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STATUTORY INSTRUMENTS

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**2021 No. 364**

**The Health Protection (Coronavirus,  
Restrictions) (Steps) (England) Regulations 2021**

**PART 4**

**Disapplication of restrictions and requirements**

**Disapplication by the Secretary of State**

**9.—**(1) The Secretary of State may, for the purposes set out in paragraph (2), by direction disapply any relevant restriction or requirement in relation to specified premises, a specified event or a specified gathering.

(2) The Secretary of State may only make a direction under paragraph (1) for the purposes of a research programme to evidence the potential transmission of coronavirus in controlled environments.

(3) If the Secretary of State disapplies a relevant restriction or requirement by direction made under paragraph (1) in relation to specified premises, and the effect of the direction is to permit those premises to open, the direction must specify the purposes for which the premises may open.

(4) Before making or revoking any direction under paragraph (1), the Secretary of State must—

- (a) consult the Chief Medical Officer (“CMO”) or one of the Deputy Chief Medical Officers (“DCMO”) of the Department of Health and Social Care;
- (b) have regard to any advice given by the CMO or DCMO to the Secretary of State.

(5) A direction made under paragraph (1)—

- (a) is to be made by being published online, and
- (b) must, as soon as reasonably practicable after it is made, also be published in the London Gazette.

(6) In this regulation—

- (a) “relevant restriction or requirement” means—
  - (i) a Step 2 or Step 3 restriction;
  - (ii) the requirement in regulation 3(1) of the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020(1);
  - (iii) any of the requirements in regulations 1A, 2(1) or 2A(1) of the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020(2);
- (b) “specified” means specified in the direction.

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(1) S.I. 2020/791, amended by S.I. 2020/839, 882, 906, 1021, 1026 and 1028, and S.I. 2021/247.

(2) S.I. 2020/1008, amended by S.I. 2020/1046, 1057, 1103, 1104, 1105, 1154, 1200, 1374, 1611.

