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STATUTORY INSTRUMENTS

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**2021 No. 8**

**The Health Protection (Coronavirus, Restrictions) (No. 3)  
and (All Tiers) (England) (Amendment) Regulations 2021**

**The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**3.—**(1) The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 are amended as follows.

(2) In regulation 15(1), for “2nd February 2021” substitute “31st March 2021”.

(3) Schedule 3A is amended in accordance with paragraphs (4) to (12).

(4) In paragraph 2—

(a) in sub-paragraph (2), omit paragraphs (d) and (da);

(b) in sub-paragraph (3)—

(i) in paragraph (a), omit “and (d)(ii)”;

(ii) in paragraph (b), omit “and (d)(iii)”;

(c) in sub-paragraph (4)(b), omit sub-paragraph (i);

(d) in sub-paragraph (13)(e)—

(i) for sub-paragraph (i), substitute—

“(i) later years provision, within the meaning of section 96(6) of the Childcare Act 2006<sup>(1)</sup>, or”;

(e) for sub-paragraph (14), substitute—

“(14) Sub-paragraph (13)(e) only applies where—

(a) the responsible person is described as a critical worker in the relevant guidance, and the later years provision or supervised activities are reasonably necessary to enable the responsible person —

(i) to work or search for work,

(ii) to undertake training or education, or

(iii) to attend a medical appointment or address a medical need, or

(b) the later years provision or supervised activities are provided for a child described in the relevant guidance as a vulnerable child or young person.

(14A) For the purposes of sub-paragraph (14)—

(a) “responsible person” means a parent or a person who has parental responsibility for, or care of, the child or other person in question, and

(b) “relevant guidance” is the guidance titled “Critical workers and vulnerable children who can access schools or educational settings” published by the

Cabinet Office and the Department for Education and updated on 5th January 2021(2).”;

- (f) in sub-paragraph (19), omit “or are aged under 18 or were under 18 on 31st August 2020,”;
- (g) omit sub-paragraph (21) and the preceding heading.
- (5) In paragraph 4(4)(b), omit sub-paragraph (i).
- (6) In paragraph 6—
  - (a) in sub-paragraph (18)(e), for sub-paragraph (i), substitute—
    - “(i) later years provision, within the meaning of section 96(6) of the Childcare Act 2006, or”;
  - (b) for sub-paragraph (19), substitute—
    - “(19) Sub-paragraph (18)(e) only applies where—
      - (a) the responsible person is described as a critical worker in the relevant guidance, and the later years provision or supervised activities are reasonably necessary to enable the responsible person—
        - (i) to work or search for work,
        - (ii) to undertake training or education, or
        - (iii) to attend a medical appointment or address a medical need, or
      - (b) the later years provision or supervised activities are provided for a child described in the relevant guidance as a vulnerable child or young person.
  - (19A) For the purposes of sub-paragraph (19)—
    - (a) “responsible person” means a parent or a person who has parental responsibility for, or care of, the child or other person in question, and
    - (b) “relevant guidance” is the guidance titled “Critical workers and vulnerable children who can access schools or educational settings” published by the Cabinet Office and the Department for Education and updated on 5th January 2021.”;
  - (c) omit sub-paragraphs (20) and (21) and the preceding heading.
- (7) In paragraph 8(1), omit “are aged under 18 or were under 18 on 31st August 2020,”.
- (8) In paragraph 12(1)—
  - (a) in paragraph (c)—
    - (i) for “indoor gyms” substitute “indoor or outdoor gyms,”;
    - (ii) for “and other indoor sports facilities” substitute “, indoor or outdoor sports facilities and sports grounds”;
  - (b) in paragraph (d), omit “indoor”;
  - (c) in paragraph (e)—
    - (i) for “indoor gyms” substitute “indoor or outdoor gyms,”;
    - (ii) after “leisure centres”, insert “, and outdoor sports facilities and sports grounds”;
  - (d) in paragraph (f)—
    - (i) for “indoor gyms”, substitute “indoor or outdoor gyms”;
    - (ii) after “rinks”, insert “outdoor and”;

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(2) A copy of this guidance may be found at <https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>. A hard copy may be obtained from the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT.

- (iii) after “leisure centres”, insert “, and outdoor sports facilities and sports grounds”;
- (e) in paragraph (i), omit “indoor arenas at”;
- (f) after paragraph (j), insert—
  - “(k) outdoor sports facilities for outdoor sports gatherings permitted under paragraph 8.”.
- (9) In paragraph 13—
  - (a) in sub-paragraph (1)—
    - (i) in paragraph (a), after “drink”, insert “(but not alcohol)”;
    - (ii) in paragraph (b), after “drink”, insert “(but not alcohol)”;
    - (iii) after paragraph (b), insert—
      - “(c) from selling alcohol by a method of sale permitted by sub-paragraph (2)(a);”;
  - (b) in sub-paragraph (5)(c), for “between the hours of 23:00 and 05:00” substitute “at any time”.
- (10) In paragraph 15(7)—
  - (a) in paragraph (e), omit “indoor arenas at”;
  - (b) after paragraph (n), insert—
    - “(o) aquariums and zoos, including safari parks;
    - (p) animal attractions at farms, wildlife centres and any other place where animals are exhibited to the public as an attraction;”;
  - (c) in paragraph (t), omit sub-paragraphs (v) and (vi);
  - (d) after paragraph (gg), insert—
    - “(hh) outdoor sportsgrounds and facilities, including outdoor gyms, sports courts, swimming pools, water sports, shooting and archery venues, golf courses, and driving ranges;
    - (ii) retail travel agents.”.
- (11) In paragraph 16—
  - (i) in sub-paragraph (2), omit paragraph (ba);
  - (ii) in sub-paragraph (5), omit paragraph (da).
- (12) In paragraph 17, omit sub-paragraph (x).
- (13) Schedule 4 is amended as follows—
  - (a) in Part 2 (Tier 3 area), omit all the entries under each of the following headings: “North West”, “Yorkshire and The Humber”, “East Midlands”, “West Midlands” and “South West”;
  - (b) for the words in Part 3 (Tier 4 area) substitute—

“Every area of England, apart from the territorial waters adjacent to England and the airspace above England and those territorial waters, is within the Tier 4 area.”.