
STATUTORY INSTRUMENTS

2020 No. 791

The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (revoked)

PART 1

Introductory

Citation, commencement and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020.

(2) These Regulations come into force on 24th July 2020.

(3) These Regulations apply in England.

Commencement Information

II Reg. 1 in force at 24.7.2020, see [reg. 1\(2\)](#)

Interpretation

2.—(1) In these Regulations—

[^{F1}“crematoria” has the same meaning as in section 2 of the Cremation Act 1902;]

[^{F2}“elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—

- (a) so that they may derive a living from competing in that sport, or
- (b) 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;]

[^{F2}“elite sportsperson” means an individual who—

- (a) derives a living from competing in a sport,
- (b) is a senior representative nominated by a relevant sporting body,
- (c) is a member of the senior training squad for a relevant sporting body, or
- (d) is aged 16 or above and on an elite development pathway;]

^{F3} ...

“face covering” means a covering of any type which covers a person's nose and mouth;

“goods” means any tangible moveable item;

^{F4} ...

Status: Point in time view as at 23/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (revoked). (See end of Document for details)

[^{F2}“place of worship” means any building, room or other premises used for public religious worship;]

[^{F2}“professional choreographer” means a person who derives their living choreographing dance;]

[^{F2}“professional dancer” means a person who derives their living from dance;]

“public transport service” has the meaning given in regulation 2(2) of the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020^{M1};

[^{F2}“pupil” has the same meaning as in section 3 of the Education Act 1996;]

[^{F1}“registered pharmacy” has the same meaning as in section 74 of the Medicines Act 1968;]

“relevant person” has the meaning given in regulation 5(9);

[^{F5}“relevant place” means—

- (a) any premises listed in Schedule 1 which are indoors;
- (b) any part of any premises listed in Schedule 1 which is indoors;
- (c) any transport hub, or any part of a transport hub, which is indoors;]

[^{F2}“relevant sporting body” means the national governing body of a sport which may nominate sportspersons to represent—

- (a) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
- (b) 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;]

[^{F2}“religious school” means a school, as defined in section 4 of the Education Act 1996, which is—

- (a) designated as having a religious character under section 69(3) of the School Standards and Framework Act 1998, or
- (b) recorded as having a religious ethos in the register of independent educational institutions in England kept by the Secretary of State under section 95 of the Education and Skills Act 2008;]

[^{F2}“senior representative” means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—

- (a) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
- (b) 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;]

“shop” has the meaning given in paragraph (2);

[^{F2}“shopping centre” means a building containing shops having frontages to an arcade or mall or other covered circulation area;]

“TfL”, “TfL officer” and “TfL public transport service” have the meanings given in regulation 5;

“transport hub” has the meaning given in paragraph (4).

(2) In these Regulations, “shop” means any building, room or other indoor establishment which is open to the public in whole or in part and is used wholly or mainly for the purposes of retail sale or hire of goods or services, but not including the premises listed in ^{F6}Schedule 2].

(3) A person who is responsible for a relevant place includes the owner, proprietor, tenant or manager of the relevant place.

(4) In these Regulations, “transport hub” means any ^{F7}... premises used as a station, terminal, port or other similar premises from or to which a public transport service operates, but does not include—

- (a) an area which is not open to the public;
- (b) an area where seating or tables are made available for the consumption of food and drink;
- (c) a part of such premises if it ^{F8}is itself] a premises mentioned in paragraph 1(1)(a) to (c) of ^{F9}Schedule 1]; or
- (d) a part of such a premises if ^{F10}it is itself] a premises listed in ^{F11}Schedule 2].

^{F12}(5) For the purposes of these Regulations premises, or any part of premises, are “indoors” if they, or it, would be considered enclosed or substantially enclosed for the purposes of section 2 of the Health Act 2006 under the Smoke-free ^{F13}(Premises and Enforcement) Regulations] 2006.]

Textual Amendments

- F1** Words in reg. 2(1) inserted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(2)**
- F2** Words in reg. 2(1) inserted (22.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **3(2)**
- F3** Words in reg. 2(1) omitted (22.8.2020) by virtue of [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **3(3)(b)**
- F4** Words in reg. 2(1) omitted (22.8.2020) by virtue of [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **3(3)(a)**
- F5** Words in reg. 2(1) substituted (22.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **3(4)**
- F6** Words in reg. 2(2) substituted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(4)**
- F7** Words in reg. 2(4) omitted (22.8.2020) by virtue of [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **4**
- F8** Words in reg. 2(4)(c) substituted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(5)(a)**
- F9** Words in reg. 2(4)(c) substituted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(5)(b)**
- F10** Words in reg. 2(4)(d) substituted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(6)(a)**

Status: Point in time view as at 23/09/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (revoked). (See end of Document for details)

- F11** Words in reg. 2(4)(d) substituted (8.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(6)(b)**
- F12** Reg. 2(5) substituted (22.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/882\)](#), regs. 1(2), **5**
- F13** Words in reg. 2(5) substituted (23.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1021\)](#), regs. 1, **3(2)**

Commencement Information

- I2** Reg. 2 in force at 24.7.2020, see reg. 1(2)

Marginal Citations

- M1** [S.I. 2020/592](#).

PART 2

Relevant place: requirement to wear a face covering

Requirement to wear a face covering whilst entering or remaining within a relevant place

3.—(1) No person may, without reasonable excuse, enter or remain within a relevant place without wearing a face covering.

(2) The requirement in paragraph (1) does not apply—

- (a) to a child who is under the age of 11;
- (b) to a person responsible for a relevant place or an employee of that person acting in the course of their employment;
- (c) to any other person providing services in the relevant place under arrangements made with the [^{F14}person responsible for the relevant place];
- (d) to an employee of an operator of a public transport service acting in the course of their employment;
- (e) to a person who enters or is within a transport hub in a vehicle (other than a vehicle being used for the provision of a public transport service);
- (f) to a constable or police community support officer acting in the course of their duty;
- (g) to an emergency responder (other than a constable) acting in their capacity as an emergency responder;
- (h) to a relevant official acting in the course of their employment or their duties [^{F15};
- (i) to an elite sportsperson undertaking training or taking part in a competition;
- (j) to a coach of an elite sportsperson acting in the course of their employment or in the course of providing their services;
- (k) to a referee acting in the course of their employment or in the course of providing their services;
- (l) to a professional dancer undertaking training or taking part in a competition;
- (m) to a professional choreographer acting in the course of their employment or in the course of providing their services;

- (n) to a pupil at a religious school who is under the age of 19 and is undertaking education or training in a place of worship where such education or training forms part of the curriculum of the religious school].
- (3) In this regulation—
- “emergency responder” has the same meaning as for the purposes of section 153A of the Inheritance Tax Act 1984 ^{M2};
- “relevant official” means —
- (a) an inspector or surveyor of ships;
 - (b) a person appointed by the Health and Safety Executive under section 19 of the Health and Safety at Work etc. Act 1974 ^{M3} or an officer of the Health and Safety Executive;
 - (c) a local authority officer;
 - (d) a pilot (within the meaning given in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995 ^{M4});
 - (e) a civil aviation inspector, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944 ^{M5};
 - (f) a border force officer (within the meaning given in paragraph 7 of Schedule 20 to the Coronavirus Act 2020 ^{M6}).

Textual Amendments

- F14** Words in reg. 3(2)(c) substituted (23.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1021\)](#), regs. 1, **3(4)**
- F15** Reg. 3(2)(i)-(n) and semicolon inserted (23.9.2020) by virtue of [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1021\)](#), regs. 1, **3(4)(5)**

Commencement Information

- I3** Reg. 3 in force at 24.7.2020, see reg. 1(2)

Marginal Citations

- M2** 1984 c. 51. Section 153A was inserted by the [Finance Act 2015 \(c. 11\)](#), **section 75**.
- M3** 1974 c. 37.
- M4** 1995 c.21. Schedule 3A to the Merchant Shipping Act 1995 was inserted by the [Marine Safety Act 2003 \(c. 16\)](#), **Schedule 1**. There are amendments to Schedule 3A but none are relevant.
- M5** The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-301-9).
- M6** 2020 c. 7.

Reasonable excuse

4.—(1) For the purposes of regulation 3(1), the circumstances in which a person (“P”) has a reasonable excuse include those where—

- (a) P cannot put on, wear or remove a face covering—
 - (i) because of any physical or mental illness or impairment, or disability (within the meaning of section 6 of the Equality Act 2010 ^{M7}), or
 - (ii) without severe distress;

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- (b) P is accompanying, or providing assistance to, another person (“B”) and B relies on lip reading to communicate with P;
- (c) P removes their face covering to avoid harm or injury, or the risk of harm or injury, to themselves or others;
- (d) P is entering or within a relevant place to avoid injury, or to escape a risk of harm, and does not have a face covering with them;
- (e) [^{F16}if] it is reasonably necessary for P to eat or drink, P removes their face covering to eat or drink;
- (f) P has to remove their face covering to take medication;
- (g) a person responsible for a relevant place or an employee of that person acting in the course of their employment, requires that P remove their face covering in order to verify P's identity;
- (h) in a registered pharmacy, an employee of that registered pharmacy acting in the course of their employment, requires that P remove their face covering in order to assist in the provision of healthcare or healthcare advice to P;
- (i) a relevant person requests that P remove their face covering.

^{F17}(2)

Textual Amendments

F16 Word in reg. 4(1)(e) inserted (23.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1021\)](#), regs. 1, **3(6)**

F17 Reg. 4(2) omitted (8.8.2020) by virtue of [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/839\)](#), regs. 1(2), **2(7)**

Commencement Information

I4 Reg. 4 in force at 24.7.2020, see reg. 1(2)

Marginal Citations

M7 [2010 c. 15.](#)

PART 3

Enforcement

Enforcement of requirement to wear a face covering whilst entering or remaining within a relevant place

5.—(1) Where a relevant person considers that another person is, at the time of entering the relevant place, not wearing a face covering, in contravention of the requirement in regulation 3, the relevant person may deny entry to the relevant place to that person.

(2) Where a relevant person considers that a person is not wearing a face covering, in contravention of the requirement in regulation 3, the relevant person may—

- (a) direct that person to wear such a covering;
- (b) direct that person to leave the relevant place.

(3) Where a person does not comply with a direction given to them by a constable under paragraph (2)(b), the constable may remove them from the relevant place.

(4) A constable exercising the power in paragraph (3) may use reasonable force, if necessary, in the exercise of the power.

(5) Where a relevant person has reasonable grounds to believe that a relevant child is failing to comply with the requirement in regulation 3, the relevant person may direct any individual who has responsibility for the relevant child to secure, so far as reasonably practicable, that the child complies with the requirement.

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

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child within the meaning given in section 3 of the Children Act 1989^{M8}.

(7) A person may only exercise a power in paragraph (2) or (3) if they consider it necessary and proportionate to ensure compliance with the requirement in regulation 3.

(8) In this regulation, “relevant child” means a child who is aged 11 or over.

(9) In these Regulations—
“relevant person” means—

- (a) a constable;
- (b) a police community support officer;
- (c) in relation to any transport hub from or to which a TfL public transport service is provided, a TfL officer;
- (d) a person designated by the Secretary of State for the purposes of this regulation.

(10) For the purposes of these Regulations—

“TfL public transport service” means a public transport service provided by TfL or a TfL contractor;

“TfL” means—

- (a) Transport for London^{M9}, or
- (b) a subsidiary (within the meaning of section 1159 of the Companies Act 2006^{M10}) of Transport for London;

“TfL contractor” means a contractor who provides a public transport service on behalf of TfL;

“TfL officer” means any of the following whilst acting in the course of their duties—

- (a) an employee or agent of TfL;
- (b) an employee or agent of a TfL contractor.

Commencement Information

I5 Reg. 5 in force at 24.7.2020, see [reg. 1\(2\)](#)

Marginal Citations

M8 1989 c. 41.

M9 Transport for London is a body corporate established by section 154 of the [Greater London Authority Act 1999 \(c. 29\)](#).

M10 2006 c. 46.

Status: Point in time view as at 23/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (revoked)*. (See end of Document for details)

Offence and penalties

- 6.—(1) A person who contravenes the requirement in regulation 3 commits an offence.
- (2) A person who obstructs, without reasonable [^{F18}excuse], any person carrying out a function under these Regulations commits an offence.
- (3) A person who, without reasonable excuse, contravenes a direction given under regulation 5(2) or regulation 5(5) commits an offence.
- (4) An offence under this regulation is punishable on summary conviction by a fine.
- (5) Section 24 of the Police and Criminal Evidence Act 1984 ^{M11} 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.

Textual Amendments

F18 Word in reg. 6(2) substituted (23.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/1021\)](#), regs. 1, **3(7)**

Commencement Information

I6 Reg. 6 in force at 24.7.2020, see reg. 1(2)

Marginal Citations

M11 1984 c. 60. Section 24 was substituted by the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), [section 110\(1\)](#).

Fixed penalty notices

- 7.—(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, and
 - (b) is 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 the authority specified in the notice.
- (3) The authority specified in the notice must be an officer designated by the Secretary of State 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 designated officer 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 [^{F19}paragraphs (7) and (7A)], be £100.
- (7) A fixed penalty notice must specify that if £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.
- [^{F20}(7A) But if a person to whom a fixed penalty notice is given has already received a relevant fixed penalty notice, paragraph (7) does not apply and the amount specified as the fixed penalty is to be—
- (a) in the case of the second fixed penalty notice received, £200;
 - (b) in the case of the third fixed penalty notice received, £400;
 - (c) in the case of the fourth fixed penalty notice received, £800;
 - (d) in the case of the fifth fixed penalty notice received, £1,600;
 - (e) in the case of the sixth and subsequent fixed penalty notice received, £3,200.
- (7B) For the purposes of this regulation “relevant fixed penalty notice” means a fixed penalty notice issued to a person under—
- (a) these Regulations, or
 - (b) the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020 (“the Public Transport Regulations”).
- (7C) In determining how many fixed penalty notices a person has received—
- (a) any fixed penalty notices received by them under the Public Transport Regulations are also to be taken into account;
 - (b) if they received more than one relevant fixed penalty notice before 28th August 2020, only one of those notices may be taken into account.]
- (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 the letter would be delivered in the ordinary course of the post.
- (10) In any proceedings, a certificate—
- (a) that purports to be signed by or on behalf of the designated officer, and
 - (b) states that the payment was, or was not, received by the date specified in the certificate,
- is evidence of the facts stated.
- (11) In this regulation, “authorised person” means—
- (a) a constable,
 - (b) a police community support officer,
 - (c) in relation to any transport hub from or to which a TfL public transport service is provided, a TfL officer, or
 - (d) a person designated by the Secretary of State for the purposes of this regulation.

Status: Point in time view as at 23/09/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (revoked)*. (See end of Document for details)

Textual Amendments

- F19** Words in reg. 7(6) substituted (28.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/906\)](#), regs. 1(2), **3(a)**
- F20** Reg. 7(7A)-(7C) inserted (28.8.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/906\)](#), regs. 1(2), **3(b)**

Commencement Information

- I7** Reg. 7 in force at 24.7.2020, see reg. 1(2)

Prosecutions

8. 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

- I8** Reg. 8 in force at 24.7.2020, see [reg. 1\(2\)](#)

Review

9. The Secretary of State must review the need for the requirements imposed by these Regulations before the end of the period of six months beginning with the day on which they come into force.

Commencement Information

- I9** Reg. 9 in force at 24.7.2020, see [reg. 1\(2\)](#)

Expiry

10.—(1) These Regulations expire at the end of the period of 12 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. 10 in force at 24.7.2020, see [reg. 1\(2\)](#)

Department of Health and Social Care

Matt Hancock
Secretary of State,

Status:

Point in time view as at 23/09/2020.

Changes to legislation:

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