
STATUTORY INSTRUMENTS

2020 No. 592

The Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020

PART 2

Public transport: requirement to wear face covering

Requirement to wear a face covering when on public transport

3.—(1) No person may, without reasonable excuse, use a public transport service without wearing a face covering.

(2) For the purposes of paragraph (1), a person is using a public transport service at any time when—

- (a) they are boarding any vehicle by means of which a public transport service is provided, or
- (b) they are (whether or not for the purposes of travel) on board any vehicle by means of which a public transport service is provided.

(3) But the requirement in paragraph (1) does not apply—

- (a) to a child who is under the age of 11;
- (b) to an employee of the operator of the relevant public transport service acting in the course of their employment;
- (c) to any other person providing services under arrangements made with the operator of the relevant public transport service who is providing those services;
- (d) to a constable or police community support officer acting in the course of their duty;
- (e) to an emergency responder (other than a constable) acting in their capacity as an emergency responder;
- (f) to a relevant official acting in the course of their employment or their duties;
- (g) where a person is allocated a cabin, berth or other similar accommodation, at any time when they are in that accommodation—
 - (i) alone, or
 - (ii) only with members of their own household or a linked household;
- (h) where—
 - (i) a person is permitted, or ordinarily required, to board and to remain in a vehicle when using the public transport service, and
 - (ii) the vehicle is not itself used for the provision of a public transport service, the person remains in that vehicle.

(4) In this regulation—

“emergency responder” has the same meaning as for the purposes of section 153A of the Inheritance Tax Act 1984⁽¹⁾;

“linked household” has the meaning given in regulation 7A of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020⁽²⁾;

“relevant official” means—

- (a) an inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 (“the 1995 Act”)⁽³⁾;
- (b) a pilot (within the meaning given in paragraph 22(1) of Schedule 3A to the 1995 Act⁽⁴⁾);
- (c) a civil aviation inspector, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944⁽⁵⁾;
- (d) a border force officer (within the meaning given in paragraph 7 of the Schedule 20 to the Coronavirus Act 2020⁽⁶⁾).

Reasonable excuse

4. 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⁽⁷⁾), or
 - (ii) without severe distress;
- (b) P is travelling with, 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 travelling to avoid injury, or to escape a risk of harm, and does not have a face covering with them;
- (e) 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 relevant person requests that P remove their face covering.

(1) 1984 c. 51. Section 153A was inserted by the Finance Act 2015 (c. 11), section 75.

(2) S.I. 2020/350, amended by S.I. 2020/447, 500, 558 and 588.

(3) 1995 c. 21. There are amendments to section 256 but none is relevant.

(4) Schedule 3A to the 1995 Act was inserted by the Marine Safety Act 2003 (c. 16), Schedule 1. There are amendments to Schedule 3A but none is relevant.

(5) 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).

(6) 2020 c. 7.

(7) 2010 c. 15.