

SCHEDULE 7

Regulation 23(1)

Consequential amendments

1.—(1) Regulation 14 of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 is amended as follows.

(2) In paragraph (7C), after sub-paragraph (h) insert—

“(i) the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021, if the notice was issued in respect of a business restriction offence as defined by regulation 16(3) of those Regulations.”

(3) In paragraph (8), after sub-paragraph (o) insert—

“(p) the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.”

(4) In paragraph (8A), after sub-paragraph (g) insert—

“(h) the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021, if the notice was issued to the person in respect of—

(i) a travel offence as defined by regulation 13(2) of those Regulations;

(ii) a large gathering offence as defined by regulation 14(3) of those Regulations, or

(iii) a business restriction offence as defined by regulation 16(3) of those Regulations,

(iv) an offence of contravening a restriction or requirement imposed by paragraph 3 of Schedule 1, paragraph 3 of Schedule 2 or paragraph 2 of Schedule 3 to those Regulations.”

2. In regulation 3(10) of the Health Protection (Coronavirus, Public Health Information for International Passengers) (England) Regulations 2020(1), in the definition of “relevant time”, for “paragraph 2A(1) (requirement to carry travel declaration) of Schedule 3A to the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020” substitute “regulation 8(4) (requirement to carry travel declaration) of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021”.

3. In the Health Protection (Coronavirus, International Travel) (England) Regulations 2020, in paragraph 4E of Schedule 2(2)—

(a) in sub-paragraph (2)(a)(ii), for “provision of EU-OPS” substitute “under Annex III or Annex VI of the Air Operations Regulation”;

(b) in sub-paragraph (2)(c), for “EU-OPS” substitute “Air Operations Regulation”.

4. In the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, in regulation 18(7A), after sub-paragraph (h) insert—

“(i) the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021, where the fixed penalty notice relates to a business restriction offence as defined by regulation 16(3) of those Regulations.”

5.—(1) The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020 are amended as follows.

(2) In regulation 1(3)—

(1) S.I. 2020/567, amended by S.I. 2020/1090. The definition of “relevant time” was inserted by S.I. 2021/252.

(2) S.I. 2020/568. Paragraph 4E was substituted by 2021/252.

Status: This is the original version (as it was originally made).

- (a) in sub-paragraph (b), for “the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020” substitute “the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021”;
 - (b) for sub-paragraph (d), substitute—
 - “(d) “qualifying group” has the meaning given—
 - (i) in relation to the Step 1 area, in paragraph 7(2) of Schedule 1 to the Principal Regulations,
 - (ii) in relation to the Step 2 area, in paragraph 7(2) of Schedule 2 to the Principal Regulations,
 - (iii) in relation to the Step 3 area, in paragraph (2) of Schedule 3 to the Principal Regulations.”;
 - (c) for sub-paragraphs (fa), (fb) and (fc) substitute—
 - “(fa) “Step 1 area” has the meaning given by regulation 7(4)(b) of the Principal Regulations;
 - (fb) “Step 2 area” has the meaning given by regulation 7(4)(d) of the Principal Regulations;
 - (fc) “Step 3 area” has the meaning given by regulation 7(4)(f) of the Principal Regulations.”;
 - (d) for sub-paragraph (h), substitute—
 - “(h) premises are located in—
 - (i) the Step 1 area if any part of the premises is located in the Step 1 area;
 - (ii) the Step 2 area if any part of the premises is located in the Step 2 area;
 - (iii) the Step 3 area if any part of the premises is located in the Step 3 area.”.
- (3) For regulation 1A substitute—

“Restrictions in relation to relevant premises

1A.—(1) A person who operates or occupies relevant premises in the Step 1 area or the Step 2 area must, during the emergency period, take all reasonable steps to ensure that—

- (a) no bookings are accepted for, and no persons are admitted to the premises in, a group of more than six persons, where the group is to be located outdoors, unless one of the exceptions in paragraph 4 or 6 of Schedule 1 to the Principal Regulations (in the case of the Step 1 area) or paragraph 4 or 6 of Schedule 2 to those Regulations (in the case of the Step 2 area) applies;
 - (b) no bookings are accepted for, and no persons are admitted to the premises in, a group of two or more persons, where the group is to be located indoors, unless one of the exceptions in paragraph 4 or 5 of Schedule 1 to the Principal Regulations (in the case of the Step 1 area) or paragraph 4 or 5 of Schedule 2 to those Regulations (in the case of the Step 2 area) applies;
 - (c) no person joins another group or otherwise acts in a way which would contravene the Principal Regulations.
- (2) A person who operates or occupies relevant premises in the Step 3 area must, during the emergency period, take all reasonable steps to ensure that—
- (a) no bookings are accepted for, and no persons are admitted to the premises in, a group of more than 30 persons, where the group is to be located outdoors, unless one of the exceptions in paragraph 3 of Schedule 3 to the Principal Regulations applies;

- (b) no bookings are accepted for, and no persons are admitted to the premises in, a group of more than six persons, where the group is to be located indoors, unless one of the exceptions in paragraph 3 or 4 of Schedule 3 to the Principal Regulations applies;
- (c) no person joins another group or otherwise acts in a way that would contravene the Principal Regulations.

(3) In this regulation, “relevant premises” has the same meaning as in the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020.”

(4) After regulation 2A, insert—

“Secretary of State’s direction

2AA. The restrictions and requirements in regulations 1A, 2(1) and 2A do not apply in relation to any premises for which they are disapplied in a direction made by the Secretary of State under regulation 9 of the Principal Regulations.”

(5) In regulation 4, in paragraph (8A)—

(a) after sub-paragraph (g) insert—

“(ga) the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, where the fixed penalty notice relates to a business restriction offence as defined by 12(7) of those Regulations.”;

(b) in sub-paragraph (h), for “12(7)” substitute “16(3)”.

(6) In regulation 8, for “11(9) or 13” substitute “12(9) or 18”.

6. In regulation 3 of the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020(3), after paragraph (2B), insert—

“(2C) The requirement in paragraph (1) does not apply in relation to any premises for which it is disapplied in a direction made by the Secretary of State under regulation 9 of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.”.

7. In regulation 17 of the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 (4)—

(a) in paragraphs (2) and (3), for “Principal Regulations” substitute “All Tiers Regulations”;

(b) after paragraph (3), insert—

“(4) A designation made, or treated as made, in exercise of the powers conferred by regulation 12(9)(a) of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 (“the Steps Regulations”) is to be treated as a designation of a person as an authorised person for the purposes of regulation 12 of these Regulations.

(5) A designation made, or treated as made, in exercise of the powers conferred by regulation 12(3)(b) of the Steps Regulations is to be treated as a designation of a person as a designated officer for the purposes of regulation 12 of these Regulations.”

8.—(1) The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020(5) are amended as follows.

(2) In regulation 1(3), after the definition of “the Self-Isolation Regulations” insert—

““the Steps Regulations” means the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.”

(3) S.I. 2020/791, amended by S.I. 2020/1021 and 1026.

(4) S.I. 2020/1045, amended by S.I. 2020/1375.

(5) S.I. 2020/1375, amended by S.I. 2020/1646.

Status: This is the original version (as it was originally made).

- (3) In regulation 2—
- (a) omit paragraphs (e) to (nb);
 - (b) after paragraph (v), insert—
 - “(w) paragraph 8 (requirement to close premises and businesses) of Schedule 1 to the Steps Regulations;
 - (x) paragraph 9 (restrictions on service of food and drink for consumption on the premises) of Schedule 1 of the Steps Regulations;
 - (y) paragraph 8 (requirement to close premises and businesses) of Schedule 2 to the Steps Regulations;
 - (z) paragraph 9 (restrictions on service of food and drink for consumption on the premises) of Schedule 2 to the Steps Regulations;
 - (z1) paragraph 6 (requirement to close premises and businesses) of Schedule 3 to the Steps Regulations;
 - (z2) paragraph 7 (restrictions on service of food and drink for consumption on the premises) of Schedule 3 to the Steps Regulations.”
- (4) In regulation 10, after paragraph (d), insert—
- “(e) regulations 10(13)(b), 12(3)(b), 12(9)(a) or 18, as appropriate, of the Steps Regulations.”