

2021 No. 486

PUBLIC HEALTH

The Coronavirus Act 2020 (Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies) Regulations 2021

Made - - - - *20th April 2021*

Coming into force - - *21st April 2021*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 88(1)(a) and (5) of the Coronavirus Act 2020(b).

In accordance with section 88(8) of that Act, the regulations are made with the consent of the Department of Health and Department of Justice in Northern Ireland.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Coronavirus Act 2020 (Suspension: Temporary Judicial Commissioners, Urgent Warrants, and Disposal of Bodies) Regulations 2021.

(2) These Regulations come into force on 21st April 2021.

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

Suspension of certain provisions of the Act

2. Sections 22 and 23 of the Act are suspended.

3. Parts 2 and 3 of Schedule 28 to the Act (and section 58 of the Act so far as it relates to those Parts) are suspended as they apply in England and Northern Ireland.

20th April 2021

Bethell
Parliamentary Under-Secretary of State,
Department of Health and Social Care

(a) See the definition of “relevant national authority” in sections 88(7) and (13).
(b) 2020 c. 7.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations suspend two sections and two parts of a Schedule to the Coronavirus Act 2020 (c. 7) (“the Act”).

Regulation 2 suspends two provisions that extend and apply across the United Kingdom. Section 22 provides for the appointment of temporary Judicial Commissioners. Section 23 provides a power to extend time limits in relation to urgent warrants etc. under the Investigatory Powers Act 2016 (c. 25). The suspension of the operation of these provisions means that they no longer have effect in the United Kingdom while the suspension remains in place. Having been suspended, these provisions are capable of being revived by regulations made under section 88(3) of the Act.

Regulation 3 suspends Parts 2 and 3 of Schedule 28, which provide powers to issue directions and other measures to address insufficient capacity to deal with dead bodies etc. Parts 2 and 3 of Schedule 28 extend and apply across the United Kingdom but are being suspended only in England and Northern Ireland. As these Parts are within the devolved competence of the other legislative assemblies within in the United Kingdom, the Secretary of State has obtained the necessary consent to suspend these provisions on behalf of Northern Ireland. The suspension of the operation of these provisions means that they no longer have effect in England and Northern Ireland while the suspension remains in place. Having been suspended, these provisions are capable of being revived by regulations made under section 88(3) of the Act. The provisions continue to have effect in Scotland and Wales.

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.

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