
STATUTORY INSTRUMENTS

2021 No. 1340

**The Health Protection (Coronavirus, Wearing
of Face Coverings) (England) Regulations 2021**

PART 1

Introductory

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Wearing of Face Coverings) (England) Regulations 2021.

(2) These Regulations come into force at 4.00 a.m. on 30th November 2021.

(3) These Regulations extend to England and Wales, and apply—

(a) in England;

(b) in English airspace to a person who is on board an aircraft which took off from, or is to land at, a place in England;

(c) in the English territorial sea to a person who is on board a vessel⁽¹⁾ which is not an excluded vessel.

(4) Nothing in these Regulations applies to a person who is completing a journey on a public transport service which they started before 4.00 a.m. on 30th November 2021.

(5) In this regulation—

(a) “English airspace” means the airspace above England or above the English territorial sea;

(b) “the English territorial sea” means the part of the territorial sea of the United Kingdom which is adjacent to England;

(c) “excluded vessel” means a vessel which—

(i) departed from a place other than a place in England, and

(ii) is to dock at any time in a place other than a place in England.

Interpretation

2.—(1) In these Regulations—

“emergency responder” has the meaning given by section 153A of the Inheritance Tax Act 1984⁽²⁾;

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

“goods” means any tangible moveable item;

“public transport service” has the meaning given in paragraph (2);

(1) “Vessel” is defined in section 74 of the Public Health (Control of Disease) Act 1984.

(2) 1984 c. 51. Section 153A was inserted by section 75 of the Finance Act 2015 (c. 11).

“public transport vehicle” means a vehicle by means of which a public transport service is provided;

“registered pharmacy” has the same meaning as in section 74 of the Medicines Act 1968⁽³⁾;

“relevant person” has the meaning given in regulation 9⁽¹²⁾;

“relevant place” means—

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

but does not include any premises, or any part of any premises, which is listed in Part 2 of the Schedule;

“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;

“shopping centre” means a building containing shops having frontages to an arcade or mall or other covered circulation area;

“TfL” means—

- (a) Transport for London⁽⁴⁾, or
- (b) a subsidiary (within the meaning of section 1159 of the Companies Act 2006⁽⁵⁾) 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;

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

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

“vehicle” includes an aircraft, a cable car, a train and a vessel.

(2) “Public transport service” means any service for the carriage of passengers from place to place which is available to the general public (whether or not for payment, whether or not all of the places connected by the service are in England and whether or not there are breaks in the journey) but does not include—

- (a) a school transport service;
- (b) any service provided by means of a cruise ship.

(3) For the purposes of paragraph (2), “school transport service” means any transport provided solely for the purpose of—

- (a) facilitating a person’s attendance at a school or other place at which they receive education or training, or
- (b) otherwise than for the reason in paragraph (a), carrying a person to and from the school or other place at which they receive education or training.

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

⁽³⁾ 1968 c. 67.

⁽⁴⁾ Transport for London is a body corporate established by section 154 of the Greater London Authority Act 1999 (c. 29).

⁽⁵⁾ 2006 c. 46.

- (a) an area which is not open to the public;
 - (b) a part of such a premises if that part is itself a premises listed in Part 2 of the Schedule.
- (5) For the purposes of these Regulations—
- (a) a person who is responsible for a relevant place includes the owner, proprietor, tenant or manager of the relevant place;
 - (b) premises and any part of premises, are “indoors” if they would be considered enclosed or substantially enclosed for the purposes of section 2 of the Health Act 2006⁽⁶⁾ under the Smoke-free (Premises and Enforcement) Regulations 2006⁽⁷⁾;
 - (c) an area within a vehicle or part of a vehicle is “indoors” if it is enclosed wholly or partly by a roof and by any door or window that may be opened;
 - (d) references to a “local authority” include references to a county council;
 - (e) a county council for an area for which there is also a district council is to be regarded, with respect to its functions pursuant to these Regulations, as a relevant health protection authority for the purposes of the Public Health (Control of Disease) Act 1984.
- (6) For the purposes of paragraph (5)(c), “roof”—
- (a) includes any fixed or moveable structure or device which is capable of covering all or part of the vehicle, including any canvas, fabric or other covering, but
 - (b) does not include any structure or device which is completely stowed away so that it does not cover all or any part of the vehicle.

⁽⁶⁾ 2006 c. 28.

⁽⁷⁾ S.I. 2006/3368.