
STATUTORY INSTRUMENTS

2020 No. 988

**The Health Protection (Coronavirus, Restrictions)
(Birmingham, Sandwell and Solihull) Regulations 2020**

Interpretation

3.—(1) In these Regulations—

“change of protected area direction” has the meaning given in regulation 4(5);

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

“childcare” has the same meaning as in section 18 of the Childcare Act 2006(1);

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

“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;

“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 16 or above and on an elite development pathway;

“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(2);

“the protected area” has the meaning given in regulation 2;

“public outdoor place” means any outdoor place to which the public have or are permitted access, whether on payment or otherwise, and includes—

- (a) land laid out as a public garden or used for the purpose of recreation by members of the public,
- (b) land which is “open country” as defined in section 59(2) of the National Parks and Access to the Countryside Act 1949(3), as read with section 16 of the Countryside Act 1968(4),

(1) 2006 c. 21. Section 18 has been 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.

(2) 1989 c. 41.

(3) 1949 c. 97.

(4) 1968 c. 41. Section 16 has been amended by section 111 of the Transport Act 1968 (c. 73), Schedule 27 to the Water Act 1989 (c. 15) and S.I. 2012/1659. There are other amendments to section 16 which are not relevant to these Regulations.

- (c) land which is “access land” for the purposes of Part 1 of the Countryside and Rights of Way Act 2000⁽⁵⁾ (see section 1(1) of that Act⁽⁶⁾),
 - (d) any highway to which the public has access,
 - (e) Crown land to which the public has access;
- “vulnerable person” includes—
- (a) any person aged 70 or above,
 - (b) any person who is under the age of 70 but has a medical condition which increases vulnerability to Covid-19 (the official designation of the disease which can be caused by coronavirus),
 - (c) any person who is pregnant.
- (2) For the purposes of the definition of “elite sportsperson” in 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 at 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.

⁽⁵⁾ 2000 c. 37.

⁽⁶⁾ The definition of “access land” has been amended by section 303(2) of and Part 7 of Schedule 22 to, the Marine and Coastal Access Act 2009 (c. 23).