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STATUTORY INSTRUMENTS

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**2020 No. 791**

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

**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) [<sup>F1</sup>Subject to (2A), 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 [<sup>F2</sup>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 [<sup>F3</sup>;
- (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][<sup>F4</sup>;
- (o) to a performer performing in the course of their employment or in the course of providing their services;]

*Status: Point in time view as at 17/05/2021.*

*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), PART 2. (See end of Document for details)*

[<sup>F5</sup>(p) to a person who is in premises of a kind mentioned in paragraph 5, 6, 9, 13 or 18 of Schedule 1 (a “community premises”), or a separate and enclosed part of it—

- (i) if the person is there to participate in a gathering which is reasonably necessary for any of the purposes referred to in paragraph 3(3)(b), (c), (d), (e), (i), (j), (k), (l) or (m) of Schedule 3 to the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021, and
- (ii) at a time when the community premises, or the separate and enclosed part of the community premises, as the case may be, have been set aside for the sole use of people participating in that gathering].

[<sup>F6</sup>(2A) The exceptions from the requirement to wear a face covering provided in regulation 3(2)(b) or (c) do not apply to any person who, when acting in the course of their employment or providing services under arrangements made with the person responsible for the relevant place, is in any part of a relevant place listed in Schedule 3 which is open to the public, and comes or likely to come within close contact of any member of the public.

(2B) Where a person referred to in regulation 3(2)(b) or (c) is provided with respiratory protective equipment (RPE) by their employer to meet any of the relevant statutory provisions as defined by section 53 of the Health and Safety at Work Act 1974 in respect of any tasks they are performing, that person will, in wearing that RPE, be treated as complying with the requirement in regulation 3(1)]

[<sup>F7</sup>(2C) The requirement in paragraph (1) does not apply in relation to any premises for which it is disapplied in a direction made by the Secretary of State under regulation 9 of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.]

(3) In this regulation—

“emergency responder” has the same meaning as for the purposes of section 153A of the Inheritance Tax Act 1984 <sup>M1</sup>;

“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 <sup>M2</sup> 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 <sup>M3</sup>);
- (e) a civil aviation inspector, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944 <sup>M4</sup>;
- (f) a border force officer (within the meaning given in paragraph 7 of Schedule 20 to the Coronavirus Act 2020 <sup>M5</sup>).

#### Textual Amendments

- F1** Words in reg. 3(2) substituted (24.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1026\)](#), regs. 1(2), **2(3)**
- F2** 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)**
- F3** 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)**

- F4** Reg. 3(2)(o) and semicolon inserted (24.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1026\)](#), regs. 1(2), **2(5)**
- F5** Reg. 3(2)(p) inserted (17.5.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps and Other Provisions\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/585\)](#), regs. 1(2), **3**
- F6** Reg. 3(2A)(2B) inserted (24.9.2020) by [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport\) \(England\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1026\)](#), regs. 1(2), **2(4)**
- F7** Reg. 3(2C) inserted (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), reg. 1(2), **Sch. 7 para. 6** (with reg. 21)

**Modifications etc. (not altering text)**

- C1** Reg. 3(1): power to disapply conferred (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), regs. 1(2), **9** (with reg. 21)

**Commencement Information**

- I1** Reg. 3 in force at 24.7.2020, see reg. 1(2)

**Marginal Citations**

- M1** [1984 c. 51](#). Section 153A was inserted by the [Finance Act 2015 \(c. 11\)](#), **section 75**.
- M2** [1974 c. 37](#).
- M3** [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.
- M4** 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).
- M5** [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 <sup>M6</sup>), or
- (ii) without severe distress;
- (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) [<sup>F8</sup>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;

**Status:** Point in time view as at 17/05/2021.

**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), PART 2. (See end of Document for details)

- (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.

<sup>F9</sup>(2) .....

**Textual Amendments**

**F8** 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)**

**F9** 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**

**I2** Reg. 4 in force at 24.7.2020, see reg. 1(2)

**Marginal Citations**

**M6** [2010 c. 15.](#)

**Status:**

Point in time view as at 17/05/2021.

**Changes to legislation:**

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