

2021 No. 851

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) Regulations 2021

Approved by both Houses of Parliament

Made - - - - at 10.05 a.m. on 15th July 2021

Laid before Parliament at 2.00 p.m. on 15th July 2021

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by sections 45C(1) and (3)(c), 45D, 45F(2), 45P and 45T(6) of the Public Health (Control of Disease) Act 1984(a), makes the following Regulations.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England.

The Secretary of State considers that the restrictions and requirements imposed by the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020(b) as amended by these Regulations are proportionate to what they seek to achieve, which is a public response to that threat.

In accordance with section 45R of that Act, the Secretary of State is of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) Regulations 2021.

(2) This regulation and regulation 2(2)(a)(i) come into force on 19th July 2021.

(3) The other provisions in these Regulations come into force on 16th August 2021.

(4) These Regulations extend to England and Wales and apply—

(a) in England;

(b) in the English territorial sea, but not in relation to excluded vessels.

(5) In this regulation—

(a) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

(b) S.I. 2020/1045, amended by S.I. 2020/1375, 1518, 2021/97, 364 and 582.

“the English territorial sea” means the part of the territorial sea of the United Kingdom which is adjacent to England;

“excluded vessel” means a vessel which—

- (a) departed from a place other than a place in England, and
- (b) is to dock in a place other than a place in England.

Amendments to the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

2.—(1) The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 are amended as follows.

(2) In regulation 2(2)—

- (a) in sub-paragraph (l), after “coronavirus” insert “or antibodies to coronavirus”;
- (b) in sub-paragraph (m), omit the words from “, or give agreement” to “child to participate,”.

(3) In regulation 2B—

- (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (a), omit “or”;
 - (ii) omit sub-paragraph (b);
- (b) in paragraph (2), in the opening words, after “unless” insert “paragraph (6) applies or”;
- (c) omit paragraph (3);
- (d) in paragraphs (4) and (5), omit “, or R where P is a child,”;
- (e) after paragraph (5), insert—

“(6) This paragraph applies if—

 - (a) the person (“NP”) has completed a course of doses of an authorised vaccine, and
 - (i) that course of doses was administered to NP in the United Kingdom, and
 - (ii) the day on which NP had the close contact which resulted in the notification described in paragraph (1) is more than 14 days after the day on which NP completed that course of doses,
 - (b) NP has participated, or is participating, in a clinical trial of a vaccine for vaccination against coronavirus carried out in the United Kingdom in accordance with the requirements of the Medicines for Human Use (Clinical Trials) Regulations 2004(a), or
 - (c) NP is able to provide evidence that, for clinical reasons, NP should not be vaccinated with any authorised vaccine.

(7) For the purposes of paragraph (6), a person has completed a course of doses if that person has received the complete course of doses specified—

- (a) in the summary of product characteristics approved as part of the marketing authorisation for the authorised vaccine, or
- (b) in the instructions for usage approved as part of the authorisation by the licensing authority on a temporary basis under regulation 174 (supply in response to spread of pathogenic agents etc) of the Human Medicines Regulations 2012(b) for the authorised vaccine.

(8) In this regulation—

(a) S.I. 2004/1031, amended by s. 116 of the Care Act 2014 (c. 23) and by S.I. 2004/3224; 2005/2754, 2759; 2006/562, 1928, 2984; 2007/289, 3101; 2008/941; 2010/231, 551, 1882; 2011/2581; 2012/134, 504, 1641, 1916; 2013/532; 2016/190, 696; 2019/593, 744, 1094; 2020/1488.

(b) S.I. 2012/1916.

“authorised vaccine” means a medicinal product—

- (a) authorised for supply in the United Kingdom in accordance with a marketing authorisation, or
- (b) authorised by the licensing authority on a temporary basis under regulation 174 of the Human Medicines Regulations 2012,

for vaccination against coronavirus;

“clinical trial” has the meaning given in regulation 2(1) (interpretation) of the Medicines for Human Use (Clinical Trials) Regulations 2004;

“the licensing authority” has the meaning given in regulation 6(2) (the licensing authority and the Ministers) of the Human Medicines Regulations 2012;

“marketing authorisation” has the meaning given in regulation 8(1) (general interpretation) of the Human Medicines Regulations 2012;

“medicinal product” has the meaning given in regulation 2 (medicinal products) of the Human Medicines Regulations 2012.”.

(4) In regulation 2D—

(a) in paragraph (1)—

- (i) in sub-paragraph (a), omit “or (b)”;
- (ii) in sub-paragraph (e), omit “, or R, where P is a child, agrees to P participating”;

(b) in paragraph (2), in the opening words, omit “or (3)(a) (as the case may be)”;

(c) in paragraph (3)(b), omit “, or R, where P is a child, receives a further notification in respect of P,”;

(d) in paragraph (4), omit “, or R where P is a child,”;

(e) in paragraph (5)—

- (i) in sub-paragraph (b), omit “, or R where P is a child,”;
- (ii) in the closing words, omit “or R (as the case may be)”;

(f) in paragraph (6)—

- (i) in the definition of “the relevant period of self-isolation”, omit “or R (as the case may be)”;
- (ii) in the definition of “the relevant notification”, omit “or (b)”.

(5) In regulation 3(4), in the opening words, omit “or (b)”.

(6) In regulation 5(1), in the definition of “P”, for “2B(2) or 2B(3)”, substitute “or 2B(2)”.

(7) In regulation 10(4), omit “or 2B”.

(8) In regulation 14(4D)(a)(ii), omit “or (b)”.

(9) After regulation 18, insert—

“Transitional provision

19. Where—

(a) a person (“Y”)—

- (i) satisfies the conditions in regulation 2B(6)(a), (b) or (c), or is a child, and
- (ii) is subject to the self-isolation requirement in regulation 2B(2) or (3) immediately before 16th August 2021, and

(b) Y’s period of self-isolation would, apart from this regulation, continue beyond that date,

the period of self-isolation for Y comes to an end at the beginning of 16th August 2021.”.

At 10.05 a.m. on 15th July 2021

Sajid Javid
Secretary of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 to ensure that a person can leave self-isolation to post an antibody test, and that the following people are not required to self-isolate if they have come into contact with a person who has tested positive for coronavirus—

- (a) a person who has received a complete course of the coronavirus vaccination, provided that the contact takes place more than 14 days after they have completed their course of vaccinations,
- (b) a person who has taken part in a vaccine trial,
- (c) a person who can provide evidence that for clinical reasons they should not be vaccinated, and
- (d) a child.

The Regulations also provide that, where a person comes within those categories, but was in a period of self-isolation on 16th August, their period of self-isolation will end at the beginning of that date, and make a number of consequential amendments.

An impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.

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