

**EXPLANATORY MEMORANDUM TO**  
**HEALTH PROTECTION (CORONAVIRUS, LOCAL COVID-19 ALERT LEVEL)**  
**(MEDIUM) (ENGLAND) REGULATIONS 2020**

**2020 No. 1103**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Department for Health and Social Care and is laid before Parliament by Command of Her Majesty.
- 1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

**2. Purpose of the instrument**

- 2.1 This instrument makes provision for the purpose of enabling public health measures to be taken to reduce the public health risks posed by the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England which causes the disease Covid-19.
- 2.2 Schedule 3 to these Regulations also makes a minor correction to the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Amendment (No. 5) Regulations 2020 (SI 2020/1029). The Department of Health and Social Care has decided that this instrument is exempt from the free issue procedure on the basis of proportionality and in doing so has complied with the requirement stated in paragraph 4.7.6 of Statutory Instrument Practice to consult with the SI Registrar at The National Archives.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 This instrument is made under the emergency procedure set out in section 45R of the Public Health (Control of Disease) Act 1984 (c. 22). The Regulations are made without a draft having been laid and approved by a resolution of each House of Parliament. It is the opinion of the Secretary of State that, by reason of urgency, it is necessary to make the Regulations without a draft being so laid and approved so that public health measures can be taken 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).
- 3.2 These Regulations were made on 12 October 2020 and were published on [www.legislation.gov.uk](http://www.legislation.gov.uk) later that day. These Regulations will come into force on 14 October 2020. The Regulations will cease to have effect at the end of the period of 28 days beginning with the day on which they are made unless, during that period, they are approved by a resolution of each House of Parliament. Further, the Regulations themselves provide that they will expire at the end of the period of six months beginning with the day on which they come into force. Para 6.15 sets out the periodic review mechanisms for these Regulations.

*Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)*

**4. Extent and Territorial Application**

- 4.1 The territorial extent of this instrument is England (including the territorial waters adjacent to England).
- 4.2 The territorial application of this instrument is England.

**5. European Convention on Human Rights**

- 5.1 The Secretary of State for Health and Social Care Matt Hancock MP has made the following statement regarding Human Rights: “In my view the provisions of Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020 are compatible with the Convention rights”

**6. Legislative Context**

- 6.1 The Public Health (Control of Disease) Act 1984 (“the 1984 Act”) and Regulations made under it provide a legislative framework for health protection in England and Wales.
- 6.2 Part 2A of the 1984 Act, as inserted by the Health and Social Care Act 2008 (“the 2008 Act”), provides a legal basis to protect the public from threats arising from infectious disease or contamination from chemicals or radiation, and includes powers to impose restrictions or requirements on people, and in relation to things and premises, for use in rare circumstances where voluntary cooperation cannot be obtained. Overall, the amended 1984 Act sets out a framework for health protection which requires much of the detailed provisions to be delivered through Regulations.
- 6.3 Section 45C of the 1984 Act provides a power for the appropriate Minister to make regulations to prevent, protect against, control or provide a public health response to the incidence or spread of infection or contamination in England and Wales. The threat can come from outside England and Wales.
- 6.4 This instrument is made under section 45C to enable a number of public health measures to be taken for the purpose of reducing the public health risks posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- 6.5 In accordance with section 45R of the 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.
- 6.6 This instrument sets out the Alert Level Medium restrictions for England and revokes measures in previous instruments (made under the same powers) that contain similar restrictions.
- 6.7 Regulation 1 of this Instrument sets out the commencement date of these Regulations and their application (to England only).
- 6.8 Regulation 2 sets out definitions of terms used in this instrument. It should be noted that the Regulations refer to Local Alert Levels leading to a tiered response. Local Alert Level Medium entails Tier 1 restrictions.

- 6.9 Regulation 3 sets out the scope of the Alert Level Medium restrictions (details of which are set out in Schedule 1 of the instrument) and provides that the restrictions apply to every area of England including the territorial waters adjacent to England, except where those areas are under other Alert Level restrictions.
- 6.10 Regulation 4 sets out who can enforce these Regulations (a constable, a police community support officer or a person designated by a local authority), their powers and how they should exercise that enforcement.
- 6.11 Regulation 5 sets out how a person or corporate body commits an offence under these Regulations and that such an offence is punishable by fine.
- 6.12 Regulation 6 sets out when a fixed penalty notice may be issued and to whom (those aged 18 or over), what the notice must include (details of the offence, the name and address of the offender, the amount of the fine, methods of payment and details of how to challenge the notice, etc.). The purpose of a fixed penalty notice is to offer the opportunity of discharging any liability to conviction for an offence by payment of a fixed penalty to an authority specified in the notice.
- 6.13 Regulation 6 provides that a fixed penalty notice (a notice which enables a person to discharge their liability to a criminal conviction) may be issued by an authorised person (constable, police community support officer, or a person designated by a local authority or the Secretary of State) to a person aged 18 or over whom they reasonably believe has committed an offence under the Regulations. There are three categories of offence for this purpose – those that involve organising or facilitating a gathering where the amount of the fixed penalty is £10,000, business restriction offences where the amount of the fixed penalty for the first offence is £1,000 and all other offences, including the offence of participating in a gathering, where the amount of the fixed penalty for the first offence is £200 (or £100 if paid within 14 days).
- 6.14 For all fixed penalty notices other than those in relation to the organising a gathering offence, if a person has already received a fixed penalty notice under these Regulations or under previous Coronavirus Restriction Regulations (as applicable to the offence at hand), the amount of the fixed penalty increases. For the business restriction offences the amount of the second fixed penalty is £2,000, increasing on each further repeat offence up to a maximum of £10,000. For the offences other than the business restriction offences or the organising a gathering offence, the amount of the second fixed penalty is £400, doubling on each further repeat offence up to a maximum of £6,400.
- 6.15 Regulation 8 provides that the Local Alert Level Medium restrictions must be reviewed at least every 28 days with the first review to take place no later than on 11 November 2020. The review must consider whether each of the Alert Level Medium restrictions continues to be necessary in the areas to which they relate for the purposes of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection in England with the coronavirus.
- 6.16 Regulation 9 states that these Regulations will expire 6 months from when they came into force.
- 6.17 Schedule 1, paragraph 1 sets out the rule that no person may gather together in a group of more than 6 people – the “Rule of Six”.
- 6.18 Paragraph 2 provides that no person may hold, or be involved in the holding of a gathering of more than 30 persons indoors where loud music is played at night that is

likely to cause serious distress to the inhabitants of the locality, where it would be a gathering of the kind mentioned in section 63(1) of the Criminal Justice and Public Order Act 1994 (which provides powers to remove persons attending or preparing for a rave) if it took place in the open air where that gathering takes place on a vessel or on public outdoor space not operated part of a premises operated by a business, a charitable, benevolent or philanthropic institution or a public body. Vessels do not include government vessels or those used for public transport or houseboats.

- 6.19 Paragraph 3 sets out the exceptions to the ‘rule of six’ and relevant gatherings (except for those where loud music is played) which include where the gathering is of people from the same or linked households and where the gathering is a permitted organised gathering. There are also exemptions for where the gathering is necessary for specific purposes of work, education, legal obligations or proceedings; where the gathering takes place in a criminal justice accommodation and, where the gathering involves participation in a support group (of no more than 15 persons), being present at a birth at the request of the person giving birth, taking part in a marriage/civil partnership/other equivalent ceremony (of no more than 15 persons) or at a wedding reception (of no more than 15 people). There are also exemptions to allow for funerals of no more than 30 persons, wakes of no more than 15 persons, organised protests, participation in an elite sports event as a participant, coach or the parent/guardian of a child participant, participation in an outdoor or permitted indoor sports gathering and participation in an approved relevant outdoor activity.
- 6.20 Paragraph 4 provides for linked households where one household comprises of only one adult, with or without children and links with another household of any make up or size. Where linked households meet there is no restriction on the numbers present, as long as they are only from these two households. Neither household nor members of them can link with any other household and if the households de-couple they then cannot subsequently link with another household.
- 6.21 Paragraph 5 sets out what is a permitted organised gathering and what are qualifying groups (Exception 2 of paragraph 3). Permitted organised gatherings can take place either indoors but not in a private dwelling or outdoors in a public outdoor space where they have been organised by a business, a charitable, benevolent or philanthropic institution, a public body or a political body, and the gathering organiser takes the required precautions (paragraph 6) in relation to the gathering. A qualifying group must be no more than 6 persons, unless all are members of the same household or of two linked households.
- 6.22 Paragraph 6 sets out the precautions required of a gathering organiser in relation to risk assessments and taking reasonable steps to prevent the spread of coronavirus.
- 6.23 Paragraph 7 provides for interpretation for the exceptions in paragraph 3 on the meaning of childcare; vulnerable persons (age 70 or over, under 70 with an underlying health condition or pregnant); underlying health conditions; support groups; ‘equivalent weddings’; outdoor sports gatherings; permitted indoor sports gatherings; relevant premises; and relevant outdoor activity.
- 6.24 Paragraph 8 sets out definitions of a gathering of: ‘indoors’, a ‘public outdoor space’, a ‘private dwelling’, a ‘charitable, benevolent or philanthropic institution’, ‘criminal justice accommodation’, ‘educational accommodation’, an ‘elite sportsperson’ (including a ‘elite development pathway’, a ‘relevant sporting body’ and a ‘senior

representative'), the 'gathering organiser', is the 'manager' of a gathering, and a 'political body'.

- 6.25 Paragraph 9 sets out the requirement to close businesses and premises if a person is carrying on a restricted business (or service) or a restricted business (or service) is operating within their business.
- 6.26 Paragraph 10 sets out the business that are restricted for the purpose of Paragraph 9, these are: nightclubs, dance halls, discotheques, other venues that open at night with a dance floor and provide music, sexual entertainment venues and hostess bars.
- 6.27 Paragraph 11 provides exceptions on the restriction of businesses - where the premises are being used for blood donation sessions; where there is a business or service that is in separate premises to the closed business. The paragraph also allows for deliveries or otherwise providing a service in response to orders received from a website or online, by telephone, writing or text message or by post. Cafes and restaurants can operate if they are in separate premises from the closed business.
- 6.28 Paragraph 12 sets out the opening hours of businesses or services. Paragraph 13 provides that restricted businesses or services must not operate between 22:00 and 05:00 hours except for food and drink provided for offsite consumption, ordered from a website or online, by telephone, writing or text message or by post where the person can collect it without leaving their vehicle. There is provision to allow food and drink sales in the restricted hours at motorway services and provision allowing sales of food and drink during the restricted hours in airports, seaports and the Channel Tunnel rail terminal at Folkestone. There is also provision to allow workplace canteens to open during the restricted hours where workers cannot obtain food anywhere else. If the restricted business or service operates within a larger business or service, it is the responsibility of the larger business to ensure it does not operate in the restricted hours.
- 6.29 Paragraph 14 sets out the restrictions on service of food and drink for consumption on premises. Restricted businesses or services mandate that customers are seated when ordering and that food and drink is served to tables except in cinemas, theatres and concert halls. The person responsible must take all reasonable steps to ensure that customers remain seated when eating and drinking. The premises include any area adjacent to the business or service where customers habitually eat and drink
- 6.30 Paragraph 15 sets out what is a restricted business or service: restaurants, including restaurants and dining rooms in hotels or members' clubs; businesses providing food or drink prepared on the premises for immediate consumption off the premises (not including supermarkets, convenience stores, corner shops and newsagents, pharmacists and chemists, or petrol stations); cafes, including workplace canteens (not including cafes or canteens at a hospital, care home or school, 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, or services providing food or drink to the homeless); bars, including bars in hotels or members' clubs; public houses; social clubs; casinos; bowling alleys; cinemas; theatres; amusement arcades or other indoor leisure centres or facilities; funfairs (indoors or outdoors), theme parks and adventure parks and activities; bingo halls; and concert halls.

- 6.31 Schedule 2 sets out the areas that are excluded from the Alert Level Medium restrictions, these are those areas designated as Alert Level High under the Health Protection (Coronavirus, Alert Level High Restrictions) (England) Regulations 2020.
- 6.32 Schedule 3 sets out the consequential amendments and revocations to the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (S.I. 2020/684), the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 (S.I. 2020/750), the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 (S.I. 2020/1005), the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020 (S.I. 2020/1008).
- 6.33 Part 2 of Schedule 3 sets out the transitional provisions.

## **7. Policy background**

### *What is being done and why?*

- 7.1 The amendments to the 1984 Act made by the 2008 Act comprehensively modernised the legal framework for health protection. Part 2A of the 1984 Act, as inserted by the 2008 Act, takes an “all hazards” approach to health protection, where the criterion for action is based on the potential of an infection or contamination to present significant harm to humans, rather than on specific infectious diseases.

### *Previous Health Protection (Coronavirus) Regulations*

- 7.2 On 21 March 2020, the government took legislative measures with the making of the Health Protection (Coronavirus, Business Closure) Regulations 2020 (S.I. 2020/327). This decision sought to prevent the community transmission of Severe acute respiratory coronavirus 2 (SARS-CoV-2). In order to limit the further spread of the disease, the Prime Minister announced further restrictions which came into force at 1pm on 26 March 2020, prohibiting people from leaving the place they live except for very limited purposes and banning public gatherings of more than two people. Those restrictions were contained in the Health Protection (Coronavirus Restrictions) (England) Regulations 2020 (S.I. 2020/237).
- 7.3 On 22 April 2020 and on 13 May 2020, amendments to those Regulations came into force to make a number of minor and clarificatory changes to addressing concerns raised by key stakeholders. This included ensuring key services such as, waste and recycling centres, remained accessible where required, and reopening garden centres.
- 7.4 In line with Step 2 of the government’s recovery strategy for the Covid-19 pandemic, several amendments were made in June 2020. We worked with representatives from these industries and business sectors to develop options to facilitate a safe way for them to reopen. The amended regulations were therefore able to include reopening all nonessential retail, except for businesses and venues where the transmission risk was still too high, as well as outdoor areas of visitor and animal attractions. The Regulation which required people to stay at home was also removed, with a relaxation of the restrictions on gatherings and overnight stays for single adult occupancy households and their ‘support bubble’. There was recognition that these changes may lead to an increase in transmission rates and the measure have been kept under review.
- 7.5 As part of Step 3 of the government’s recovery strategy for the Covid-19 pandemic, the Government announced the opening of the hospitality sector from 4 July. The

Prime Minister also announced on 23 June 2020 further relaxations in relation to gatherings to come into force in parallel. These further relaxations were possible due to the decrease in the transmission rate and decreasing rates of hospitalisation and fatalities. The Chief Medical Officers had downgraded the UK's Covid Alert Level from four to three, meaning that England was not dealing with a virus spreading exponentially, though it remained in general circulation. The Regulations are supported by detailed Government guidance, across all affected sectors, as well as providing more information to the public about how to stay safe and reduce the transmission risk.

- 7.6 The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (S.I 2020/350) came into force on 4 July. These Regulations replicated some provisions from the first restrictions Regulations, which were revoked, and contained several new provisions.
- 7.7 The Regulations allowed for the reopening of indoor and outdoor public houses, restaurants, cafes and bars, holiday accommodation and several leisure and recreational business and attractions.
- 7.8 Nightclubs, gyms and bowling alleys, dance studios hair salons and sports courts continued to be required to remain closed due to due to the increased risk of aerosol transmission and the likelihood of prolonged exposure.
- 7.9 As infection rates had decreased, the Regulations were more permissive in relation to gatherings, generally allowing gatherings of up to 30 people in most circumstances. The Regulations also gave the Secretary of State the power to restrict or prohibit access to a specified public outdoor place or public outdoor places of a specified description in order to prevent, protect against, control or provide a public health response to the incidence or spread of Covid-19.
- 7.10 Due to a rise in the national transmission rate, and reduced compliance with social distancing guidance, new measures were introduced on 14 September to limit the size of social gatherings to 6 people unless exemptions apply. Due to the transmission rate continuing to increase and the Chief Medical Officers upgrading the UK's Covid-19 Alert Level from three to four. Further restrictions were brought in on 24 September mandating the closure of businesses selling food and drink from 22:00 to 05:00 (subject to exemptions), mandating seated consumption of food and drink and increasing restrictiveness of gatherings of the exemptions to the limits on gatherings, for example reducing number of attendees at weddings and funerals.

### ***Local Restrictions***

- 7.11 In addition to the national restrictions, specific restrictions for local areas have been introduced where necessary for public health reasons as bespoke packages in consultation with local MPs, local leaders and Local Authorities. While these bespoke Regulations have sought to respond to the specific needs of the individual areas subject to more stringent restrictions, the difference in rules has created a complex set of measures. The Government has decided to introduce a local Alert Level approach in order to provide greater clarification nationwide, in order to improve clarity, legal certainty, and understanding among the public and enforcement bodies.
- 7.12 In response to the high number of positive Covid-19 cases in Leicester in June 2020, the government announced a local lockdown in order to limit the further spread of the disease. The first Leicester Regulations came into force on 4 July 2020, imposing

restrictions on those who lived within the Leicester protected area. The restrictions in the National Regulations did not apply to the Leicester protected area. Following reviews by public health experts, the scope of the protected area covered by the first Leicester Regulations was gradually narrowed, removing all areas outside of the City of Leicester and the Borough of Oadby and Wigston on 18 July, and removing the Borough of Oadby and Wigston on 1 August. Following further review, a decision was also made to open additional businesses and venues in Leicester from 3 August, in line with the national changes of 4 July. As these changes were quite substantial, the first Leicester Regulations were revoked and replaced by a second set of Leicester Regulations, containing restrictions and requirements in relation to gatherings and business closures for the protected area of the City of Leicester. In addition to Leicester local restrictions were introduced in a number of other areas in response to larger transmission levels and in consultation with local leaders, this included Greater Manchester, Blackburn with Darwen and Bradford, Birmingham, Sandwell and Solihull.

### ***Local Alert Level Approach***

- 7.13 This instrument reflects a change in the local Alert Level approach by rationalising restrictions into three local Alert Levels, with Local Alert Level Medium consisting of the current national measures and representing the minimum level of restrictions in place across England. Local Alert Level High will be triggered in geographical areas where there is a rise in transmission, or nationally when there has been a rise in transmission which cannot be contained through other, localised means. Local Alert Level Very High will be triggered in geographical areas or nationally when Local Alert Level High measures have not contained the spread of the virus or where there has been a significant rise in transmission. The local areas allocated to Local Alert Levels High and Very High will be reviewed every two weeks.
- 7.14 The Local Alert Level approach will enable a coherent set of interventions across England, making it easier to communicate what restrictions apply in each area to the public. The simplification of the system of local interventions will increase the likelihood of compliance and the effectiveness of social distancing measures. It will also allow the public to understand the consequences of non-adherence to measures (i.e. moving to a higher alert level) and plan for what they will do differently if the Alert Level of their area changes.

### ***This instrument***

- 7.15 As set out above, this instrument includes the existing national measures, which are explained in detail below.

### **The rule of 6**

- 7.16 The Rule of Six means that, unless an exemption applies, nobody can gather in a group of more than six individuals unless -
- everyone in the gathering is from the same household
  - the individual is part of a smaller group attending a larger gathering being held somewhere other than a private dwelling and operated by, or part of a premise operated a business, a charitable, benevolent or philanthropic institution or a public body. The smaller group must be of six or fewer individuals (or 1 household or support bubble if more than six) and they cannot mingle with



anyone out of that smaller group, or join another group whilst at the larger gathering; or

- the individual is part of a smaller group attending a larger gathering being held on public outdoor space. The smaller group must be of six or fewer individuals (or 1 household or support bubble if more than six) and they cannot mingle with anyone out of that smaller group, or join another group whilst at the larger gathering. The gathering organiser or manager must have carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999, whether or not the gathering organiser or manager is subject to those Regulations, and have taken all reasonable measures to limit the risk of transmission of the coronavirus, taking into account the risk assessment and any guidance issued by the government which is relevant to the gathering.

- 7.17 There are exemptions from the rule of six which include allowing a household with only one adult in the home (known as a single-adult household) and one other household of any size two households to link together to form a support bubble. A support bubble is a targeted policy intervention to support those most at risk of becoming isolated. A gathering that is only made up of people from the same support bubble is not subject to the 6 person gathering limit.
- 7.18 Further exemptions from the gathering limit include where a gathering is reasonably necessary for; work or voluntary purposes, education and training, formal childcare or supervision, providing care to a vulnerable person, and support groups.
- 7.19 There are also exemptions for some specific life events including weddings and civil partnerships, wedding and civil partnership ceremonies, which are subject to a 15-person limit, funerals which are subject to a 30-person limit commemorative and event following a person's death, which are subject to a 15 person limit. The Government recognise that both weddings and funerals are significant life events for different reasons in difficult times. Allowing these events with a higher limit balance the needs of people to recognise these significant events while minimising the spread of the virus.
- 7.20 The six person gathering limit, with the exemptions, strikes a balance between reducing social contact to reduce transmission, whilst allowing socialising to continue and minimising negative social and economic impacts.

#### Business Restrictions

- 7.21 The regulation requires the closure of all hospitality and leisure venues, including takeaways, from 22:00 to 05:00 (delivery only during that period) in order to reduce the likelihood of people not adhering to social distancing rules, as compliance is often affected by alcohol consumption.
- 7.22 The regulations also mandate table service in order to reduce the amount of time that customers spend at the ordering counter. This, in turn, will reduce the risk of transmission from people mingling with others that they do not live with.
- 7.23 These restrictions reduce the amount of social contact that people have with each other, thereby controlling and reducing the transmission of the virus, whilst allowing the businesses to continue to operate and the general public use their services.

### Business closures

- 7.24 The Regulations require that nightclubs, dance halls; discotheques; sexual entertainment venues; hostess bars and any other venue which opens at night, has a dance floor and provides music, whether live or recorded, for dancing are closed to the general public.
- 7.25 These businesses or services provide a higher transmission risk and cannot currently be opened safely. We continue to work with representatives from these industries and business sectors to develop options to facilitate a safe way for them to reopen.

### Fines

- 7.26 The Instrument creates offences punishable by fines and provides for fixed penalty notices, which are explained in paragraphs 6.14 and 6.15 above.
- 7.27 The vast majority of the general public will do the right things and follow the rules, but to protect public health it is important that police have appropriate powers to deal with those that flout the rules.

## **8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union**

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

## **9. Consolidation**

- 9.1 These Regulations revoke, amend and/or replace the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (S.I. 2020/684), the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 (S.I. 2020/750), the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 (S.I. 2020/1005), the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020 (S.I. 2020/1008).

## **10. Consultation outcome**

- 10.1 There has been no public consultation in relation to this instrument.

## **11. Guidance**

- 11.1 The Government has published guidance in relation to Covid-19 at [www.gov.uk/coronavirus](http://www.gov.uk/coronavirus) and this guidance will include information in relation to closures and restrictions on gatherings under these Regulations.

## **12. Impact**

- 12.1 This instrument is a temporary provision as part of the Government's response to Covid-19, lasting only six months. As this instrument will cease to have effect less than 12 months, a Regulatory Impact Assessment is not required and would be disproportionate.

## **13. Regulating small business**

- 13.1 The legislation applies to activities that are undertaken by small businesses.

#### **14. Monitoring & review**

- 14.1 The instrument does include a statutory review clause.
- 14.2 The instrument ceases to have effect at the end of the period of six months beginning on the day on which it comes into force.
- 14.3 Prior to its expiry, the Secretary of State must review the need for restrictions and requirements imposed by these Regulations at least every 28 days starting from the coming into force date.
- 14.4 Parliament will be informed of any changes to be made to these Regulations following each review, by way of a written or oral statement.

#### **15. Contact**

- 15.1 Kevin Dodds ([Kevin.Dodds@dhsc.gov.uk](mailto:Kevin.Dodds@dhsc.gov.uk)), Deputy Director for Social Distancing Strategy, at the Department for Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.
- 15.2 Matt Hancock MP, Secretary of State for Health at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.