

## STATUTORY INSTRUMENTS

**2020 No. 1374**

# **PUBLIC HEALTH, ENGLAND**

## **The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

*Approved by both Houses of Parliament*

<i>Made</i>	- - - -	<i>at 1.30 p.m. on 30th November 2020</i>
<i>Laid before Parliament</i>		<i>at 3.00 p.m. on 30th November 2020</i>
<i>Coming into force</i>	- -	<i>2nd December 2020</i>

<sup>F1</sup>The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45C(1), (3)(c), (4)(b), (4)(d), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984 <sup>F2</sup>.

These Regulations are made 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) in England.

The Secretary of State considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that 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.

- F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))
- F2** 1984 c. 22. Part 2A was inserted by section 129 of the [Health and Social Care Act 2008 \(c. 14\)](#).

### <sup>F1</sup>**PART 1**

#### Introductory

#### **Citation, commencement and application**

1. ....

**Status:** Point in time view as at 29/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. (See end of Document for details)

## Interpretation

2. ....

## Linked households

3. ....

## Linked Christmas households

4. ....

## Linked childcare households

5. ....

## Permitted organised gatherings

6. ....

## The required precautions

7. ....

## <sup>F1</sup>PART 2

### Tier restrictions

## Tier restrictions

8. ....

## PART 3

### Enforcement

## Enforcement of restrictions and requirements

<sup>F1</sup>9. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

## Offences and penalties

<sup>F1</sup>10. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

## Fixed penalty notices

**F1** 11. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

## Amount of fixed penalty

**F1** 12. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

## Prosecutions

13. Proceedings for an offence under these Regulations [<sup>F3</sup>or under any of the Regulations listed in Schedule 6] may be brought by the Crown Prosecution Service and any person designated by the Secretary of State.

**F3** Words in reg. 13 inserted (29.1.2021 at 5.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers and Self-Isolation\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/97\)](#), regs. 1(2), **2(3)**

## Commencement Information

**I1** Reg. 13 in force at 2.12.2020, see reg. 1(2)

## Self-incrimination

**F1** 13A. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

*Status: Point in time view as at 29/03/2021.**Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. (See end of Document for details)*

## PART 4

### Final provisions

#### Review

<sup>F1</sup>14. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

#### Expiry

<sup>F1</sup>15. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

#### Revocation

<sup>F1</sup>16. ....

**F1** Regulations revoked (except regs. 13, 17, Schs. 5, 6) (29.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021 \(S.I. 2021/364\)](#), **reg. 22** (with regs. 21, 23(3)(4))

#### Consequential amendments and transitional and saving provisions

17.—(1) Part 1 of Schedule 5 contains consequential amendments.

(2) Part 2 of Schedule 5 contains transitional and saving provisions.

#### Commencement Information

**I2** Reg. 17 in force at 2.12.2020, see reg. 1(2)

Department of Health and Social Care

*Matt Hancock*  
Secretary of State

<sup>F1</sup>SCHEDULE 1

Regulation 8(4)(a)

.....

<sup>F1</sup>SCHEDULE 2

Regulation 8(4)(c)

.....

<sup>F1</sup>SCHEDULE 3

Regulation 8(4)(e)

.....

<sup>F1</sup>SCHEDULE 3A

Regulation 8(4)(g)

.....

<sup>F1</sup>SCHEDULE 4

Regulation 8(4)(d) and (f)

.....

<sup>F1</sup>SCHEDULE 4A

Schedule 3A, paragraph 2A

.....

SCHEDULE 5

Regulation 17

Consequential amendments and transitional and saving provisions

**PART 1**

Consequential amendments

**1.** In the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020, in regulation 9(9), after sub-paragraph (n) insert—

- “(o) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, other than notices issued in respect of a business restriction offence as defined by regulation 12(7) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 2 of Schedule 1, paragraph 3 of Schedule 2 or paragraph 3 of Schedule 3 to those Regulations.”.

**Status:** Point in time view as at 29/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. (See end of Document for details)

#### Commencement Information

**I3** Sch. 5 para. 1 in force at 2.12.2020, see reg. 1(2)

**2.—**(1) Regulation 14 of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 is amended as follows.

(2) In paragraph (7C), after sub-paragraph (g) insert—

“(h) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, if the notice was issued in respect of a business restriction offence as defined by regulation 12(7) of those Regulations.”.

(3) In paragraph (8), after sub-paragraph (n) insert—

“(o) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.”.

(4) In paragraph (8A), after sub-paragraph (f) insert—

“(g) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, if the notice was issued to the person in respect of a business restriction offence as defined by regulation 12(7) of those Regulations or an offence of contravening a restriction or requirement imposed by paragraph 2 of Schedule 1, paragraph 3 of Schedule 2 or paragraph 3 of Schedule 3 to those Regulations.”.

#### Commencement Information

**I4** Sch. 5 para. 2 in force at 2.12.2020, see reg. 1(2)

**3.** In the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, in regulation 18(7A), after sub-paragraph (g) insert—

“(h) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, where the fixed penalty notice relates to a business restriction offence as defined by regulation 12(7) of those Regulations.”.

#### Commencement Information

**I5** Sch. 5 para. 3 in force at 2.12.2020, see reg. 1(2)

**4.—**(1) The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020 are amended as follows.

(2) In regulation 1—

(a) omit paragraph (2A);

(b) in paragraph (3)—

(i) in sub-paragraph (b), for “the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020” substitute “ the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ”;

(ii) in sub-paragraph (c), for “the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 ceases” substitute “ the Principal Regulations cease ”;

- (iii) in sub-paragraph (d), for “5(5) of Schedule 1” substitute “ 4(2) of Schedule 1, or (in relation to the Tier 2 area) paragraph 7(2) of Schedule 2, ”;
  - (iv) for sub-paragraphs (fa) and (fb) substitute—
    - “(fa) “Tier 2 area” has the meaning given by regulation 8(4)(d) of the Principal Regulations;
    - (fb) “Tier 3 area” has the meaning given by regulation 8(4)(f) of the Principal Regulations;”;
  - (v) in sub-paragraph (h) omit “for the purposes of the Tier 2 Regulations” and “for the purposes of the Tier 3 Regulations”.
- (3) In regulation 1A—
- (a) in paragraph (1), in the opening words, omit “for the purposes of the Tier 2 Regulations” and “for the purposes of the Tier 3 Regulations”;
  - (b) in paragraph (1A)—
    - (i) in the opening words, omit “for the purposes of the Tier 2 Regulations”;
    - (ii) in sub-paragraph (a)(i), for “paragraph 5 of Schedule 1 to the Tier 2 Regulations” substitute “ paragraph 4 of Schedule 2 to the Principal Regulations ”;
    - (iii) in sub-paragraph (a)(ii), for “paragraph 4 of Schedule 1 to the Tier 2 Regulations” substitute “ paragraph 4 or 5 of Schedule 2 to the Principal Regulations ”;
    - (iv) in sub-paragraph (b)(i), for “paragraph 5 of Schedule 1 to the Tier 2 Regulations” substitute “ paragraph 4 of Schedule 2 to the Principal Regulations ”;
    - (v) in sub-paragraph (b)(ii), for “paragraph 4 of Schedule 1 to the Tier 2 Regulations” substitute “ paragraph 4 or 5 of Schedule 2 to the Principal Regulations ”;
    - (vi) in sub-paragraph (c) for “Tier 2” substitute “ Principal ”;
  - (c) omit paragraph (1B).
- (4) In regulation 4, in paragraph (8A)—
- (a) in sub-paragraph (d), for “the Principal Regulations” substitute “ the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020 ”;
  - (b) in sub-paragraph (e), for “the Tier 2 Regulations” substitute “ the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 ”;
  - (c) in sub-paragraph (f), for “the Tier 3 Regulations” substitute “ the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 ”;
  - (d) after sub-paragraph (g) insert—
    - “(h) the Principal Regulations, where the fixed penalty notice relates to a business restriction offence as defined by regulation 12(7) of those Regulations.”.
- (5) In regulation 8, for “6(16) or 7” substitute “ 11(9) or 13 ”.

#### Commencement Information

**I6** Sch. 5 para. 4 in force at 2.12.2020, see reg. 1(2)

**Status:** Point in time view as at 29/03/2021.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. (See end of Document for details)

## PART 2

### Transitional and savings provisions

**5.—**(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 9(9)(b), 11(3)(b), 11(9)(a) or 13, 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)(b), 10(3)(b), 10(13) or 11 of the Health Protection (Coronavirus, Restrictions) (Leicester) (No. 2) Regulations 2020;
- (c) regulation 8(9)(c), 10(3)(b), 10(13) or 11 of the Health Protection (Coronavirus, Restrictions) (North of England) Regulations 2020;
- (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) (Bolton) Regulations 2020;
- (f) regulation 8(9)(b), 10(3)(b), 10(14)(a) or 11 of the Health Protection (Coronavirus, Restrictions) (North East and North West of England) Regulations 2020;
- (g) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID-19 Alert Level) (Medium) (England) Regulations 2020;
- (h) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID-19 Alert Level) (High) (England) Regulations 2020;
- (i) regulation 4(9)(b), 6(3)(b), 6(16) or 7 of the Health Protection (Coronavirus, COVID-19 Alert Level) (Very High) (England) Regulations 2020;
- (j) regulation 19(11)(b), 21(3)(b), 21(16)(a) or 22 of the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

(2) Despite the revocation by these Regulations of the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, those Regulations continue in force as they had effect immediately before 2nd December 2020 in relation to any offence committed under those Regulations before that date.

#### Commencement Information

**I7** Sch. 5 para. 5 in force at 2.12.2020, see reg. 1(2)

## <sup>F4</sup>SCHEDULE 6

Regulation 13

### Prosecutions

**F4** Sch. 6 inserted (29.1.2021 at 5.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers and Self-Isolation\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/97\)](#), regs. 1(2), **2(5)**

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

2. The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.
  3. The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020.
  4. The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020.
  5. The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020.
  6. The Health Protection (Coronavirus, Restrictions) (North East and North West of England) Regulations 2020.
  7. The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020.
  8. The Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020.
  9. The Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) Regulations 2020.
  10. The Health Protection (Coronavirus, Restrictions) (Leicester) (No. 2) Regulations 2020.
  11. The Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) Regulations 2020.
  12. The Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020.]
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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations impose restrictions on gatherings and on businesses in England. Areas which are not specified in Schedule 4 are subject to the restrictions set out in Schedule 1. Areas specified in Part 1 of Schedule 4 (those areas in Tier 2) are subject to the restrictions set out in Schedule 2. Areas specified in Part 2 of Schedule 4 (those areas in Tier 3) are subject to the restrictions in Schedule 3. The restrictions on businesses include the imposition of restricted hours for certain businesses and closure of certain businesses.

The need for the restrictions in these Regulations must be reviewed by the Secretary of State every 28 days.

No impact assessment has been prepared for these Regulations.

**Status:**

Point in time view as at 29/03/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.