

Status: Point in time view as at 01/10/2021.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, Cross Heading: Powers exercisable after assessment. (See end of Document for details)

SCHEDULES

SCHEDULE 21

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS

PART 2

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS IN ENGLAND

Powers exercisable after assessment

- 14 (1) This paragraph applies where, during a transmission control period—
- (a) a person in England has been screened and assessed by a public health officer (under paragraph 10 or otherwise) and—
 - (i) the screening confirmed that the person is infected or contaminated with coronavirus, or
 - (ii) the screening was inconclusive, or
 - (b) a person in England has been assessed by a public health officer (under paragraph 10 or otherwise) and the officer has reasonable grounds to suspect that the person is potentially infectious.
- (2) A public health officer may at any time during the transmission control period impose such requirements and restrictions on the person as the officer considers necessary and proportionate—
- (a) in the interests of the person,
 - (b) for the protection of other people, or
 - (c) for the maintenance of public health.
- (3) Requirements under this paragraph may include requirements—
- (a) to provide information to the public health officer or any specified person;
 - (b) to provide details by which the person may be contacted during a specified period;
 - (c) to go for the purposes of further screening and assessment to a specified place suitable for those purposes and do anything that may be required under paragraph 10(1);
 - (d) to remain at a specified place (which may be a place suitable for screening and assessment) for a specified period;
 - (e) to remain at a specified place in isolation from others for a specified period.
- (4) Restrictions on a person under this paragraph may include restrictions, for a specified period, on—
- (a) the person's movements or travel (within or outside the United Kingdom);
 - (b) the person's activities (including their work or business activities);
 - (c) the person's contact with other persons or with other specified persons.

Status: Point in time view as at 01/10/2021.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, Cross Heading: Powers exercisable after assessment. (See end of Document for details)

- (5) Where a public health officer imposes a requirement or restriction on a person under this paragraph, the officer must inform the person—
 - (a) of the reason for doing so, and
 - (b) that it is an offence to fail to comply with the requirement or restriction.
 - (6) In deciding whether to impose a requirement referred to in sub-paragraph (3)(d) or (e) the public health officer must have regard to a person's wellbeing and personal circumstances.
 - (7) A public health officer may vary or revoke a requirement or restriction imposed on a person (but may only extend the period to which a requirement referred to in sub-paragraph (3)(d) or (e) or a restriction relates in accordance with paragraph 15).
- 15
- (1) The period specified in relation to a requirement referred to in paragraph 14(3)(d) or (e) (a “requirement to remain”), or in relation to any restriction under paragraph 14, may not exceed 14 days.
 - (2) After the imposition of a requirement to remain or a restriction under paragraph 14, a public health officer must—
 - (a) assess the person within 48 hours, and
 - (b) in the light of that assessment reconsider which requirements or restrictions it is necessary and proportionate to impose on that person under paragraph 14 for the purposes referred to in paragraph 14(2).
 - (3) The public health officer may, following reconsideration under sub-paragraph (2)—
 - (a) revoke the requirement to remain or the restriction or specify a different period not exceeding 14 days in relation to it;
 - (b) substitute a different requirement or restriction under paragraph 14.
 - (4) If under sub-paragraph (3) the public health officer revokes the requirement to remain or the restriction, the Secretary of State may, if satisfied that the person is potentially infectious, re-impose the requirement or restriction (for the period originally specified).
 - (5) If before the end of the period specified in relation to a requirement to remain or restriction (under paragraph 14(3) or sub-paragraph (3)(a))—
 - (a) a public health officer reasonably suspects that the person will be potentially infectious at the end of that period, and
 - (b) the officer considers that the requirement or restriction is still necessary and proportionate for the purposes referred to in paragraph 14(2),
 the officer may extend the period for a further specified period.
 - (6) Except in the case of a requirement referred to in paragraph 14(3)(e) (requirement to remain in isolation), the further period specified under sub-paragraph (5) may not exceed 14 days.
 - (7) Where the period to which a requirement to remain or restriction under paragraph 14 relates is extended under sub-paragraph (5), a public health officer must review the requirement or restriction at least once in every period of 24 hours.
 - (8) If on a review under sub-paragraph (7) the public health officer considers that the person is no longer potentially infectious, the officer must revoke the requirement to remain or the restriction.

Status: Point in time view as at 01/10/2021.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, Cross Heading: Powers exercisable after assessment. (See end of Document for details)

- (9) If on a review under sub-paragraph (7)—
- (a) sub-paragraph (8) does not apply, but
 - (b) the public health officer considers that the requirement to remain or the restriction is no longer necessary and proportionate for the purposes referred to in paragraph 14(2),
- the public health officer may substitute a different requirement or restriction under paragraph 14 (which may not apply beyond the end of the further period specified under sub-paragraph (5)).
- 16 Where a person is required to remain at a place under paragraph 14(3)(d) or (e) the requirement may be enforced—
- (a) by a constable or public health officer removing the person to the place;
 - (b) by a constable or public health officer keeping the person at the place;
 - (c) if the person absconds, by a constable taking the person into custody and returning them to that place or another place a public health officer may specify.
- 17 (1) A person on whom a requirement or restriction is imposed under paragraph 14 may appeal against it (or against any variation of it or any extension of the period to which it relates) to a magistrates' court.
- (2) On an appeal under this paragraph the court may—
- (a) confirm the requirement or restriction (or variation or extension), with or without modification, or
 - (b) quash the requirement or restriction (or variation or extension).

Status:

Point in time view as at 01/10/2021.

Changes to legislation:

There are currently no known outstanding effects for the Coronavirus Act 2020, Cross Heading:
Powers exercisable after assessment.