
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020 ([S.I. 2020/1008](#)) (“the Undertakings Regulations”) the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 ([S.I. 2020/684](#)) and the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 ([S.I. 2020/1005](#)).

Regulation 2(4) expands the scope of the existing requirements in the Undertakings Regulations. Regulation 2(5) introduces new requirements to take measures to stop singing and dancing, subject to exemptions, and to not play music which exceeds 85db(A).

Regulation 2(4)(b) corrects an error by clarifying the application of those Regulations in relation to persons who are present at premises of hospitality undertakings as individuals.

Regulation 2(6) introduces a requirement on persons responsible for a business in a relevant area. That requirement is either to display a notice at the relevant area informing persons on the premises of the requirement to wear a face covering unless an exemption applies or the person has a reasonable excuse not to wear a face covering, or to take other measures to ensure that persons entering the premises are so informed. A contravention of this requirement is an offence, punishable by a fine or by way of a fixed penalty of up to £10,000.

Regulation 2(8) provides that fixed penalty notices issued under the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 in relation to contravention of requirements in regulation 4A and 4B of those Regulations, and fixed penalty notices issued under the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, are to be taken into account when determining in accordance with the Undertakings Regulations how many fixed penalty notices a person has been issued with.

Regulation 2(6) further prohibits a person responsible for carrying on a business at a relevant area from preventing, or seeking to prevent, a person on the premises who is subject to the requirement to wear a face covering from wearing a face covering. This is also an offence, punishable by a fine or by way of a fixed penalty of up to £10,000.

Regulation 2(8)(a)(i) corrects an incorrect cross-reference.

Regulation 3 makes amendments to the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 and the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 to amend the fixed penalty notice regime in accordance with the amendments made by this instrument to the fixed penalty notice regime in the Undertakings Regulations. Regulation 3(1)(b) corrects an error in the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020.

No regulatory impact assessment has been prepared for these Regulations.