
STATUTORY INSTRUMENTS

2020 No. 1200

The Health Protection (Coronavirus,
Restrictions) (England) (No. 4) Regulations 2020

PART 1

Introductory

Citation, commencement and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

(2) These Regulations come into force on 5th November 2020.

(3) These Regulations apply in relation to England only, including English airspace and the English territorial sea.

(4) 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 that is adjacent to England.

Interpretation

2.—(1) In these Regulations—

“alcohol” has the meaning given in section 191 of the Licensing Act 2003(1);

“care home” has the meaning given by section 3 of the Care Standards Act 2000(2);

“charitable, benevolent or philanthropic institution” means—

(a) a charity, or

(b) an institution, other than a charity, established for charitable, benevolent or philanthropic purposes;

“child” means a person under the age of 18;

“childcare” has the meaning given in section 18 of the Childcare Act 2006(3);

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“criminal justice accommodation” means—

(a) a prison, within the meaning of the Prison Act 1952(4);

(1) 2003 c. 17. Section 191 was amended by the Policing and Crime Act 2017 (c. 3), section 135, and by S.I. 2006/2407.

(2) 2000 c. 14. Section 3 was amended by the Health and Social Care Act 2008 (c. 14), paragraph 4(1) of Schedule 5. There are other amendments to section 3 which are not relevant to this instrument.

(3) 2006 c. 21. Section 18 was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 19, and Schedule 4; the Criminal Justice and Courts Act 2015 (c. 2), Schedule 9, paragraph 21; and S.I. 2010/813.

(4) 1952 c. 52.

- (b) a young offender institution, within the meaning of section 43 of that Act;
- (c) a secure training centre, within the meaning of section 43 of that Act;
- (d) approved premises, within the meaning of section 13 of the Offender Management Act 2007⁽⁵⁾;
- (e) a bail hostel, within the meaning of section 2 of the Bail Act 1976⁽⁶⁾;

“Crown interest” means an interest belonging to Her Majesty in right of the Crown, or belonging to a Government department, or held in trust for Her Majesty for the purposes of a Government department, and includes any estate or interest held in right of the Prince and Steward of Scotland;

“Crown land” means land in which there is a Crown interest or a Duchy interest;

“Duchy interest” means an interest belonging to Her Majesty in right of the Duchy of Lancaster, or belonging to the Duchy of Cornwall;

“educational accommodation” means—

- (a) accommodation provided for students whilst they are boarding at school, and
- (b) halls of residence provided for students attending higher education courses and equivalent accommodation provided for students attending further education courses;

“elite sportsperson” has the meaning given in regulation 3;

“the gathering organiser”, in relation to a gathering, means the person responsible for organising the gathering;

“linked childcare household” has the meaning given in regulation 13;

“linked household” has the meaning given in regulation 12;

“livestock” means—

- (a) any animal which is kept—
 - (i) for the provision of food, wool, skins or fur,
 - (ii) to be used in carrying on any agricultural activity, and
- (b) horses;

“the manager”, in relation to a gathering, means the person responsible for the management of the premises in which the gathering takes place;

“parent” of a child includes any person who is not a parent of the child but who has parental responsibility for, or who has care of, the child;

“parental responsibility” has the meaning given in section 3 of the Children Act 1989⁽⁷⁾;

“person responsible” for carrying on a business includes the owner, proprietor and manager of that business;

“political body” means—

- (a) a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000⁽⁸⁾, or
- (b) a political campaigning organisation within the meaning of regulation 2 of the Health and Social Care (Financial Assistance) Regulations 2009⁽⁹⁾;

(5) 2007 c. 21.

(6) 1976 c. 63. Section 2 was amended by the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), Schedule 9, paragraph 50(3)(a). There are other amendments to section 2 which are not relevant to this instrument.

(7) 1989 c. 41.

(8) 2000 c. 41.

(9) S.I. 2009/649, to which there are amendments not relevant to these Regulations.

- “private dwelling” has the meaning given in regulation 7(5);
- “public outdoor place” has the meaning given in regulation 7(4);
- “school” has the meaning given in section 4 of the Education Act 1996;
- “support group” has the meaning given in regulation 11(8);
- “vessel” means any ship, boat, barge, lighter or raft and any other description of craft, whether used in navigation or not;
- “vulnerable person” has the meaning given in regulation 4.

- (2) For the purposes of these Regulations—
 - (a) references to “a person with a disability” are to be read in accordance with regulation 4(3);
 - (b) references to a “local authority” include references to a county council;
 - (c) a reference to the “required precautions” is a reference to the requirements set out in regulation 14.

Elite sportsperson

- 3.—(1) In these Regulations, “elite sportsperson” means an individual who—
 - (a) derives a living from competing in a sport,
 - (b) is a senior representative nominated by a relevant sporting body,
 - (c) is a member of the senior training squad for a relevant sporting body, or
 - (d) is aged 15 or above and is on an elite development pathway.
- (2) For the purposes of paragraph (1)—
 - (a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare sportspersons—
 - (i) so that they may derive a living from competing in that sport, or
 - (ii) to compete in that sport at the Tokyo or Beijing Olympic or Paralympic Games, or, if that sport is not part of the Tokyo Olympic and Paralympic Games programme, in the Commonwealth Games to be held in Birmingham;
 - (b) “relevant sporting body” means the national governing body of a sport which may nominate sportspersons to represent—
 - (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme;
 - (c) “senior representative” means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
 - (i) Great Britain and Northern Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme.

Meaning of vulnerable person and disability

- 4.—(1) In these Regulations, references to a “vulnerable person” include—

- (a) any person aged 70 or older;
 - (b) any person aged under 70 who has an underlying health condition, including (but not limited to) the conditions listed in paragraph (2);
 - (c) any person who is pregnant.
- (2) The conditions referred to in paragraph (1)(b) are—
- (a) chronic (long-term) respiratory diseases, such as asthma, chronic obstructive pulmonary disease, emphysema or bronchitis;
 - (b) chronic heart disease, such as heart failure;
 - (c) chronic kidney disease;
 - (d) chronic liver disease, such as hepatitis;
 - (e) chronic neurological conditions, such as Parkinson’s disease, motor neurone disease, multiple sclerosis, a learning disability or cerebral palsy;
 - (f) diabetes;
 - (g) problems with the spleen, such as sickle cell disease or removal of the spleen;
 - (h) a weakened immune system as a result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy;
 - (i) being seriously overweight with a body mass index of 40 or above.
- (3) For the purposes of these Regulations—
- (a) a person has a disability if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities;
 - (b) regulations 3 to 5 of the Equality Act 2010 (Disability) Regulations 2010⁽¹⁰⁾ apply in considering whether a person has such an impairment.

⁽¹⁰⁾ S.I. 2010/2128.