

This Statutory Instrument corrects an error in S.I. 2021/851 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 1073

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 3) Regulations 2021

Approved by both Houses of Parliament

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| | | <i>at 10.40 a.m. on</i> |
| | | <i>22nd September</i> |
| <i>Made</i> | <i>- - - -</i> | <i>2021</i> |
| | | <i>at 4.00 p.m. on 22nd</i> |
| <i>Laid before Parliament</i> | | <i>September 2021</i> |
| | | <i>at 11.55 p.m. on 27th</i> |
| <i>Coming into force</i> | <i>- -</i> | <i>September 2021</i> |

The Secretary of State, in exercise of the powers conferred by sections 45C(1) and (3)(c), 45D, 45F(2), 45P and 45T(6) of the Public Health (Control of Disease) Act 1984(1), makes the following Regulations.

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 the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020(2) and by the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020(3) as amended 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.

Citation and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 3) Regulations 2021.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

(2) S.I. 2020/1045, amended by S.I. 2020/1375, 1518, 2021/97, 364, 582, 851 and 864.

(3) S.I. 2020/750, amended by S.I. 2020/800, 822, 824, 828, 865, 874, 907, 974, 988, 1010>, 1019, 1103, 1200, 1375, 1646, 2021/8, 97, 364, 705 and 848.

- (2) These Regulations come into force at 11.55 p.m. on the 27th September 2021.

Amendment to the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

2.—(1) The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 are amended as follows.

- (2) In regulation 2B—

- (a) in paragraph (6)(a)(ii), for “the day on which NP had the close contact which resulted in the notification described in paragraph (1)” substitute “the relevant day”;
- (b) after paragraph (7), insert—

“(7A) For the purposes of paragraph (6)(a), “the relevant day” means—

- (a) where the person who has tested positive for coronavirus with whom NP has had close contact (“C”) is a member of the same household as NP—
- (i) the date which C reported to a relevant person as the date on which symptoms first developed, or
- (ii) if C has no symptoms of coronavirus, the day on which C took the test for coronavirus which resulted in a positive result, or
- (b) in any other case, the day on which NP had the close contact which resulted in the notification described in paragraph (1).

(7B) For the purposes of paragraph (7), where a person has received a dose of one authorised vaccine and a dose of a different authorised vaccine, that person is deemed to have completed a course of doses of an authorised vaccine.”.

- (3) In regulation 2C—

- (a) in paragraph (1)(c)(i), for “further test” substitute “further PCR test”;
- (b) after paragraph (2), insert—

“(3) If P is notified as described in paragraph (1)(c)(iii)—

- (a) where P is required to self-isolate under regulation 2B, the requirements on P under regulation 2B are not affected;
- (b) where P is participating in a testing scheme referred to in regulation 2D, the requirements on P as a participant of that testing scheme under regulation 2D are not affected.”.

- (4) In regulation 2D—

- (a) in paragraph (3)—

(i) at the beginning, insert “Subject to paragraph (3A),”;

- (b) after paragraph (3), insert—

“(3A) Paragraph (3)(a) does not apply if—

- (a) after P tested positive for coronavirus, P has taken a further PCR test, and
- (b) P has been notified that the result of the further PCR test is negative.

(3B) If P tests positive for coronavirus in the further PCR test referred to in paragraph (3A), P ceases to be eligible to participate in the testing scheme in which P was participating at the time of the test, or any other testing scheme, during the period in which P is required to self-isolate.

(3C) If, while P is participating in a testing scheme, P is notified as described in regulation 2B(1)—

- (a) P ceases to be eligible to participate in that testing scheme, but
 - (b) P may participate in a subsequent testing scheme.”.
- (5) In regulation 5(1), after the definition of “P”, insert—
““PCR test” means a polymerase chain reaction test for coronavirus;”.
- (6) In regulation 16(2), for “the period of 12 months beginning with the day on which they came into force” substitute “24th March 2022”.

Amendment to the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020

3. In regulation 19(1) of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020, for “27th September 2021” substitute “24th March 2022”.

At 10.40 a.m. on 22nd September 2021

Sajid Javid
Secretary of State
Department of Health and Social Care

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020—

- (a) to make further provision to determine the day on which a person who has received a complete course of doses of an authorised vaccine is exempt from the obligation to self-isolate, if someone in their household tests positive for coronavirus,
- (b) to ensure that someone who has received doses of different authorised vaccines may still be regarded as having completed a course of doses of an authorised vaccine for the purposes of the exemption in regulation 2B,
- (c) to ensure that a person’s obligation to self-isolate under regulation 2B, or their obligations as a participant in a testing scheme under 2D, continue even if P’s obligations to self-isolate under regulation 2A ceases to apply under regulation 2C, and
- (d) to change the date on which the Regulations expire to 24th March 2022.

The Regulations also change the date on which the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 expire to 24th March 2022.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.