

This Statutory Instrument corrects errors in S.I. 2020/592 and 2021/364 and is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2021 No. 705

PUBLIC HEALTH, ENGLAND

**The Health Protection (Coronavirus, Restrictions)
(Steps and Other Provisions) (England)
(Amendment) (No. 2) Regulations 2021**

Approved by both Houses of Parliament

<i>Made</i>	- - - -	<i>9.00 a.m. on 15th June 2021</i>
<i>Laid before Parliament</i>		<i>11.15 a.m. on 15th June 2021</i>
<i>Coming into force</i>	- -	<i>11.55 p.m. on 20th June 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45B, 45C(1), (3)(b) and (c), (4)(b) and (d), 45D, 45F(2), (6) and (7), and 45P of the Public Health (Control of Disease) Act 1984⁽¹⁾.

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 the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021⁽²⁾, the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020⁽³⁾, the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020⁽⁴⁾, and the Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020⁽⁵⁾, as amended 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.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

(2) S.I. 2021/364, amended by S.I. 2021/455 and 585.

(3) S.I. 2020/592, amended by S.I. 2020/585, 906, 1021 and 1026.

(4) S.I. 2020/750, amended by S.I. 2020/750, 800, 822, 824, 828, 865, 907, 974, 988, 1010, 1103, 1200, 1374, 1375, 1646, 2021/8, 97 and 364.

(5) S.I. 2020/1375, amended by S.I. 2021/364, 455 and 585.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Steps and Other Provisions) (England) (Amendment) (No. 2) Regulations 2021.

- (2) These Regulations come into force at 11.55 p.m. on 20th June 2021.
- (3) These Regulations extend to England and Wales, and apply in England.
- (4) Regulation 2 also applies—
 - (a) in English airspace in relation to aircraft which take off from, or land at, a place in England, and
 - (b) in the English territorial sea in relation to vessels that are not excluded vessels.
- (5) Regulation 3 also applies—
 - (a) 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, and
 - (b) in the English territorial sea to a person who is on board a vessel which is not an excluded vessel.
- (6) In this regulation—
 - “English airspace” means the airspace above England or above the English territorial sea;
 - “the English territorial sea” means the part of the territorial sea of the United Kingdom which is adjacent to England;
 - “excluded vessel” means a vessel which—
 - (a) departed from a place other than a place in England, and
 - (b) is to dock in a place other than a place in England.

Amendments to the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021

2.—(1) The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 are amended as follows.

(2) In regulation 9(2), for the words from “to evidence” to the end, substitute “concerned with the provision of an appropriate public health response to the incidence and spread of coronavirus in England”.

(3) In regulation 21(1), for “30th June 2021” substitute “18th July 2021”.

(4) In Schedule 3—

- (a) in paragraph 2(5A), in the opening words, for “paragraph” substitute “sub-paragraph”;
- (b) in paragraph 3—
 - (i) in sub-paragraph (12)(a), for “30th June 2021” substitute “the end of 18th July 2021”;
 - (ii) in sub-paragraph (22), for paragraphs (b) and (c), substitute—
 - “(b) the gathering does not take place indoors in a private dwelling, and
 - (c) the gathering organiser or manager takes the required precautions in relation to the gathering.”;
 - (iii) after sub-paragraph (22), insert—

“Exception 18: marriages and civil partnerships etc

(23) Exception 18 is that the gathering meets the conditions in sub-paragraph (24) or (25).

(24) A gathering meets the conditions in this sub-paragraph if—

(a) the gathering is for the purposes of—

(i) the solemnisation of a marriage, formation of a civil partnership or conversion of a civil partnership into a marriage, in accordance with the Marriage Act 1949⁽⁶⁾, the Marriage (Registrar General’s Licence) Act 1970⁽⁷⁾, the Civil Partnership Act 2004⁽⁸⁾, or the Marriage (Same Sex Couples) Act 2013⁽⁹⁾, or

(ii) an alternative wedding ceremony,

(b) the gathering does not take place indoors in a private dwelling, and

(c) the gathering organiser or manager takes the required precautions in relation to the gathering.

(25) A gathering meets the conditions in this sub-paragraph if—

(a) the gathering is for the purposes of—

(i) the solemnisation of a marriage in accordance with the Marriage (Registrar General’s Licence) Act 1970,

(ii) the solemnisation of a marriage by special licence under the Marriage Act 1949, where at least one of the parties to the marriage is seriously ill and not expected to recover,

(iii) the formation of a civil partnership under the special procedure provided for in Chapter 1 of Part 2 of the Civil Partnership Act 2004,

(iv) the conversion of a civil partnership to a marriage under the special procedure provided for in regulation 9 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014⁽¹⁰⁾, or

(v) an alternative wedding ceremony, where at least one of the parties to the marriage is seriously ill and not expected to recover,

(b) the gathering does not take place indoors in a private dwelling, unless it is not reasonably practicable for it to take place elsewhere,

(c) where the gathering does take place indoors in a private dwelling, it comprises no more than 30 people, and

(d) the gathering organiser or manager takes the required precautions in relation to the gathering.

(26) In sub-paragraphs (24) and (25), a gathering is for the purposes of an “alternative wedding ceremony” if it is for the purposes of a ceremony, including a ceremony based on a person’s faith or belief or lack of belief, to mark the union of two people, other than a ceremony conducted for a purpose mentioned in sub-paragraph (24)(a)(i), or (25)(a)(i) to (iv).

Exception 19: wedding and civil partnership receptions

(27) Exception 19 is that—

(6) 1949 c. 76.
(7) 1970 c. 34.
(8) 2004 c. 33.
(9) 2013 c. 30.
(10) S.I. 2014/3181.

- (a) the gathering is for the purposes of—
 - (i) a wedding reception,
 - (ii) a reception following the formation of a civil partnership, or
 - (iii) a reception following the conversion of a civil partnership into a marriage,
- (b) the gathering does not take place indoors in a private dwelling, and
- (c) the gathering organiser or manager takes the required precautions in relation to the gathering.

Exception 20: commemorative event following a person's death

(28) Exception 20 is that—

- (a) the gathering is for the purposes of a commemorative event to celebrate the life of a person who has died (for example, a wake or stone setting ceremony),
 - (b) the gathering does not take place indoors in a private dwelling, and
 - (c) the gathering organiser or manager takes the required precautions in relation to the gathering.”;
- (c) in paragraph 4, omit sub-paragraphs (7) to (13), and the associated headings;
- (d) in paragraph 7(9), for “Paragraphs” substitute “Sub-paragraphs”.

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

3.—(1) The Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020 are amended as follows.

(2) In regulation 3(4), in the definition of “linked household”, for “regulation 7A of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020”, substitute “regulation 3 of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021”.

(3) In regulation 10(1), for “20th June 2021”, substitute “18th July 2021”.

Extension of other instruments

4.—(1) In regulation 19(1) of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020, for “17th July 2021” substitute “18th July 2021”.

(2) In regulation 12(1) of the Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020, for “20th June 2021” substitute “18th July 2021”.

Matt Hancock
Secretary of State

Department of Health and Social Care

At 9.00am on 15th June 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021, to extend the date on which the Regulations expire to the end of 18th July 2021. They also remove most limits on the numbers who may attend a wedding or civil partnership, a reception for a wedding or civil partnership, or a commemorative event following a person's death, and amend the power of disapplication of the Secretary of State in regulation 9. They also extend the dates on which the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020, the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 and the Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020 expire to the same date, and amend the definition of "linked households" in the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020.

No impact assessment has been prepared for these Regulations.