
STATUTORY INSTRUMENTS

2021 No. 1340

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

PART 4

Enforcement

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

9.—(1) Where a relevant person considers that another person is, at the time of entering a 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 another person is not wearing a face covering in a relevant place, 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 relevant person considers that another person is, at the time of boarding a public transport vehicle, not wearing a face covering, in contravention of the requirement in regulation 4, the relevant person may deny boarding of the public transport vehicle to that person.

(4) Where a relevant person considers that another person in a public transport vehicle is not wearing a face covering, in contravention of the requirement in regulation 4, the relevant person may—

- (a) direct that person to wear such a covering;
- (b) direct that person to disembark from the public transport vehicle.

(5) Where a person does not comply with a direction given to them by a constable—

- (a) under paragraph (2)(b), the constable may remove them from the relevant place;
- (b) under paragraph (4)(b), the constable may remove them from the public transport vehicle.

(6) A constable exercising the power in paragraph (5) may use reasonable force, if necessary, in the exercise of the power.

(7) Where a relevant person has reasonable grounds to believe that a relevant child is failing to comply with the requirement in regulation 3 or 4, 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.

(8) 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(1).
- (9) A person may only exercise a power—
 - (a) in paragraph (2) or (5)(a) if they consider it necessary and proportionate to ensure compliance with the requirement in regulation 3, and
 - (b) in paragraph (4) or (5)(b) if they consider it necessary and proportionate to ensure compliance with the requirement in regulation 4.
- (10) Where the relevant place is premises which contain a polling station for an election or referendum which is held in accordance with provision made by or under an Act, the powers in this regulation may not be exercised so as to prevent a voter who is otherwise entitled to vote at the polling station in any such election or referendum from doing so.
- (11) In this regulation, “relevant child” means a child who is aged 11 or over.
- (12) In these Regulations, “relevant person” means—
 - (a) a constable;
 - (b) a police community support officer;
 - (c) in relation to a transport hub from or to which a TfL public transport service is provided, a TfL officer;
 - (d) in relation to a transport hub from or to which a public transport service is provided by an operator—
 - (i) the operator of that service,
 - (ii) any employee or agent of the operator who is authorised by the operator for the purposes of this regulation,
 - (iii) the owner, manager or lessor of the transport hub, or
 - (iv) any employee or agent of the owner, manager or lessor who is authorised by the owner, manager or lessor for the purposes of this regulation;
 - (e) in relation to a TfL public transport service, a TfL officer;
 - (f) in relation to a public transport service provided by an operator—
 - (i) the operator of that service, or
 - (ii) any employee or agent of the operator who is authorised by the operator for the purposes of this regulation;
 - (g) a person designated by the Secretary of State for the purposes of this regulation.