
STATUTORY INSTRUMENTS

2021 No. 364

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

PART 5

Enforcement

Amount of fixed penalty: business restriction offences

16.—(1) In the case of a fixed penalty notice issued to a person in respect of a business restriction offence, the amount of the fixed penalty to be specified under regulation 12(5)(c) is—

- (a) £1,000, if the fixed penalty notice is the first one issued to the person in respect of a business restriction offence;
- (b) £2,000, if the fixed penalty notice is the second one issued to the person in respect of a business restriction offence;
- (c) £4,000, if the fixed penalty notice is the third one issued to the person in respect of a business restriction offence;
- (d) £10,000, if the fixed penalty notice is the fourth one, or any subsequent one, issued to the person in respect of a business restriction offence.

(2) In determining how many fixed penalty notices have been issued to a person for the purposes of paragraph (1), a fixed penalty notice issued to the person under the following Regulations is to be treated as if it were issued in respect of a business restriction offence—

- (a) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020(1), if the notice was issued to the person in respect of a business restriction offence as defined by regulation 12(7) of those Regulations;
- (b) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020(2), if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;
- (c) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020(3), if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;
- (d) the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020(4), if the notice was issued to the person in respect of a business restriction offence as defined by regulation 6(12) of those Regulations;

(1) S.I. 2020/1374, amended by S.I. 2020/1518, 1533, 1572, 1611, 1646, 1654, and S.I. 2021/8, 53, 97, 247.
(2) S.I. 2020/1103, which was revoked by S.I. 2020/1200, with savings.
(3) S.I. 2020/1104, which was revoked by S.I. 2020/1200, with savings.
(4) S.I. 2020/1105, which was revoked by S.I. 2020/1200, with savings.

- (e) the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020⁽⁵⁾, if the notice was issued to the person in respect of an offence of contravening regulation 4A or 4B of those Regulations;
 - (f) the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020⁽⁶⁾, if the notice was issued to the person in respect of a business restriction offence, as defined by regulation 14(7D) of those Regulations, committed on or after 14th October 2020;
 - (g) the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020⁽⁷⁾, if the notice was issued to the person in respect of a business restriction offence, as defined by regulation 21(12) of those Regulations;
 - (h) the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020⁽⁸⁾;
 - (i) the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020⁽⁹⁾.
- (3) In this regulation, unless otherwise specified “business restriction offence” means—
- (a) an offence under regulation 11(1)(a) of contravening—
 - (i) a Step 1 restriction imposed by Part 2 of Schedule 1;
 - (ii) a Step 2 restriction imposed by Part 2 of Schedule 2;
 - (iii) a Step 3 restriction imposed by Part 2 of Schedule 3;
 - (b) an offence under regulation 11(1)(d) of failing to comply with a prohibition notice given under regulation 10.

(5) S.I. 2020/684, as amended by S.I. 2020/719, 750, 788, 800, 822, 824, 828, 863, 865, 907, 974, 986, 988, 1010, 1019, 1029, 1046, 1057, 1103, 1104, 1105 and 1200.

(6) S.I. 2020/750, as amended by S.I. 2020/800, 822, 824, 828, 865, 907, 974, 988, 1010, 1019, 1103 and 1200.

(7) S.I. 2020/1200, amended by S.I. 2020/1242 and 1326.

(8) S.I. 2020/1005, as amended by S.I. 2020/1045 and 1046.

(9) S.I. 2020/1008, as amended by S.I. 2020/1045, 1046 and 1074.