
STATUTORY INSTRUMENTS

2021 No. 1399

PUBLIC HEALTH

The Coronavirus Act 2020 (Early Expiry) (No. 2) Regulations 2021

Made - - - - 8th December 2021

Coming into force - - 9th December 2021

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 90(1)(1) and 4(a) of the Coronavirus Act 2020(2).

In accordance with section 90(6) of that Act, regulation 2(2) is made with the consent of the Scottish Ministers, regulation 2(3) is made with the consent of the Department of Justice in Northern Ireland, regulation 2(5) is made with the consent of the Department of Health in Northern Ireland, regulation 2(6) is made with the consent of the Executive Office in Northern Ireland, and regulation 6 is made with the consent of the Department of Education, the Department for the Economy, the Department of Health and the Executive Office in Northern Ireland.

In accordance with section 93(1) of that Act, a draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Coronavirus Act 2020 (Early Expiry) (No. 2) Regulations 2021.

(2) These Regulations come into force on the day after the day on which they are made.

(3) In these Regulations “the Act” means the Coronavirus Act 2020.

Early expiry of provisions of the Act that extend to England and Wales, Scotland and Northern Ireland

2.—(1) The following provisions of the Act expire on the day after the day on which these Regulations come into force.

(2) Section 23.

(3) Section 58 in relation to Northern Ireland only.

(4) Section 77(1) and (2).

(1) See the definition of “relevant national authority” in section 90(5), (7), (9), and (11).

(2) 2020 c. 7.

(5) Part 1 of Schedule 21 in relation to England and Northern Ireland only (and section 51 so far as it relates to that Part).

(6) Part 1 of Schedule 22 in relation to England and Northern Ireland only (and section 52 so far as it relates to that Part).

Early expiry of provisions of the Act that extend to England and Wales and Scotland

3. Section 77(3) of the Act expires on the day after the day on which these Regulations come into force.

Early expiry of provisions of the Act that extend to England and Wales

4. Section 56 of (and Schedule 26 to) the Act expires on the day after the day on which these Regulations come into force.

Early expiry of provisions of the Act so far as they apply in England

5.—(1) The following provisions of the Act expire on the day after the day on which these Regulations come into force.

(2) Section 78 in relation to England only.

(3) Part 1 of Schedule 16 (and section 37(1)) in relation to England only.

(4) Paragraph 5(5)(a), (c), (g) and (h) in Part 1 of Schedule 17 (and section 38(1) so far as it relates to those provisions).

(5) The reference to section 13(2)(b) of the Education Act 2005(3) in paragraph 5(5)(e) in Part 1 of Schedule 17 (and section 38(1) so far as it relates to that reference).

(6) The entries in the table in paragraph 5(6) in Part 1 of Schedule 17 (and section 38(1) so far as it relates to those entries) relating to—

- (a) the Further and Higher Education Act 1992(4), section 44,
- (b) the Further and Higher Education Act 1992, section 51A,
- (c) the Education Act 1996(5), section 14,
- (d) the Education Act 1996, sections 15ZA to 15ZC,
- (e) the Education Act 1996, sections 508A to 508F and Schedule 35C,
- (f) the Education Act 1996, sections 512 to 512ZB,
- (g) the School Standards and Framework Act 1998(6), section 70,
- (h) the School Standards and Framework Act 1998, section 88D,
- (i) the School Standards and Framework Act 1998, section 99,
- (j) the Education Act 2005, section 13,
- (k) the Childcare Act 2006(7), sections 7 and 7A,
- (l) the Childcare Act 2006, section 12,
- (m) the Education and Skills Act 2008(8), section 124(2),
- (n) the Education and Skills Act 2008, section 125(2), and

(3) 2005 c. 18.
(4) 1992 c. 13.
(5) 1996 c. 56.
(6) 1998 c. 31.
(7) 2006 c. 21.
(8) 2008 c. 25.

- (o) the Children and Families Act 2014⁽⁹⁾, section 42.
- (7) Part 2 of Schedule 21 (and section 51 so far as it relates to that Part).
- (8) Part 2 of Schedule 22 (and section 52 so far as it relates to that Part).

Early expiry of provisions of the Act so far as they extend to Northern Ireland

6.—(1) The following provisions of the Act expire on the day after the day on which these Regulations come into force.

- (2) Paragraphs 14 and 15 in Part 3 of Schedule 16 (and section 37(3)(a) and (b)).
- (3) Part 5 of Schedule 21 (and section 51 so far as it relates to that Part).
- (4) Part 5 of Schedule 22 (and section 52 so far as it relates to that Part).

8th December 2021

Maggie Throup
Parliamentary Under 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 provide for the expiry of provisions in the Coronavirus Act 2020 (c. 7) (the “Act”). The Secretary of State has obtained the necessary consents in respect of provisions of these Regulations which provide for the expiry of provisions in the Act which are within devolved competence; consent of the Scottish Ministers has been given in relation to section 23, and consent from the relevant Northern Ireland departments in relation to section 58, Parts 1 and 5 of Schedule 21, Parts 1 and 5 of Schedule 22, and paragraphs 14 and 15 of Schedule 16.

Regulation 2 provides for the expiry of provisions that extend and apply across the UK. Section 23 provides for powers to modify time limits in relation to urgent warrants under the Investigatory Powers Act 2016 (c. 25). Section 58 provides powers in relation to transportation, storage and disposal of dead bodies and human remains, this section is being expired in relation to Northern Ireland only. Sections 77(1) and (2) provide for the up-rating of the basic element of working tax credits in the tax year 2020-2021. Part 1 of Schedule 21 provides interpretation for Parts 2 and 5 of Schedule 21, which provide powers in relation to potentially infectious persons in England and Northern Ireland respectively, Part 1 is being expired in relation to England and Northern Ireland only. Part 1 of Schedule 22 provides interpretation for Parts 2 and 5 of Schedule 22, which provide powers to issue directions relating to events, gatherings and premises in England and Northern Ireland respectively, Part 1 is being expired in relation to England and Northern Ireland only.

Regulation 3 provides for the expiry of provisions that extend to England and Wales and Scotland. Section 77(3) provides for up-rating of benefits under the Social Security Administration Act 1992 in the tax year 2020-2021.

Regulation 4 provides for the expiry of a provision that extends to England and Wales. Section 56 provides for live links in magistrates’ court appeals against requirements or restrictions imposed on a potentially infectious person.

Regulation 5 provides for the expiry of provisions so far as they apply to England. Section 78 provides powers for local authorities to make regulations relating to local authority meetings. Part 1 of Schedule 16 provides powers for the temporary closure of educational institutions and childcare premises. Several subparagraphs and part of a subparagraph in paragraph 5(5) of Part 1 of Schedule 17 set out the enactments that the Secretary of State has powers to disapply by notice. Several entries on the table at subparagraph 5(6) of Part 1 of Schedule 17 set out the enactments that the Secretary of State has powers to modify by notice. Part 2 of Schedule 21 provides powers in relation to potentially infectious persons. Part 2 of Schedule 22 provides powers to issue directions relating to events, gatherings and premises.

Regulation 6 provides for the expiry of provisions which extends to Northern Ireland. Paragraphs 14 and 15 in Schedule 16 which provide powers for the temporary closure of schools and institutions of further and higher education. Part 5 of Schedule 21 provides powers relating to potentially infectious persons. Part 5 of Schedule 22 provides powers to issue directions relating to events, gatherings and premises.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.