committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(6) In paragraph (5), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Status: Point in time view as at 13/06/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. (See end of Document for details)

(7) Section 24 of the Police and Criminal Evidence Act 1984 ^{M3} applies in relation to an offence under this regulation as if the reasons in subsection (5) of that section included—

- (a) to maintain public health;
- (b) to maintain public order.

(8) For the purposes of this regulation, references to a requirement include references to a restriction.

Textual Amendments

F39 Words in reg. 9(2) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(8)**

Commencement Information

I7 Reg. 9 in force at made date at 1.00 p.m., see reg. 1(1)

Marginal Citations

M3 1984 c. 60. Section 24 was substituted b s. 110(1) of the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).

Fixed penalty notices

10.—(1) An authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes—

- (a) has committed an offence under these Regulations;
- (b) is [^{F40}aged 18 or over].

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to [^{F41}an] authority specified in the notice.

[^{F42}(3) The authority specified in the notice must be—

- (a) the local authority (or as the case may be, any of the local authorities) in whose area the offence is alleged to have been committed (“the relevant local authority”), or
- (b) an officer designated by the Secretary of State, or by the relevant local authority, for the purposes of this regulation (“the designated officer”).]

(4) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date of the notice;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(5) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (4)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment.

- (6) The amount specified under paragraph (5)(c) must, subject to paragraph (7), be [^{F43}£100].
- (a) (7) (a) Unless sub-paragraph (b) applies, a fixed penalty notice must specify that if [^{F44}£50] is paid before the end of the period of 14 days following the date of the notice that is the amount of the fixed penalty;
- (b) if the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—
- (i) sub-paragraph (a) does not apply, and
 - (ii) the amount specified as the fixed penalty is to be—
 - (aa) in the case of the second fixed penalty notice received, [^{F45}£200]
 - [^{F46}(bb) in the case of the third fixed penalty notice received, £400;
 - (cc) in the case of the fourth fixed penalty notice received, £800;
 - (dd) in the case of the fifth fixed penalty notice received, £1,600;
 - (ee) in the case of the sixth and subsequent fixed penalty notices, £3,200.]
- (8) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (9) Where a letter is sent as mentioned in paragraph (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- (10) In any proceedings, a certificate—
- [^{F47}(a) that purports to be signed by or on behalf of—
- (i) the chief finance officer of the relevant local authority, where the authority to which payment is made is a local authority, or
 - (ii) the designated officer, where that officer is the authority to which payment is made; and]
- (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,
- is evidence of the facts stated.
- (11) In this regulation—
- (a) “authorised person” means—
- (i) a constable;
 - (ii) a police community support officer;
 - (iii) a person designated by the Secretary of State for the purposes of this regulation;
 - (iv) subject to paragraph (12), a person designated by the relevant local authority for the purposes of this regulation;
- (b) a “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority's financial affairs.
- [^{F48}(c) references to a “local authority” include references to a county council.]
- (12) The relevant local authority may only designate a person for the purposes of this regulation to issue fixed penalty notices where the alleged offence relates to the contravention of a requirement or restriction in regulation 4 or 5 [^{F49}or the obstruction under regulation 9(2) of a person carrying out a function under regulation 8].

Status: Point in time view as at 13/06/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. (See end of Document for details)

Textual Amendments

- F40** Words in reg. 10(1)(b) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(a)**
- F41** Word in reg. 10(2) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(b)**
- F42** Reg. 10(3) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(c)**
- F43** Sum in reg. 10(6) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F44** Sum in reg. 10(7)(a) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(i)** (with reg. 3)
- F45** Sum in reg. 10(7)(b)(ii)(aa) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(ii)(aa)** (with reg. 3)
- F46** Reg. 10(7)(b)(ii)(bb)-(ee) substituted for reg. 10(7)(b)(ii)(bb) (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(ii)(bb)** (with reg. 3)
- F47** Reg. 10(10)(a) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(d)**
- F48** Reg. 10(11)(c) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(e)**
- F49** Words in reg. 10(12) inserted (13.6.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/588\)](#), regs. 1(2), **2(9)**

Commencement Information

- I8** Reg. 10 in force at made date at 1.00 p.m., see reg. 1(1)

Prosecutions

11. Proceedings for an offence under these Regulations may be brought by the Crown Prosecution Service and any person designated by the Secretary of State.

Commencement Information

- I9** Reg. 11 in force at made date at 1.00 p.m., see reg. 1(1)

Expiry

12.—(1) These Regulations expire at the end of the period of six months beginning with the day on which they come into force.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Commencement Information

- I10** Reg. 12 in force at made date at 1.00 p.m., see reg. 1(1)

Department for Health and Social Care

Matt Hancock
Secretary of State for Health

Status:

Point in time view as at 13/06/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.