

## The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

UK Statutory Instruments 2020 No. 350 Whole Instrument

## Changes over time for: The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 ?

26/03/2020

22/04/2020

13/05/2020

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. ?

## S T A T U T O R Y I N S T R U M E N T S

## 2020 No. 350

## PUBLIC HEALTH, ENGLAND

## The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

*Made**at 1.00 p.m. on 26th March 2020**Laid before Parliament**at 2.30 p.m. on 26th March 2020**Coming into force**at 1.00 p.m. on 26th March 2020*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45C(1), (3)(c), (4)(d), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984 **F1**.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England.

The Secretary of State considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Secretary of State is of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, each House of Parliament.

**F1** 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and come into force at 1:00 p.m. on 26th March 2020.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

(a) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

- (b) a "person responsible for carrying on a business" includes the owner, proprietor, and manager of that business;
- (c) "vulnerable person" includes—
  - (i) any person aged 70 or older;
  - (ii) any person under 70 who has an underlying health condition, including but not limited to, the conditions listed in Schedule 1;
  - (iii) any person who is pregnant.

#### Commencement Information

I1 Reg. 1 in force at made date at 1.00 p.m., see reg. 1(1)

#### Revocation and saving

2.—(1) The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 **F2** (the "first Regulations") are revoked.

(2) Notwithstanding the revocation of the first Regulations, they continue in force in relation to any offence committed under the first Regulations before these Regulations came into force.

(3) A designation made in exercise of powers conferred by regulation 4(1) and (2) of the first Regulations is to be treated as it had been made in the exercise of powers conferred by regulations 8(12)(a)(iv) and 11 of these Regulations.

**F2** [S.I. 2020/327](#).

#### Commencement Information

I2 Reg. 2 in force at made date at 1.00 p.m., see reg. 1(1)

#### The emergency period and review of need for restrictions

3.—(1) For the purposes of these Regulations, the "emergency period"—

- (a) starts when these Regulations come into force, and
- (b) ends in relation to a restriction or requirement imposed by these Regulations on the day and at the time specified in a direction published by the Secretary of State terminating the requirement or restriction.

(2) The Secretary of State must review the need for restrictions and requirements imposed by these Regulations at least once every 21 days, with the first review being carried out by 16th April 2020.

(3) As soon as the Secretary of State considers that any restrictions or requirements set out in these Regulations are no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in England with the coronavirus, the Secretary of State must publish a direction terminating that restriction or requirement.

(4) A direction published under this regulation may—

- (a) terminate any one or more requirement or restriction;
- (b) terminate a requirement or restriction in relation to a specified business or service or a specified description of business or service.

**[F3**(4A) Section 16 of the Interpretation Act 1978 applies in relation to the termination of a restriction or requirement by a direction as it applies in relation to the repeal of an enactment.]

(5) In this regulation, "specified" means specified in a direction published under this regulation.

**F3** [Reg. 3\(4A\)](#) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(2)**

#### Commencement Information

I3 Reg. 3 in force at made date at 1.00 p.m., see reg. 1(1)

#### Requirement to close premises and businesses during the emergency

4.—(1) A person responsible for carrying on a business which is listed in Part 1 of Schedule 2 must—

- (a) during the emergency period—
  - (i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and
  - (ii) cease selling food or drink for consumption on its premises; or
- (b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.

(2) For the purposes of paragraph (1)(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.

(3) For the purposes of paragraph (1)(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

(4) A person responsible for carrying on a business or providing a service which is listed in Part 2 of Schedule 2 must cease to carry on that business or to provide that service during the emergency period.

(5) Paragraph (4) does not prevent the use of—

- (a) premises used for the businesses or services listed in paragraphs 5, 6, 8, 9 or 10 of that Part to broadcast a performance to people outside the premises, whether over the internet or as part of a radio or television broadcast;
- (b) any suitable premises used for the businesses or services listed in that Schedule to host blood donation sessions.

(6) If a business listed in Part 1 or 2 of Schedule 2 ("business A") forms part of a larger business ("business B"), the person responsible for carrying on business B complies with the requirement in paragraph (1) if it closes down business A.

#### Commencement Information

I4 Reg. 4 in force at made date at 1.00 p.m., see reg. 1(1)

## Further restrictions and closures during the emergency period

5.—(1) A person responsible for carrying on a business, not listed in Part 3 of Schedule 2, of offering goods for sale or for hire in a shop, or providing library services must, during the emergency period—

- (a) cease to carry on that business or provide that service except by making deliveries or otherwise providing services in response to orders received—
  - (i) through a website, or otherwise by on-line communication,
  - (ii) by telephone, including orders by text message, or
  - (iii) by post;
- (b) close any premises which are not required to carry out its business or provide its services as permitted by sub-paragraph (a);
- (c) cease to admit any person to its premises who is not required to carry on its business or provide its service as permitted by sub-paragraph (a).

(2) Paragraph (1) does not apply to any business which provides hot or cold food for consumption off the premises.

(3) Subject to paragraph (4), a person responsible for carrying on a business consisting of the provision of holiday accommodation, whether in a hotel, hostel, bed and breakfast accommodation, holiday apartment, home, cottage or bungalow, campsite, caravan park or boarding house, must cease to carry on that business during the emergency period.

(4) A person referred to in paragraph (3) may continue to carry on their business and keep any premises used in that business open—

- (a) to provide accommodation for any person, who—
  - (i) is unable to return to their main residence;
  - (ii) uses that accommodation as their main residence;
  - (iii) needs accommodation while moving house;
  - (iv) needs accommodation to attend a funeral;

**[F4(aa)** to provide accommodation for any person—

- (i) who works in one of the critical sectors listed in the guidance titled “Guidance for critical workers who can access schools or educational settings” published by the Cabinet Office and the Department for Education and updated on 5th May 2020, and
- (ii) whose need for accommodation is connected to their work;]
- (b) to provide accommodation or support services for the homeless,
- (c) to host blood donation sessions, or
- (d) for any purpose requested by the Secretary of State, or a local authority.

(5) A person who is responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted in paragraph (6).

(6) A place of worship may be used—

- (a) for funerals,
- (b) to broadcast an act of worship, whether over the internet or as part of a radio or television broadcast, or
- (c) to provide essential voluntary services or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency).

(7) A person who is responsible for a community centre must ensure that, during the emergency period, the community centre is closed except where it is used to provide essential voluntary activities or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency).

(8) **[F5]** Subject to paragraph (8A), **[F6]**... must ensure that, during the emergency period, the crematorium is closed to members of the public, except for funerals or burials.

**[F7]** (8A) Paragraph (8) does not apply to the grounds surrounding a crematorium, including any burial ground or garden of remembrance.]

(9) If a business referred to in paragraph (1) or (3) (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) or (3) to cease to carry on its business if it ceases to carry on business A.

- F4** Reg. 5(4)(aa) inserted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(2)** (with reg. 3)
- F5** Words in reg. 5(8) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(a)(i)**
- F6** Words in reg. 5(8) omitted (22.4.2020 at 11.00 a.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(a)(ii)**
- F7** Reg. 5(8A) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(3)(b)**

### Commencement Information

- I5 Reg. 5 in force at made date at 1.00 p.m., see reg. 1(1)

## Restrictions on movement

6.—(1) During the emergency period, no person may leave **[F8]** or be outside of **[F8]** the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

- (a) to obtain basic necessities, including food and medical supplies for those in the same household (including any pets or animals in the household) or for vulnerable persons and supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person, **[F9]**... including from any business listed in Part 3 of Schedule 2;

**[F10]** (aa) to obtain money from or deposit money with any business listed in paragraphs 33 or 34 of Schedule 2;]

**[F11]** (ab) to collect goods which have been ordered from a business in any way permitted under regulation 5(1)(a);]

**[F12]** (b) to take exercise—

- (i) alone,
- (ii) with one or more members of their household, or
- (iii) with one member of another household;]

**[F13]** (ba) to visit a public open space for the purposes of open-air recreation to promote their physical or mental health or emotional wellbeing—

- (i) alone,

- (ii) with one or more members of their household, or
- (iii) with one member of another household;]
- (c) to seek medical assistance, including to access any of the services referred to in paragraph 37 or 38 of Schedule 2;
- (d) to provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006 **F14**, to a vulnerable person, or to provide emergency assistance;
- (e) to donate blood;
- (f) to **F15**... work or to provide voluntary or charitable services, where it is not reasonably possible for that person to work, or to provide those services, from the place where they are living;
- (g) to attend a funeral of—
  - (i) a member of the person's household,
  - (ii) a close family member, or
  - (iii) if no-one within sub-paragraphs (i) or (ii) are attending, a friend;

**[F16]**(ga) to visit a burial ground or garden of remembrance, to pay respects to a member of the person's household, a family member or friend;]

- (h) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (i) to access critical public services, including—
  - (i) childcare or educational facilities (where these are still available to a child in relation to whom that person is the parent, or has parental responsibility for, or care of the child);
  - (ii) social services;
  - (iii) services provided by the **[F17]** Department for Work and Pensions;
  - (iv) services provided to victims (such as victims of crime);
- (j) in relation to children who do not live in the same household as their parents, or one of their parents, to continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, "parent" includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (k) in the case of a minister of religion or worship leader, to go to their place of worship;

**[F18]**(l) to undertake any of the following activities in connection with the purchase, sale, letting or rental of a residential property—

- (i) visiting estate or letting agents, developer sales offices or show homes;
- (ii) viewing residential properties to look for a property to buy or rent;
- (iii) preparing a residential property to move in;
- (iv) moving home;
- (v) visiting a residential property to undertake any activities required for the rental or sale of that property;]
- (m) to avoid injury or illness or to escape a risk of harm.

**[F19]**(n) to use a waste or recycling centre.]

(3) For the purposes of paragraph (1), the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(4) Paragraph (1) does not apply to any person who is homeless.

**[F20]**(5) For the purposes of paragraph (2)(ba), "public open space" includes—

- (a) land laid out as a public garden or used for the purpose of recreation by members of the public;
- (b) land which is "open country" as defined in section 59(2) of the National Parks and Access to the Countryside Act 1949, as read with section 16 of the Countryside Act 1968;
- (c) land which is "access land" for the purposes of Part 1 of the Countryside and Rights of Way Act 2000 (see section 1(1) of that Act).]

<b>F8</b>	Words in reg. 6(1) inserted (22.4.2020 at 11.00 a.m.) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447)</a> , regs. 1, <b>2(4)(a)</b>
<b>F9</b>	Words in reg. 6(2)(a) omitted (22.4.2020 at 11.00 a.m.) by virtue of <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447)</a> , regs. 1, <b>2(4)(b)(i)</b>
<b>F10</b>	Reg. 6(2)(aa) inserted (22.4.2020 at 11.00 a.m.) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447)</a> , regs. 1, <b>2(4)(b)(ii)</b>
<b>F11</b>	Reg. 6(2)(ab) inserted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(i)</b> (with reg. 3)
<b>F12</b>	Reg. 6(2)(b) substituted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(ii)</b> (with reg. 3)
<b>F13</b>	Reg. 6(2)(ba) inserted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(iii)</b> (with reg. 3)
<b>F14</b>	2006 c. 47. Sub-paragraph (3B) was substituted, with sub-paragraphs (1), (3) and (3A) to (3E) for sub-paragraphs (1) to (3) by s. 66(2) of the <a href="#">Protection of Freedoms Act 2012 (c. 9)</a> .
<b>F15</b>	Words in reg. 6(2)(f) omitted (13.5.2020) by virtue of <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(iv)</b> (with reg. 3)
<b>F16</b>	Reg. 6(2)(ga) inserted (22.4.2020 at 11.00 a.m.) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447)</a> , regs. 1, <b>2(4)(b)(iii)</b>
<b>F17</b>	Words in reg. 6(2)(i)(iii) substituted (22.4.2020 at 11.00 a.m.) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447)</a> , regs. 1, <b>2(4)(b)(iv)</b>
<b>F18</b>	Reg. 6(2)(l) substituted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(v)</b> (with reg. 3)
<b>F19</b>	Reg. 6(2)(n) inserted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(a)(vi)</b> (with reg. 3)
<b>F20</b>	Reg. 6(5) inserted (13.5.2020) by <a href="#">The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/500)</a> , regs. 1, <b>2(3)(b)</b> (with reg. 3)

#### Commencement Information

I6 Reg. 6 in force at made date at 1.00 p.m., see reg. 1(1)

#### Restrictions on gatherings

7. During the emergency period, no person may participate in a gathering in a public place of more than two people except—

- (a) where all the persons in the gathering are members of the same household,

- (b) where the gathering is essential for work purposes,
- (c) to attend a funeral,
- (d) where reasonably necessary—
  - (i) to facilitate a house move,
  - (ii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006,
  - (iii) to provide emergency assistance, or
  - (iv) to participate in legal proceedings or fulfil a legal obligation.

#### Commencement Information

17 Reg. 7 in force at made date at 1.00 p.m., see reg. 1(1)

#### Enforcement of requirement

- 8.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by regulation 4, 5 or 7.
- (2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—
- (a) the person is contravening a requirement in regulation 4 or 5, and
  - (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.
- (3) Where a relevant person considers that a person is outside the place where they are living in contravention of regulation 6(1), the relevant person may—
- (a) direct that person to return to the place where they are living, or
  - (b) remove that person to the place where they are living.
- (4) A relevant person exercising the power in paragraph (3)(b) to remove a person to the place where they are living, may use reasonable force, if necessary, in the exercise of the power.
- (5) Where the person outside the place where they are living without reasonable excuse is a child accompanied by an individual who has responsibility for the child—
- (a) the relevant person may direct that individual to take the child to the place where **[F21]** the child is living, and
  - (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.
- (6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 6(1), the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.
- (7) For the purposes of this regulation, an individual has responsibility for a 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 of the Children Act 1989 **F22**).
- (8) A relevant person may only exercise the power in paragraph (3), (5) or (6) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement.
- (9) Where a relevant person considers that three or more people are gathered together in contravention of regulation 7, the relevant person may—
- (a) direct the gathering to disperse;
  - (b) direct any person in the gathering to return to the place where they are living;
  - (c) remove any person in the gathering to the place where they are living.
- [F23]** (10) A relevant person exercising the power in paragraph (9)(c) to remove a person in a gathering to a place where they are living may use reasonable force, if necessary, in exercise of the power.
- (10A) Where a person who is in a gathering in contravention of regulation 7 is a child accompanied by an individual who has responsibility for the child—
- (a) the relevant person may direct that individual to take the child to the place where the child is living, and
  - (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.
- (10B) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 7, the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.
- (10C) A relevant person may only exercise the power in paragraph (9), (10A) or (10B) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the restriction in regulation 7.]
- (11) A relevant person exercising a power under paragraph (3), (5), (6) **[F24]**, (9), (10A) or (10B) may give the person concerned any reasonable instructions they consider to be necessary.
- (12) For the purposes of this regulation—
- (a) a "relevant person" means—
    - (i) a constable,
    - (ii) a police community support officer,
    - (iii) subject to paragraph (13), a person designated by a local authority for the purposes of this regulation, or
    - (iv) a person designated by the Secretary of State for the purposes of this regulation;
  - (b) references to a requirement include references to a restriction.
- (13) A local authority may only designate a person for the purposes of this regulation in relation to a requirement in regulation 4 or 5.

**F21** Words in reg. 8(5)(a) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(5)(a)**

**F22** 1989 c. 41. The term is defined in s. 3.

**F23** Reg. 8(10)-(10C) substituted for reg. 8(10) (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(5)(b)**

**F24** Words in reg. 8(11) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(5)(c)**

#### Commencement Information

**Offences and penalties**

9.—(1) A person who—

- (a) without reasonable excuse contravenes a requirement in regulation 4, 5, 7 or 8, or
- (b) contravenes a requirement in regulation 6,

commits an offence.

(2) A person who obstructs, without reasonable 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 8, or fails to comply with a reasonable instruction or a prohibition notice given by a relevant person under regulation 8, commits an offence.

(4) An offence under this regulation is punishable on summary conviction by a fine.

(5) If an offence under this regulation committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(6) In paragraph (5), "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(7) Section 24 of the Police and Criminal Evidence Act 1984 **F25** 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.

(8) For the purposes of this regulation, references to a requirement include references to a restriction.

**F25** 1984 c. 60. Section 24 was substituted b s. 110(1) of the *Serious Organised Crime and Police Act 2005* (c. 15).

**Commencement Information**

19 Reg. 9 in force at made date at 1.00 p.m., see reg. 1(1)

**Fixed penalty notices**

10.—(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;
- (b) is **[F26]** 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 **[F27]** an authority specified in the notice.

**[F28]** (3) The authority specified in the notice must be—

- (a) the local authority (or as the case may be, any of the local authorities) in whose area the offence is alleged to have been committed ("the relevant local authority"), or
- (b) an officer designated by the Secretary of State, or by the relevant local authority, 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 person 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 paragraph (7), be **[F29]** £100.

(7) (a) Unless sub-paragraph (b) applies, a fixed penalty notice must specify that if **[F30]** £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;

(b) if the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—

- (i) sub-paragraph (a) does not apply, and
- (ii) the amount specified as the fixed penalty is to be—
  - (aa) in the case of the second fixed penalty notice received, **[F31]** £200
  - [F32]** (bb) in the case of the third fixed penalty notice received, £400;
  - (cc) in the case of the fourth fixed penalty notice received, £800;
  - (dd) in the case of the fifth fixed penalty notice received, £1,600;
  - (ee) in the case of the sixth and subsequent fixed penalty notices, **[F31]** £3,200.

(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 that letter would be delivered in the ordinary course of post.

(10) In any proceedings, a certificate—

**[F33(a)]** that purports to be signed by or on behalf of—

- (i) the chief finance officer of the relevant local authority, where the authority to which payment is made is a local authority, or
- (ii) the designated officer, where that officer is the authority to which payment is made; and

(b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

(11) In this regulation—

(a) “authorised person” means—

- (i) a constable;
- (ii) a police community support officer;
- (iii) a person designated by the Secretary of State for the purposes of this regulation;
- (iv) subject to paragraph (12), a person designated by the relevant local authority for the purposes of this regulation;

(b) a “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority’s financial affairs.

**[F34(c)]** references to a “local authority” include references to a county council.

(12) The relevant local authority may only designate a person for the purposes of this regulation to issue fixed penalty notices where the alleged offence relates to the contravention of a requirement or restriction in regulation 4 or 5.

- F26** Words in reg. 10(1)(b) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(a)**
- F27** Word in reg. 10(2) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(b)**
- F28** Reg. 10(3) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(c)**
- F29** Sum in reg. 10(6) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F30** Sum in reg. 10(7)(a) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(i)** (with reg. 3)
- F31** Sum in reg. 10(7)(b)(ii)(aa) substituted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(ii)(aa)** (with reg. 3)
- F32** Reg. 10(7)(b)(ii)(bb)-(ee) substituted for reg. 10(7)(b)(ii)(bb) (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(4)(b)(ii)(bb)** (with reg. 3)
- F33** Reg. 10(10)(a) substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(d)**
- F34** Reg. 10(11)(c) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(6)(e)**

#### Commencement Information

I10 Reg. 10 in force at made date at 1.00 p.m., see reg. 1(1)

#### Prosecutions

11. 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

I11 Reg. 11 in force at made date at 1.00 p.m., see reg. 1(1)

#### Expiry

12.—(1) These Regulations expire at the end of the period of six 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

I12 Reg. 12 in force at made date at 1.00 p.m., see reg. 1(1)

*Matt Hancock*  
Secretary of State for Health

Department for Health and Social Care

## SCHEDULE 1 Underlying Medical Conditions

Regulation 1

1. Chronic (long-term) respiratory diseases, such as asthma, chronic obstructive pulmonary disease, emphysema or bronchitis.

#### Commencement Information

I13 Sch. 1 para. 1 in force at made date at 1.00 p.m., see reg. 1(1)

2. Chronic heart disease, such as heart failure.

#### Commencement Information

I14 Sch. 1 para. 2 in force at made date at 1.00 p.m., see reg. 1(1)

3. Chronic kidney disease.

**Commencement Information**

I15 Sch. 1 para. 3 in force at made date at 1.00 p.m., see reg. 1(1)

4. Chronic liver disease, such as hepatitis.

**Commencement Information**

I16 Sch. 1 para. 4 in force at made date at 1.00 p.m., see reg. 1(1)

5. Chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis, a learning disability or cerebral palsy.

**Commencement Information**

I17 Sch. 1 para. 5 in force at made date at 1.00 p.m., see reg. 1(1)

6. Diabetes.

**Commencement Information**

I18 Sch. 1 para. 6 in force at made date at 1.00 p.m., see reg. 1(1)

7. Problems with the spleen, such as sickle cell disease or removal of the spleen.

**Commencement Information**

I19 Sch. 1 para. 7 in force at made date at 1.00 p.m., see reg. 1(1)

8. A weakened immune system as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy.

**Commencement Information**

I20 Sch. 1 para. 8 in force at made date at 1.00 p.m., see reg. 1(1)

9. Being seriously overweight, with a body mass index of 40 or above.

**Commencement Information**

I21 Sch. 1 para. 9 in force at made date at 1.00 p.m., see reg. 1(1)

**SCHEDULE 2**

**Businesses subject to restrictions or closure**

Regulations 4 and 5

**PART 1**

1. Restaurants, including restaurants and dining rooms in hotels or members' clubs.

**Commencement Information**

I22 Sch. 2 para. 1 in force at made date at 1.00 p.m., see reg. 1(1)

2.—(1) Cafes, including workplace canteens (subject to sub-paragraph (2)), but not including—

(a) cafes or canteens at a hospital, care home or school;

(b) canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence;

(c) services providing food or drink to the homeless.

(2) Workplace canteens may remain open where there is no practical alternative for staff at that workplace to obtain food.

**Commencement Information**

I23 Sch. 2 para. 2 in force at made date at 1.00 p.m., see reg. 1(1)

3. Bars, including bars in hotels or members' clubs.

**Commencement Information**

I24 Sch. 2 para. 3 in force at made date at 1.00 p.m., see reg. 1(1)

4. Public houses.

**Commencement Information**



I25 Sch. 2 para. 4 in force at made date at 1.00 p.m., see reg. 1(1)

## PART 2

### 5. Cinemas.

#### Commencement Information

I26 Sch. 2 para. 5 in force at made date at 1.00 p.m., see reg. 1(1)

### 6. Theatres.

#### Commencement Information

I27 Sch. 2 para. 6 in force at made date at 1.00 p.m., see reg. 1(1)

### 7. Nightclubs.

#### Commencement Information

I28 Sch. 2 para. 7 in force at made date at 1.00 p.m., see reg. 1(1)

### 8. Bingo halls.

#### Commencement Information

I29 Sch. 2 para. 8 in force at made date at 1.00 p.m., see reg. 1(1)

### 9. Concert halls.

#### Commencement Information

I30 Sch. 2 para. 9 in force at made date at 1.00 p.m., see reg. 1(1)

### 10. Museums and galleries.

#### Commencement Information

I31 Sch. 2 para. 10 in force at made date at 1.00 p.m., see reg. 1(1)

### 11. Casinos.

#### Commencement Information

I32 Sch. 2 para. 11 in force at made date at 1.00 p.m., see reg. 1(1)

### 12. Betting shops.

#### Commencement Information

I33 Sch. 2 para. 12 in force at made date at 1.00 p.m., see reg. 1(1)

### 13. Spas.

#### Commencement Information

I34 Sch. 2 para. 13 in force at made date at 1.00 p.m., see reg. 1(1)

### 14. Nail, beauty, hair salons and barbers.

#### Commencement Information

I35 Sch. 2 para. 14 in force at made date at 1.00 p.m., see reg. 1(1)

### 15. Massage parlours.

#### Commencement Information

I36 Sch. 2 para. 15 in force at made date at 1.00 p.m., see reg. 1(1)

### 16. Tattoo and piercing parlours.

#### Commencement Information

I37 Sch. 2 para. 16 in force at made date at 1.00 p.m., see reg. 1(1)

17. Skating rinks.

**Commencement Information**

I38 Sch. 2 para. 17 in force at made date at 1.00 p.m., see reg. 1(1)

18. Indoor fitness studios, gyms, swimming pools, bowling alleys, amusement arcades or soft play areas or other indoor leisure centres or facilities.

**Commencement Information**

I39 Sch. 2 para. 18 in force at made date at 1.00 p.m., see reg. 1(1)

19. Funfairs (whether outdoors or indoors).

**Commencement Information**

I40 Sch. 2 para. 19 in force at made date at 1.00 p.m., see reg. 1(1)

20. Playgrounds, **[F35** indoor] sports courts **[F36**, outdoor gyms and outdoor swimming pools].

**F35** Word in Sch. 2 para. 20 inserted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(5)(a)** (with reg. 3)

**F36** Words in Sch. 2 para. 20 substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(7)(a)**

**Commencement Information**

I41 Sch. 2 para. 20 in force at made date at 1.00 p.m., see reg. 1(1)

21. Outdoor markets (except for **[F37** livestock markets and] stalls selling food).

**F37** Words in [Sch. 2 para. 21](#) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(7)(b)**

**Commencement Information**

I42 Sch. 2 para. 21 in force at made date at 1.00 p.m., see reg. 1(1)

22. Car showrooms.

**Commencement Information**

I43 Sch. 2 para. 22 in force at made date at 1.00 p.m., see reg. 1(1)

23. Auction Houses **[F38**(except for livestock auctions)].

**F38** Words in [Sch. 2 para. 23](#) inserted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, **2(7)(c)**

**Commencement Information**

I44 Sch. 2 para. 23 in force at made date at 1.00 p.m., see reg. 1(1)

### PART 3

24. Food retailers, including food markets, supermarkets, convenience stores and corner shops.

**Commencement Information**

I45 Sch. 2 para. 24 in force at made date at 1.00 p.m., see reg. 1(1)

25. Off licenses and licensed shops selling alcohol (including breweries).

**Commencement Information**

I46 Sch. 2 para. 25 in force at made date at 1.00 p.m., see reg. 1(1)

26. Pharmacies (including non-dispensing pharmacies) and chemists.

**Commencement Information**

I47 Sch. 2 para. 26 in force at made date at 1.00 p.m., see reg. 1(1)

27. Newsagents.

**Commencement Information**

I48 Sch. 2 para. 27 in force at made date at 1.00 p.m., see reg. 1(1)

28. Homeware, building supplies and hardware stores.

**Commencement Information**

149 Sch. 2 para. 28 in force at made date at 1.00 p.m., see reg. 1(1)

29. Petrol stations.

**Commencement Information**

150 Sch. 2 para. 29 in force at made date at 1.00 p.m., see reg. 1(1)

30. Car repair and MOT services.

**Commencement Information**

151 Sch. 2 para. 30 in force at made date at 1.00 p.m., see reg. 1(1)

31. Bicycle shops.

**Commencement Information**

152 Sch. 2 para. 31 in force at made date at 1.00 p.m., see reg. 1(1)

32. Taxi or vehicle hire businesses.

**Commencement Information**

153 Sch. 2 para. 32 in force at made date at 1.00 p.m., see reg. 1(1)

**[F39]** 33. The following businesses—

- (a) banks,
- (b) building societies,
- (c) credit unions,
- (d) short term loan providers,
- (e) savings clubs,
- (f) cash points, and
- (g) undertakings which by way of business operate currency exchange offices, transmit money (or any representation of money) by any means or cash cheques which are made payable to customers.]

**F39** Sch. 2 para. 33 substituted (22.4.2020 at 11.00 a.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/447\)](#), regs. 1, 2(7)(d)

34. Post offices.

**Commencement Information**

154 Sch. 2 para. 34 in force at made date at 1.00 p.m., see reg. 1(1)

35. Funeral directors.

**Commencement Information**

155 Sch. 2 para. 35 in force at made date at 1.00 p.m., see reg. 1(1)

36. Laundrettes and dry cleaners.

**Commencement Information**

156 Sch. 2 para. 36 in force at made date at 1.00 p.m., see reg. 1(1)

37. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health.

**Commencement Information**

157 Sch. 2 para. 37 in force at made date at 1.00 p.m., see reg. 1(1)

38. Veterinary surgeons and pet shops.

**Commencement Information**

158 Sch. 2 para. 38 in force at made date at 1.00 p.m., see reg. 1(1)

39. Agricultural supplies shop.

**Commencement Information**

159 Sch. 2 para. 39 in force at made date at 1.00 p.m., see reg. 1(1)

40. Storage and distribution facilities, including delivery drop off or collection points, where the facilities are in the premises of a business included in this Part.

#### Commencement Information

I60 Sch. 2 para. 40 in force at made date at 1.00 p.m., see reg. 1(1)

41. Car parks.

#### Commencement Information

I61 Sch. 2 para. 41 in force at made date at 1.00 p.m., see reg. 1(1)

42. Public toilets.

#### Commencement Information

I62 Sch. 2 para. 42 in force at made date at 1.00 p.m., see reg. 1(1)

**[F40** 43. Garden centres.

**F40** Sch. 2 paras. 43, 44 inserted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(5)(b)** (with reg. 3)

44. Outdoor sports courts.]

**F40** Sch. 2 paras. 43, 44 inserted (13.5.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/500\)](#), regs. 1, **2(5)(b)** (with reg. 3)

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations require the closure of businesses selling food or drink for consumption on the premises, and businesses listed in Part 2 of Schedule 2, to protect against the risks to public health arising from coronavirus, except for limited permitted uses. Restrictions are imposed on businesses listed in Part 3 of Schedule 2, which are permitted to remain open. The Regulations also prohibit anyone leaving the place where they live without reasonable excuse, and ban public gatherings of more than two people. The closures and restrictions last until they are terminated by a direction given by the Secretary of State.

The need for these restrictions must be reviewed by the Secretary of State every 21 days, with the first review taking place by 15th April 2020.

No impact assessment has been prepared for these Regulations.

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