

## SCHEDULE 3

Regulation 10

### Amendments and transitional provisions

## PART 1

### Amendments

#### **Amendments of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020**

1.—(1) Regulation 9 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020<sup>(1)</sup> is amended as follows.

(2) In paragraph (9), at the end (but after paragraph (l) as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 respectively) insert—

- “(m) Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, other than notices issued in respect of a business restriction offence as defined by regulation 6(12) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 3 of Schedule 1 to those Regulations.”.

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

2. In regulation 18 of the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020<sup>(2)</sup>, in paragraph (7A)<sup>(3)</sup> after sub-paragraph (e) (as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020) insert—

- “(f) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020, where the fixed penalty notice relates to a business restriction offence as defined by regulation 6(12) of those Regulations.”.

#### **Amendments of the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020**

3.—(1) The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020<sup>(4)</sup> are amended as follows.

(2) In regulation 1, in paragraph (3)—

- (a) after sub-paragraph (fa) (as inserted by Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020), insert—

“(fb) the “Tier 3 Regulations” means Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020;”;

- (b) in sub-paragraph (h) after “Tier 2 Regulations” insert “or of the Tier 3 area for the purposes of the Tier 3 Regulations”.

---

(1) [S.I. 2020/684](#).

(2) [S.I. 2020/105](#).

(3) Paragraph (7A) was inserted by [S.I. 2020/1046](#).

(4) [S.I. 2020/1008](#).

*Status: This is the original version (as it was originally made).*

(3) In regulation 1A—

- (a) in paragraph (1), in the opening words, after “Tier 2 Regulations” insert “or of the Tier 3 area for the purposes of the Tier 3 Regulations”;
- (b) after paragraph (1A), insert—

“(1B) A person who operates or occupies relevant premises in the Tier 3 area for the purpose of the Tier 3 Regulations must, during the emergency period, take all reasonable measures to ensure that—

- (a) no bookings are accepted for—
  - (i) a group of more than six persons, where the group is to be located in a place which satisfies the conditions in paragraph 2(4) of Schedule 1 to the Tier 3 Regulations (“a relevant place”), unless one of the exceptions in paragraph 4 of that Schedule applies; or
  - (ii) a group of two or more persons to be located in a place which is not a relevant place, unless one of the exceptions in paragraph 4 of Schedule 1 to the Tier 3 Regulations applies;
- (b) no persons are admitted to the premises—
  - (i) a group of more than six persons, where the group is to be located in a relevant place, unless one of the exceptions in paragraph 4 of that Schedule applies; or
  - (ii) a group of two or more persons to be located in a place which is not a relevant place, unless one of the exceptions in paragraphs 4 of Schedule 1 to the Tier 3 Regulations applies;
- (c) no person joins another group or otherwise acts in a way which would contravene the Tier 3 Regulations.”

(4) In regulation 4, in paragraph (8A)(5), after sub-paragraph (e) (as inserted by the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020) insert—

- “(f) the Tier 3 Regulations, where the fixed penalty notice relates to a business restriction offence as defined by regulation 6(12) of those Regulations.”.

## PART 2

### Transitional provisions

4.—(1) A designation made, or treated as made, in exercise of the powers conferred by the following provisions is to be treated as if it had been made in exercise of the powers conferred by regulations 4(9)(b), 6(3)(b), 6(16)(a) or 7 (as appropriate) of these Regulations—

- (a) regulation 7(10)(b), 9(3)(b), 9(13) or 10 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020;
- (b) regulation 8(9)(c) or (d), 10(3)(b), 10(13) or 11 of the Health Protection (Coronavirus, Restrictions) (North of England) Regulations 2020;
- (c) regulation 8(9)(b)(iii) or (iv), 10(3)(b), 10(14)(a) or 11 of the Health Protection (Coronavirus, Restrictions) (Bolton) Regulations;

---

(5) Paragraph (8A) was inserted by [S.I. 2020/1046](#).

- (d) regulation 7(9)(c), 9(3), 9(14 or 10 of the Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020;
- (e) regulation 8(9)(b)(iii) or (iv), 10(3)(b), 10(14)(a) or 11 of the Health Protection (Coronavirus, Restrictions) (North East and North West of England) Regulations 2020;
- (f) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID 19-Alert Level) (Medium) Regulations 2020;
- (g) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID 19-Alert Level) (High) Regulations 2020.