



# Coronavirus Act 2020

## 2020 CHAPTER 7

### PART 2

#### FINAL PROVISIONS

#### **88 Power to suspend and revive provisions of this Act**

- (1) A relevant national authority may by regulations suspend the operation of any provision of this Act.
- (2) Section 16(1) of the Interpretation Act 1978 applies in relation to the suspension of a provision of this Act by regulations under subsection (1) as if the provision had been repealed by an Act.
- (3) A relevant national authority may by regulations revive the operation of a provision of this Act suspended by regulations under subsection (1).
- (4) The power in subsection (1) and the power in subsection (3) may be exercised more than once in relation to the same provision.
- (5) Regulations under this section—
  - (a) may make different provision for different purposes or areas;
  - (b) may make transitional, transitory or saving provision.
- (6) References in this section to a provision of this Act do not include—
  - (a) section 1;
  - (b) section 2 (and Schedule 1);
  - (c) section 5 and Schedule 4 so far as they—
    - (i) make provision about a person who has been registered in the register of pharmaceutical chemists or against whose name in that register an annotation has been recorded, or
    - (ii) make provision for or in connection with the revocation of a person's registration or the removal of an annotation;
  - (d) section 6(a) and paragraph 1 of Schedule 5 so far as they—

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- (i) make provision about a person who has been registered in any register by virtue of that Schedule, or
  - (ii) make provision for or in connection with the revocation of a person's registration;
  - (e) section 6(b) (and paragraph 2 of Schedule 5);
  - (f) sections 11, 12 and 13;
  - (g) section 17;
  - (h) section 19(11);
  - (i) section 21(7);
  - (j) section 34;
  - (k) section 35;
  - (l) section 36;
  - (m) section 37(2) (and Part 2 of Schedule 16);
  - (n) section 38(2) (and Part 2 of Schedule 17);
  - (o) section 45;
  - (p) section 46;
  - (q) section 47;
  - (r) section 48 (and Schedule 18);
  - (s) section 49 (and Schedule 19);
  - (t) section 50 (and Schedule 20);
  - (u) section 51 (and Schedule 21);
  - (v) section 52 (and Schedule 22);
  - (w) sections 59 to 70;
  - (x) sections 72 to 74;
  - (y) section 75;
  - (z) a provision of this Part;
  - (z1) Parts 2 to 5 of Schedule 7, and section 8 so far as relating to those Parts;
  - (z2) Part 3 of Schedule 8, and section 10(1) and Part 1 of that Schedule so far as relating to that Part;
  - (z3) Parts 3 and 4 of Schedule 10, and section 10(3) and Part 1 of that Schedule so far as relating to those Parts;
  - (z4) Parts 3 and 4 of Schedule 11, and section 10(4) and Part 1 of that Schedule so far as relating to those Parts;
  - (z5) paragraphs 3(2) and (3), 10, 13, 18, 30, 33 and 35 of Schedule 12, and section 15 and paragraphs 1 and 19 of that Schedule so far as relating to those paragraphs;
  - (z6) paragraphs 8, 9, 15, 16 and 30 of Schedule 13, and section 18 and paragraphs 1, 10 and 17 of that Schedule so far as relating to those paragraphs.
- (7) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (8) In the case of regulations under this section which could also be made by an authority by virtue of subsection (9), (11) or (13), a Minister of the Crown may not make the regulations without the authority's consent.
- (9) The Welsh Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
- (a) it extends to England and Wales and applies in relation to Wales, and

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- (b) so far as it so extends and applies, it would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (10) The power of the Welsh Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to England and Wales and applies in relation to Wales.
- (11) The Scottish Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Scotland, and
  - (b) so far as it so extends, it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (12) The power of the Scottish Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Scotland.
- (13) A Northern Ireland department is also a relevant national authority for the purposes of this section in relation to a provision of this Act if—
  - (a) it extends to Northern Ireland, and
  - (b) so far as it so extends, were it contained in an Act of the Northern Ireland Assembly—
    - (i) it would be within the legislative competence of that Assembly, and
    - (ii) it would not require the consent of the Secretary of State.
- (14) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (15) The power of a Northern Ireland department to make an order under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Northern Ireland.
- (16) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.
- (17) Any power of a Northern Ireland department to make an order under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).

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