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STATUTORY INSTRUMENTS

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**2020 No. 1045**

**The Health Protection (Coronavirus, Restrictions)  
(Self-Isolation) (England) Regulations 2020**

**PART 1**

**Requirements on person notified of positive test for acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and close contacts of such persons**

2.—(1) This regulation applies where an adult is notified, other than by means of the NHS Covid 19 smartphone app developed and operated by the Secretary of State, by a person specified in paragraph (4) that—

- (a) they have—
  - (i) tested positive for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (“coronavirus”) pursuant to a test after 28th September 2020, or
  - (ii) had close contact after 28th September 2020 with someone who has tested positive for coronavirus;
- (b) a child in respect of whom they are a responsible adult has—
  - (i) tested positive for coronavirus pursuant to a test after 28th September 2020, or
  - (ii) come into close contact after 28th September 2020 with someone who has tested positive for coronavirus.

(2) Where—

- (a) paragraph (1)(a) applies, the person notified must—
    - (i) self-isolate for the period specified in regulation 3; and
    - (ii) notify the Secretary of State, if requested by a person specified in paragraph (4), of the address at which they will remain pursuant to the restriction in paragraph (3) (a); and
  - (b) paragraph (1)(a)(i) applies, the person notified must notify the Secretary of State of the name of each person living in the same household as P;
  - (c) paragraph (1)(b) applies, R must—
    - (i) secure, so far as reasonably practicable, that the child self-isolates for the period specified in regulation 3; and
    - (ii) notify the Secretary of State, if requested by a person specified in paragraph (4), of the address at which the child will remain pursuant to the restriction in paragraph (3) (a); and
  - (d) paragraph (1)(b)(i) applies, R must notify the Secretary of State of the name of each person living in the same household as the child.
- (3) in paragraph (2), “self-isolate” means P is subject to the following restrictions—
- (a) P must remain in—

- (i) P's home;
  - (ii) the home of a friend or family member of P or of R where P is a child; or
  - (iii) bed and breakfast accommodation, accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999<sup>(1)</sup> or other suitable place;
- (b) P may not leave the place specified in sub-paragraph (a) except where necessary—
- (i) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner, including to access—
    - (aa) services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, or
    - (bb) services relating to mental health,
  - (ii) to access veterinary services, where this is required urgently or on the advice of a veterinary surgeon,
  - (iii) to fulfil a legal obligation, including attending court or satisfying bail conditions, or participating in legal proceedings,
  - (iv) to avoid a risk of harm,
  - (v) to attend a funeral of a close family member,
  - (vi) to obtain basic necessities, such as food and medical supplies for those in the same household (including any pets or animals in the household) where it is not possible to obtain these provisions in any other manner,
  - (vii) to access critical public services, including social services, and services provided to victims (such as victims of crime),
  - (viii) to move to a different place specified in sub-paragraph (a), where it becomes impracticable to remain at the address at which they are.
- (4) The persons specified for the purpose of paragraphs (1) and (2) are—
- (a) the Secretary of State;
  - (b) a person employed or engaged for the purposes of the health service (within the meaning of section 275 of the National Health Service Act 2006<sup>(7)</sup> or section 108 of the National Health Service (Scotland) Act 1978<sup>(8)</sup>);
  - (c) a person employed or engaged by a local authority.
- (5) If a person specified in paragraph (4) notifies P, or R where P is a child, that a notification referred to in paragraph (1) in respect of P is withdrawn, such notification shall be deemed never to have been given for the purposes of these Regulations.

### **Period of self-isolation**

**3.—**(1) The period of self-isolation specified for the purpose of regulation 2(2) is calculated as follows.

- (2) The period begins from the moment notification is received by—
  - (a) P where P is an adult, or
  - (b) R where P is a child.

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(1) 1999 c. 33. Section 4 was amended by section 49 of the Nationality, Immigration and Asylum Act 2002 (c. 41), by section 10(1) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), by section 43(7) of the Immigration, Asylum and Nationality Act 2006 (c. 13), and by paragraph 1 of Schedule 11 to the Immigration Act 2016 (c. 19). Section 95 was amended by section 50(1) of the Nationality, Immigration and Asylum Act 2002 and by paragraph 29 of Schedule 10 to the Immigration Act 2016.

- (3) The period ends with the final day of a period where regulation 2(1)(a)(i) or (b)(i) applies, of ten days beginning—
- (a) in a case where P, or R where P is a child, reports to a person specified in regulation 2(4) of the date on which symptoms first developed, with whichever is the later of—
    - (i) the date five days before the test pursuant to which notification referred to in regulation 2(1) was given, or
    - (ii) that date which they report;
  - (b) in any other case, the date of the test pursuant to which notification referred to in regulation 2(1) was given;
- (4) The period ends with the final day of a period where regulation 2(1)(a)(ii) or (b)(ii) applies, of 14 days beginning—
- (a) where P is living in the same household as the person (“C”) who tested positive for coronavirus—
    - (i) in a case where C, or R where C is a child, report to a person specified in regulation 2(4) of the date on which symptoms first developed, with whichever is the later of—
      - (aa) the date five days before the test pursuant to which notification referred to in regulation 2(1) was given, or
      - (bb) that date which C, or R where C is a child, reports;
    - (ii) otherwise, with the date of the test pursuant to which notification referred to in regulation 2(1) was given;
  - (b) in any other case, with the date which a person specified in regulation 2(4) records as being the last date on which P last came into close contact with C before P received the notification referred to in regulation 2(1).

#### **Amendment of the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020**

4. The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020(2) are amended as follows—

- (a) in regulation 4 (interpretation), in the definition of “local authority”, in paragraph (b) omit the words “for an area in which there is no County Council”;
- (b) in regulation 14 (requirement to retain and disclose details), after “Secretary of State” insert “or a Public Health Officer”;
- (c) in regulation 17 (offences and penalties)—
  - (i) in paragraph (1)(g), for “regulation 15” substitute “regulation 14”;
  - (ii) after paragraph (1)(g), as so amended, insert “; (h) regulation 16”;
- (d) in regulation 18 (fixed penalty notices)—
  - (i) in paragraph (7)(b), for “£3000”, substitute “£4000”;
  - (ii) in paragraph 7(c), for “£4000”, substitute “£10,000”;
  - (iii) in paragraph (8), for “relevant” substitute “specified”;
- (e) in the Schedule (Listed Services), in paragraph 2(i), insert “including gyms” after “leisure centres”.

## **Interpretation of Part 1**

### **5. In Part 1—**

“adult” means a person aged 18 or over;

“child” means a person aged under 18;

“close contact” means—

- (a) having face-to-face contact with someone at a distance of less than 1 metre,
- (b) spending more than 15 minutes within 2 metres of an individual,
- (c) travelling in a car or other small vehicle with an individual or in close proximity to an individual on an aeroplane;

“P” means a person subject to the self-isolation requirement in regulation 2(2);

“R” and “responsible adult” mean an adult who has—

- (a) custody or charge of a child for the time being, or
- (b) parental responsibility for a child within the meaning given in section 3 of the Children Act 1989.