



# Coronavirus Act 2020

## 2020 CHAPTER 7

### PART 2

#### FINAL PROVISIONS

#### **85 Interpretation**

In this Act “Minister of the Crown” means the holder of an office in Her Majesty’s Government in the United Kingdom.

#### **86 Financial provision**

- (1) There is to be paid out of money provided by Parliament—
- (a) any expenditure which is incurred by a Minister of the Crown, government department or other public authority by virtue of this Act,
  - (b) any increase attributable to this Act in the sums payable by virtue of any other Act out of money so provided, and
  - (c) any other expenditure which is incurred by a Minister of the Crown, government department or other public authority in connection with the making of payments, or the giving of financial assistance to a person (whether directly or indirectly), as a result of coronavirus or coronavirus disease.
- (2) In subsection (1)(c)—
- (a) the reference to expenditure includes expenditure incurred before or after the passing of this Act, and
  - (b) “financial assistance” includes assistance provided by way of grant, loan, guarantee or indemnity, and any other kind of financial assistance (actual or contingent).

#### **87 Commencement**

- (1) This Act comes into force on the day on which this Act is passed, subject to subsection (2).

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- (2) The following provisions of this Act come into force on such day as a Minister of the Crown may by regulations appoint, subject to subsections (3) to (9)—
- (a) section 8 (and Schedule 7);
  - (b) section 9;
  - (c) section 10 (and Schedules 8, 9, 10 and 11);
  - (d) section 15 (and Schedule 12);
  - (e) section 16;
  - (f) section 17;
  - (g) section 18 (and Schedule 13);
  - (h) section 19;
  - (i) section 21;
  - (j) sections 25 to 29 (and Schedule 15).
- (3) In the case of provision made by regulations under subsection (2) which could also be made by an authority under subsection (4), (6) or (8), a Minister of the Crown may not make the provision without the authority's consent.
- (4) If the condition in subsection (5) is met, the Welsh Ministers may by regulations provide that a provision of this Act to which subsection (2) applies comes into force, so far as it extends to England and Wales and applies in relation to Wales, on a day appointed by the regulations.
- (5) The condition is that, so far as it extends to England and Wales and applies in relation to Wales, the provision would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (6) If the condition in subsection (7) is met, the Scottish Ministers may by regulations provide that a provision of this Act to which subsection (2) applies comes into force so far as it extends to Scotland on a day appointed by the regulations.
- (7) The condition is that, so far as it extends to Scotland, the provision would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (8) If the condition in subsection (9) is met, a Northern Ireland department may by order provide that a provision of this Act to which subsection (2) applies comes into force so far as it extends to Northern Ireland on a day appointed by the order.
- (9) The condition is that the provision, so far as it extends to Northern Ireland—
- (a) would be within the legislative competence of the Northern Ireland Assembly, and
  - (b) would not require the consent of the Secretary of State, if it were contained in an Act of that Assembly.
- (10) Different days may be appointed under subsection (2), (4), (6) or (8) for different purposes or areas.
- (11) A Minister of the Crown may by regulations make transitional, transitory or saving provision in connection with the coming into force of any provision of this Act, subject as follows.

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- (12) In the case of provision made by regulations under subsection (11) which could also be made by an authority under any of subsections (13) to (15), a Minister of the Crown may not make the provision without the authority's consent.
- (13) The Welsh Ministers may by regulations make transitional, transitory or saving provision in connection with the coming into force in relation to Wales of a provision of this Act if the Welsh Ministers—
- (a) have the power to bring the provision into force in relation to Wales by virtue of subsection (4) (whether or not it has been brought into force), or
  - (b) would have that power if the provision were listed in subsection (2).
- (14) The Scottish Ministers may by regulations make transitional, transitory or saving provision in connection with the coming into force in relation to Scotland of a provision of this Act if the Scottish Ministers—
- (a) have the power to bring the provision into force in relation to Scotland by virtue of subsection (6) (whether or not it has been brought into force), or
  - (b) would have that power if the provision were listed in subsection (2).
- (15) A Northern Ireland department may by order make transitional, transitory or saving provision in connection with the coming into force in relation to Northern Ireland of any provision of this Act if a Northern Ireland department—
- (a) has the power to bring the provision into force in relation to Northern Ireland by virtue of subsection (8) (whether or not it has been brought into force), or
  - (b) would have that power if the provision were listed in subsection (2).
- (16) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (17) Any power of a Northern Ireland department to make an order 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).

## **88 Power to suspend and revive provisions of this Act**

- (1) A relevant national authority may by regulations suspend the operation of any provision of this Act.
- (2) Section 16(1) of the Interpretation Act 1978 applies in relation to the suspension of a provision of this Act by regulations under subsection (1) as if the provision had been repealed by an Act.
- (3) A relevant national authority may by regulations revive the operation of a provision of this Act suspended by regulations under subsection (1).
- (4) The power in subsection (1) and the power in subsection (3) may be exercised more than once in relation to the same provision.
- (5) Regulations under this section—
- (a) may make different provision for different purposes or areas;
  - (b) may make transitional, transitory or saving provision.
- (6) References in this section to a provision of this Act do not include—
- (a) section 1;
  - (b) section 2 (and Schedule 1);

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- (c) section 5 and Schedule 4 so far as they—
  - (i) make provision about a person who has been registered in the register of pharmaceutical chemists or against whose name in that register an annotation has been recorded, or
  - (ii) make provision for or in connection with the revocation of a person's registration or the removal of an annotation;
- (d) section 6(a) and paragraph 1 of Schedule 5 so far as they—
  - (i) make provision about a person who has been registered in any register by virtue of that Schedule, or
  - (ii) make provision for or in connection with the revocation of a person's registration;
- (e) section 6(b) (and paragraph 2 of Schedule 5);
- (f) sections 11, 12 and 13;
- (g) section 17;
- (h) section 19(11);
- (i) section 21(7);
- (j) section 34;
- (k) section 35;
- (l) section 36;
- (m) section 37(2) (and Part 2 of Schedule 16);
- (n) section 38(2) (and Part 2 of Schedule 17);
- (o) section 45;
- (p) section 46;
- (q) section 47;
- (r) section 48 (and Schedule 18);
- (s) section 49 (and Schedule 19);
- (t) section 50 (and Schedule 20);
- (u) section 51 (and Schedule 21);
- (v) section 52 (and Schedule 22);
- (w) sections 59 to 70;
- (x) sections 72 to 74;
- (y) section 75;
- (z) a provision of this Part;
- (z1) Parts 2 to 5 of Schedule 7, and section 8 so far as relating to those Parts;
- (z2) Part 3 of Schedule 8, and section 10(1) and Part 1 of that Schedule so far as relating to that Part;
- (z3) Parts 3 and 4 of Schedule 10, and section 10(3) and Part 1 of that Schedule so far as relating to those Parts;
- (z4) Parts 3 and 4 of Schedule 11, and section 10(4) and Part 1 of that Schedule so far as relating to those Parts;
- (z5) paragraphs 3(2) and (3), 10, 13, 18, 30, 33 and 35 of Schedule 12, and section 15 and paragraphs 1 and 19 of that Schedule so far as relating to those paragraphs;
- (z6) paragraphs 8, 9, 15, 16 and 30 of Schedule 13, and section 18 and paragraphs 1, 10 and 17 of that Schedule so far as relating to those paragraphs.

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- (7) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (8) In the case of regulations under this section which could also be made by an authority by virtue of subsection (9), (11) or (13), a Minister of the Crown may not make the regulations without the authority's consent.
- (9) The Welsh Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to England and Wales and applies in relation to Wales, and
  - (b) so far as it so extends and applies, it would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (10) The power of the Welsh Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to England and Wales and applies in relation to Wales.
- (11) The Scottish Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Scotland, and
  - (b) so far as it so extends, it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (12) The power of the Scottish Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Scotland.
- (13) A Northern Ireland department is also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Northern Ireland, and
  - (b) so far as it so extends, were it contained in an Act of the Northern Ireland Assembly—
    - (i) it would be within the legislative competence of that Assembly, and
    - (ii) it would not require the consent of the Secretary of State.
- (14) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (15) The power of a Northern Ireland department to make an order under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Northern Ireland.
- (16) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (17) Any power of a Northern Ireland department to make an order 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).

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## 89 Expiry

- (1) This Act expires at the end of the period of 2 years beginning with the day on which it is passed, subject to subsection (2) and section 90.
- (2) Subsection (1) does not apply to—
  - (a) section 1;
  - (b) section 2 and Schedule 1 so far as they—
    - (i) make provision about a person who has been registered in any register by virtue of that Schedule, or
    - (ii) make provision for or in connection with the revocation of a person's registration;
  - (c) section 5 and Schedule 4 so far as they—
    - (i) make provision about a person who has been registered in the register of pharmaceutical chemists or against whose name in that register an annotation has been recorded, or
    - (ii) make provision for or in connection with the revocation of a person's registration or the removal of an annotation;
  - (d) section 6 and Schedule 5 so far as they—
    - (i) make provision about a person who has been registered in any register by virtue of that Schedule, or
    - (ii) make provision for or in connection with the revocation of a person's registration;
  - (e) sections 11, 12 and 13;
  - (f) section 17;
  - (g) section 19(11);
  - (h) section 21(7);
  - (i) sections 59 to 70;
  - (j) sections 72 to 74;
  - (k) section 75(1);
  - (l) section 76;
  - (m) this Part;
  - (n) Parts 2 to 5 of Schedule 7, and section 8 so far as relating to those Parts;
  - (o) Part 3 of Schedule 8, and section 10(1) and Part 1 of that Schedule so far as relating to that Part;
  - (p) Parts 3 and 4 of Schedule 10, and section 10(3) and Part 1 of that Schedule so far as relating to those Parts;
  - (q) Parts 3 and 4 of Schedule 11, and section 10(4) and Part 1 of that Schedule so far as relating to those Parts;
  - (r) paragraphs 3(2) and (3), 10, 13, 18, 30, 33 and 35 of Schedule 12, and section 15 and paragraphs 1 and 19 of that Schedule so far as relating to those paragraphs;
  - (s) paragraphs 8, 9, 15, 16 and 30 of Schedule 13, and section 18 and paragraphs 1, 10 and 17 of that Schedule so far as relating to those paragraphs.
- (3) A Minister of the Crown may by regulations make transitional, transitory or saving provision in connection with the expiry of any provision of this Act.

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- (4) In the case of provision made by regulations under subsection (3) which could also be made by an authority under subsection (5), (7) or (9), a Minister of the Crown may not make the provision without the authority's consent.
- (5) If the condition in subsection (6) is met, the Welsh Ministers may by regulations make transitional, transitory or saving provision in connection with the expiry in relation to Wales of any provision of this Act.
- (6) The condition is that, so far as it extends to England and Wales and applies to Wales, the provision would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (7) If the condition in subsection (8) is met, the Scottish Ministers may by regulations make transitional, transitory or saving provision in connection with the expiry in relation to Scotland of any provision of this Act.
- (8) The condition is that, so far as it extends to Scotland, the provision would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (9) If the condition in subsection (10) is met, a Northern Ireland department may by order make transitional, transitory or saving provision in connection with the expiry in relation to Northern Ireland of any provision of this Act.
- (10) The condition is that the provision, so far as it extends to Northern Ireland—
  - (a) would be within the legislative competence of the Northern Ireland Assembly, and
  - (b) would not require the consent of the Secretary of State, if it were contained in an Act of that Assembly.
- (11) The power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (12) The power of a Northern Ireland department to make an order 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).

## **90 Power to alter expiry date**

- (1) A relevant national authority may by regulations provide that any provision of this Act—
  - (a) does not expire at the time when it would otherwise expire (whether by virtue of section 89 or previous regulations under this subsection or subsection (2)), and
  - (b) expires instead at such earlier time as is specified in the regulations.
- (2) A relevant national authority may by regulations provide that any provision of this Act—
  - (a) does not expire at the time when it would otherwise expire (whether by virtue of section 89 or previous regulations under this subsection or subsection (1)), and
  - (b) expires instead at such later time as is specified in the regulations.

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- (3) A time specified under subsection (2) in relation to a provision of this Act must not be later than the end of the period of 6 months beginning with the time when the provision would otherwise have expired (whether by virtue of section 89 or previous regulations under subsection (1) or (2)).
- (4) Regulations under this section—
  - (a) may make different provision for different purposes or areas;
  - (b) may make transitional, transitory or saving provision.
- (5) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (6) In the case of regulations under this section which could also be made by an authority by virtue of subsection (7), (9) or (11), a Minister of the Crown may not make the regulations without the authority's consent.
- (7) The Welsh Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to England and Wales and applies in relation to Wales, and
  - (b) so far as it so extends and applies, it would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (8) The power of the Welsh Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to England and Wales and applies in relation to Wales.
- (9) The Scottish Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Scotland, and
  - (b) so far as it so extends, it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (10) The power of the Scottish Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Scotland.
- (11) A Northern Ireland department is also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Northern Ireland, and
  - (b) so far as it so extends, were it contained in an Act of the Northern Ireland Assembly—
    - (i) it would be within the legislative competence of that Assembly, and
    - (ii) it would not require the consent of the Secretary of State.
- (12) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (13) The power of a Northern Ireland department to make an order under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Northern Ireland.



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- (14) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (15) Any power of a Northern Ireland department to make an order 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).

## **91 Power to amend Act in consequence of amendments to subordinate legislation**

- (1) A relevant national authority may by regulations amend or repeal any provision of this Act which modifies a provision of subordinate legislation.
- (2) The power in subsection (1) may be exercised only if the amendment or repeal is necessary in consequence of the amendment or revocation of the provision of subordinate legislation by other subordinate legislation.
- (3) Regulations under subsection (1) may make transitional, transitory or saving provision.
- (4) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (5) In the case of regulations under subsection (1) which could also be made by an authority by virtue of any of subsections (6) to (8), a Minister of the Crown may not make the regulations without the authority's consent.
- (6) The Welsh Ministers are also a relevant national authority in relation to regulations under subsection (1) which make provision which would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (7) The Scottish Ministers are also a relevant national authority in relation to regulations under subsection (1) which make provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (8) A Northern Ireland department is also a relevant national authority in relation to regulations under subsection (1) which make provision which, if it were contained in an Act of the Northern Ireland Assembly—
  - (a) would be within the legislative competence of that Assembly, and
  - (b) would not require the consent of the Secretary of State.
- (9) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under subsection (1) is exercisable by statutory instrument.
- (10) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (11) Any power of a Northern Ireland department to make an order under subsection (1) 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).
- (12) In this section “subordinate legislation” means—
  - (a) subordinate legislation within the meaning of the Interpretation Act 1978,

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- (b) an instrument made under an Act or Measure of the National Assembly for Wales,
- (c) an instrument made under an Act of the Scottish Parliament, or
- (d) an instrument made under Northern Ireland legislation.

## **92 Power to make consequential modifications**

- (1) A relevant national authority may by regulations make provision for an enactment to have effect with modifications in consequence of any provision of this Act.
- (2) Without prejudice to section 14 of the Interpretation Act 1978 (implied power to amend), a relevant national authority may by regulations amend or revoke any regulations made by the authority under subsection (1) in consequence of—
  - (a) the exercise of a power under section 88,
  - (b) the expiry of a provision of this Act under section 89, or
  - (c) the exercise of a power under section 90.
- (3) Regulations under this section may make transitional, transitory or saving provision.
- (4) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (5) In the case of regulations under this section which could also be made by an authority by virtue of any of subsections (6) to (8), a Minister of the Crown may not make the regulations without the authority's consent.
- (6) The Welsh Ministers are also a relevant national authority in relation to regulations under this section which make provision which would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (7) The Scottish Ministers are also a relevant national authority in relation to regulations under this section which make provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (8) A Northern Ireland department is also a relevant national authority in relation to regulations under this section which make provision which, if it were contained in an Act of the Northern Ireland Assembly—
  - (a) would be within the legislative competence of that Assembly, and
  - (b) would not require the consent of the Secretary of State.
- (9) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (10) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (11) Any power of a Northern Ireland department to make an order 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).
- (12) In this section “enactment” includes—
  - (a) an enactment comprised in an Act or Measure of the National Assembly for Wales,

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- (b) an enactment comprised in an Act of the Scottish Parliament,
- (c) an enactment comprised in Northern Ireland legislation, and
- (d) an enactment comprised in subordinate legislation.

(13) In this section “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 an Act of the Scottish Parliament, or
- (d) an instrument made under Northern Ireland legislation.

### **93 Procedure for certain regulations made by a Minister of the Crown**

- (1) A statutory instrument containing regulations made by a Minister of the Crown under section 90(1) (other than regulations made in accordance with section 98(1)) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (2) A statutory instrument containing regulations made by a Minister of the Crown under section 90(2) must be laid before Parliament as soon as reasonably practicable after being made.
- (3) A statutory instrument containing regulations made by a Minister of the Crown under section 91(1) must be laid before Parliament as soon as reasonably practicable after being made.
- (4) A statutory instrument containing regulations made by a Minister of the Crown under section 92—
  - (a) if the regulations only provide for subordinate legislation within the meaning of that section to have effect with modifications or to be amended or revoked, is subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) otherwise, must be laid before Parliament as soon as reasonably practicable after being made.
- (5) Subsection (2), (3) or (4)(b) does not apply if a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) Regulations contained in an instrument laid before Parliament by virtue of subsection (2), (3) or (4)(b) cease to have effect at the end of the period of 40 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.
- (7) In calculating the period of 40 days, no account is to be taken of any time during which—
  - (a) Parliament is dissolved or prorogued, or
  - (b) both Houses of Parliament are adjourned for more than 4 days.
- (8) Where regulations cease to have effect as a result of subsection (6) that does not—
  - (a) affect anything previously done under or by virtue of the regulations, or
  - (b) prevent the making of new regulations.

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#### **94 Procedure for certain regulations made by the Welsh Ministers**

- (1) A statutory instrument containing regulations made by the Welsh Ministers under section 90(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (2) A statutory instrument containing regulations made by the Welsh Ministers under section 90(2) must be laid before the National Assembly for Wales as soon as reasonably practicable after being made.
- (3) A statutory instrument containing regulations made by the Welsh Ministers under section 91(1) must be laid before the National Assembly for Wales as soon as reasonably practicable after being made.
- (4) A statutory instrument containing regulations made by the Welsh Ministers under section 92—
  - (a) if the regulations only provide for subordinate legislation within the meaning of that section to have effect with modifications or to be amended or revoked, is subject to annulment in pursuance of a resolution of the National Assembly for Wales;
  - (b) otherwise, must be laid before the National Assembly for Wales as soon as reasonably practicable after being made.
- (5) Subsection (2), (3) or (4)(b) does not apply if a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (6) Regulations contained in an instrument laid before the National Assembly for Wales by virtue of subsection (2), (3) or (4)(b) cease to have effect at the end of the period of 40 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of the National Assembly for Wales.
- (7) In calculating the period of 40 days, no account is to be taken of any time during which the National Assembly for Wales is—
  - (a) dissolved, or
  - (b) in recess for more than 4 days.
- (8) Where regulations cease to have effect as a result of subsection (6) that does not—
  - (a) affect anything previously done under or by virtue of the regulations, or
  - (b) prevent the making of new regulations.

#### **95 Procedure for certain regulations made by the Scottish Ministers**

- (1) Regulations made by the Scottish Ministers under section 90(1) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010) (asp 10)).
- (2) Regulations made by the Scottish Ministers under section 90(2) must be laid before the Scottish Parliament as soon as reasonably practicable after being made.
- (3) Regulations made by the Scottish Ministers under section 91(1) must be laid before the Scottish Parliament as soon as reasonably practicable after being made.
- (4) Regulations made by the Scottish Ministers under section 92—
  - (a) if they only provide for subordinate legislation within the meaning of that section to have effect with modifications or to be amended or revoked, are

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- subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010);
- (b) otherwise, must be laid before the Scottish Parliament as soon as reasonably practicable after being made.
- (5) Subsection (2), (3) or (4)(b) does not apply if the regulations have been subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010).
- (6) Regulations laid before the Scottish Parliament by virtue of subsection (2), (3) or (4)(b) cease to have effect at the end of the period of 40 days beginning with the day on which they are made unless, during that period, the regulations are approved by resolution of the Scottish Parliament.
- (7) In calculating the period of 40 days, no account is to be taken of any time during which the Scottish Parliament is—
- (a) dissolved, or
- (b) in recess for more than 4 days.
- (8) Where regulations cease to have effect as a result of subsection (6) that does not—
- (a) affect anything previously done under or by virtue of the regulations, or
- (b) prevent the making of new regulations.

## **96 Procedure for certain orders made by a Northern Ireland department**

- (1) An order made by a Northern Ireland department under section 90(1) is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (2) An order made by a Northern Ireland department under section 90(2) must be laid before the Northern Ireland Assembly as soon as reasonably practicable after being made.
- (3) An order made by a Northern Ireland department under section 91(1) must be laid before the Northern Ireland Assembly as soon as reasonably practicable after being made.
- (4) An order under section 92 made by a Northern Ireland department—
- (a) if the order only provides for subordinate legislation within the meaning of that section to have effect with modifications or to be amended or revoked, is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954;
- (b) otherwise, must be laid before the Northern Ireland Assembly as soon as reasonably practicable after being made.
- (5) Subsection (2), (3) or (4)(b) does not apply if a draft of the order has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (6) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (5) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.
- (7) An order laid before the Northern Ireland Assembly by virtue of subsection (2), (3) or (4)(b) ceases to have effect at the end of the period of 40 days beginning with the day

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on which the order is made unless, during that period, the instrument is approved by a resolution of the Northern Ireland Assembly.

- (8) In calculating the period of 40 days, no account is to be taken of any time during which the Northern Ireland Assembly is—
- (a) dissolved,
  - (b) in recess for more than 4 days, or
  - (c) adjourned for more than 6 days.
- (9) Where an order ceases to have effect as a result of subsection (7) that does not—
- (a) affect anything previously done under or by virtue of the order, or
  - (b) prevent the making of a new order.

### <sup>x197</sup> **Reports by Secretary of State on status of non-devolved provisions of this Act**

- (1) The Secretary of State must—
- (a) in respect of each reporting period, prepare and publish a report on the status of the provisions of Part 1 of this Act;
  - (b) include in the report a statement that the Secretary of State is satisfied that the status of those provisions is appropriate.
- (2) A reference in this section to a provision of this Act is to the provision only so far as the Secretary of State is responsible for it (see subsection (6)).
- (3) The references in subsection (1) to the “status” of a provision are to—
- (a) whether the provision is in force at the end of the reporting period, and
  - (b) whether any power under the following provisions has been exercised by a Minister of the Crown in relation to it during that period (and, if so, which and how)—
    - (i) section 87(2) (regulations bringing provision into force);
    - (ii) section 88(1) or (3) (regulations suspending or reviving provision);
    - (iii) section 90(1) or (2) (regulations altering expiry date of provision).
- (4) Each of the following is a “reporting period”—
- (a) the period of 2 months beginning with the day on which this Act is passed;
  - (b) each successive period of 2 months that ends during the substantive operational period of this Act.
- (5) The “substantive operational period of this Act” is —
- (a) the two-year period mentioned in section 89(1), or
  - (b) if different, the period—
    - (i) beginning with the day on which this Act is passed, and
    - (ii) ending with the time of expiry of the provision of this Act which, by virtue of regulations made by a Minister of the Crown under section 90(2), expires the latest.
- (6) The Secretary of State is responsible for a provision of this Act so far as—
- (a) it extends to England and Wales and applies in relation to England;
  - (b) it—
    - (i) extends to England and Wales and applies in relation to Wales, or extends to Scotland or Northern Ireland, and

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- (ii) is outside devolved legislative competence in Wales, Scotland or Northern Ireland (as the case may be).
- (7) A provision is “outside devolved legislative competence”—
- (a) in relation to Wales, if it would not be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (assuming, in the case of provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975, that such consent were given);
  - (b) in relation to Scotland, if it would not be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;
  - (c) in relation to Northern Ireland, if—
    - (i) it would not be within the legislative competence of the Northern Ireland Assembly, or
    - (ii) it would require the consent of the Secretary of State, if it were contained in an Act of that Assembly.
- (8) The Secretary of State must lay each report prepared under subsection (1) before Parliament.
- (9) If the Secretary of State does not prepare and publish the report required by subsection (1) within 7 days beginning with the end of a reporting period, the Secretary of State must—
- (a) explain why in a statement made in writing, and
  - (b) publish the statement.

#### **Editorial Information**

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

## **98 Six-month parliamentary review**

- (1) If the House of Commons rejects a motion in the form set out in subsection (2), moved in accordance with subsection (3) by a Minister of the Crown, a Minister of the Crown must exercise the power conferred by section 90(1) so as to ensure that the relevant temporary provisions expire not later than the end of the period of 21 days beginning with the day on which the rejection takes place.
- (2) The form of the motion is—
- “That the temporary provisions of the Coronavirus Act 2020 should not yet expire.”
- (3) So far as practicable, a Minister of the Crown must make arrangements for the motion mentioned in subsection (1) to be debated and voted on by the House of Commons within a period of 7 sitting days beginning immediately after each 6 month review period.
- (4) In this section—
- “6 month review period” means—
    - (a) the period of 6 months beginning with the day on which this Act is passed, and

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(b) each subsequent period of 6 months,

but only (in each case) if at least one relevant temporary provision still exists at the end of the period (whether or not that provision has ever been brought into force or is at that time suspended);

“relevant temporary provision” means any provision of this Act—

- (a) which is not listed in section 89(2) (provisions not subject to expiry), and
- (b) in respect of which a Minister of the Crown could make provision under section 90(1) (early expiry regulations) without the consent of the Welsh Ministers, the Scottish Ministers or a Northern Ireland department;

“sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day).

## **99 Parliamentary consideration of status of non-devolved provisions of this Act**

(1) This section applies where the substantive operational period of this Act is longer than the period of one year beginning with the day on which this Act is passed.

(2) A Minister of the Crown must make arrangements for—

- (a) a motion in neutral terms, to the effect that the House of Commons has considered the one-year status report, to be moved in that House by a Minister of the Crown within the period of 14 Commons sitting days beginning with the day after the end of the sixth reporting period, and
- (b) a motion for the House of Lords to take note of the one-year status report to be moved in that House by a Minister of the Crown within the period of 14 Lords sitting days beginning with the day after the end of the sixth reporting period.

(3) The “one-year status report” is the report required to be prepared by the Secretary of State under section 97 in respect of the sixth reporting period.

(4) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day);

“reporting period” and “substantive operational period of this Act” have the same meaning as in section 97.

## **100 Extent**

(1) The following provisions extend to England and Wales, Scotland and Northern Ireland—

- (a) section 1;
- (b) section 2 (and Schedule 1);
- (c) section 8, so far as it relates to Parts 1, 2 and 5 of Schedule 7 (and those Parts of that Schedule);
- (d) section 9;
- (e) sections 22 and 23;



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- (f) section 24;
  - (g) sections 25 to 29 (and Schedule 15);
  - (h) section 50 (and Schedule 20);
  - (i) section 51 (and Schedule 21);
  - (j) section 52 (and Schedule 22);
  - (k) section 54, so far as it relates to Part 2 of Schedule 24 (and that Part of that Schedule);
  - (l) section 55, so far as it relates to paragraph 2 of Schedule 25 (and that paragraph of that Schedule);
  - (m) section 58 (and Schedule 28);
  - (n) sections 62 to 64 and 66;
  - (o) sections 68 and 69;
  - (p) section 71;
  - (q) sections 72 to 74;
  - (r) section 75;
  - (s) section 76;
  - (t) section 77(1) and (2);
  - (u) this Part.
- (2) The following provisions extend to England and Wales and Scotland only—
- (a) section 8, so far as it relates to Part 3 of Schedule 7 (and that Part of that Schedule);
  - (b) sections 39 to 41;
  - (c) section 77(3).
- (3) The following provisions extend to England and Wales and Northern Ireland only—
- (a) section 61;
  - (b) section 78.
- (4) The following provisions extend to England and Wales only—
- (a) section 3 (and Schedule 2);
  - (b) section 6 (and Schedule 5);
  - (c) section 10(1) (and Schedule 8);
  - (d) section 11;
  - (e) sections 14 and 15 (and Schedule 12);
  - (f) section 18(1) (and Part 1 of Schedule 13);
  - (g) section 19;
  - (h) section 30;
  - (i) section 33;
  - (j) section 37(1) (and Part 1 of Schedule 16);
  - (k) section 38(1) (and Part 1 of Schedule 17);
  - (l) section 45;
  - (m) section 53 (and Schedule 23);
  - (n) section 54, so far as it relates to Parts 1 and 3 of Schedule 24 (and those Parts of that Schedule);
  - (o) section 55, so far as it relates to paragraph 1 of Schedule 25 (and that paragraph of that Schedule);
  - (p) section 56 (and Schedule 26);

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- (q) sections 59, 60, 65 and 67;
  - (r) section 79;
  - (s) section 81 (and Schedule 29);
  - (t) section 82;
  - (u) section 84.
- (5) The following provisions extend to Scotland only—
- (a) section 4 (and Schedule 3);
  - (b) section 7 (and Schedule 6);
  - (c) section 10(2) (and Schedule 9);
  - (d) section 12;
  - (e) sections 16 and 17;
  - (f) section 18(2) (and Part 2 of Schedule 13);
  - (g) section 20 (and Schedule 14);
  - (h) sections 34 and 35;
  - (i) section 36;
  - (j) section 37(2) (and Part 2 of Schedule 16);
  - (k) section 38(2) (and Part 2 of Schedule 17);
  - (l) section 46;
  - (m) section 49 (and Schedule 19);
  - (n) section 70.
- (6) The following provisions extend to Northern Ireland only—
- (a) section 5 (and Schedule 4);
  - (b) section 8, so far as it relates to Part 4 of Schedule 7 (and that Part of that Schedule);
  - (c) section 10(3) and (4) (and Schedules 10 and 11);
  - (d) section 13;
  - (e) section 18(3) (and Part 3 of Schedule 13);
  - (f) section 21;
  - (g) section 31;
  - (h) section 32;
  - (i) section 37(3) (and Part 3 of Schedule 16);
  - (j) section 38(3) (and Part 3 of Schedule 17);
  - (k) sections 42 to 44;
  - (l) section 47;
  - (m) section 48 (and Schedule 18);
  - (n) section 57 (and Schedule 27);
  - (o) section 80;
  - (p) section 83.

## **101 Extension to the Isle of Man**

Her Majesty may by Order in Council provide for the extension, with or without modifications, to the Isle of Man of any provision of this Act which is capable of so extending.

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## **102 Short title**

This Act may be cited as the Coronavirus Act 2020.

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