

2020 No. 1518

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Restrictions) (Self-Isolation and Linked Households) (England) Regulations 2020

Approved by both Houses of Parliament

Made - - - -at 11.00 a.m. on 11th December 2020

Laid before Parliament at 1.30 p.m. on 11th December 2020

Coming into force - - 14th December 2020

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45C(1), 45C(3)(c) and (4)(d), 45D and 45P of the Public Health (Control of Disease) Act 1984(a).

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) and the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020(c) as amended by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of the Public Health (Control of Disease) Act 1984, the Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Self-Isolation and Linked Households) (England) Regulations 2020 and come into force on the commencement date.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

“commencement date” means 14th December 2020;

(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.

(c) S.I. 2020/1374.

“Self-Isolation Regulations” means the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020;

“All Tiers Regulations” means the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

Amendment of the Self-Isolation Regulations

2.—(1) Regulation 3 of the Self-Isolation Regulations is amended as follows.

(2) In paragraph (3)—

(a) in sub-paragraph (a)—

(i) for paragraphs (i) and (ii), substitute—

“(i) the day after the date that they report, or

(ii) where that reported date is five or more days before the date on which the test pursuant to which the notification referred to in regulation 2(1) was given, the fourth day before the date of the test;”;

(b) in sub-paragraph (b), after “case, with” insert “the day after”.

(3) In paragraph (4)—

(a) for “14” substitute “10”;

(b) in sub-paragraph (a)—

(i) in paragraph (i)—

(aa) for sub-paragraphs (aa) and (bb), substitute—

“(aa) the day after the date that they report, or

(bb) where that reported date is five or more days before the date on which the test pursuant to which the notification referred to in regulation 2(1) was given, the fourth day before the date of the test;”;

(ii) in sub-paragraph (ii), after “otherwise, with” insert “the day after”;

(c) in sub-paragraph (b), for “with the date” substitute “the day after the date”.

Savings and transitional provisions in connection with regulation 2

3.—(1) Subject to paragraph (2), in relation to any period of self-isolation specified under the Self-Isolation Regulations which begins before the coming into force of the amendments made by regulation 2 of these regulations, the Self-Isolation Regulations apply as if those amendments had not been made.

(2) Where a period of self-isolation calculated in accordance with regulation 3(4) of the Self-Isolation Regulations began before the commencement date and had not ended when these regulations come into force, the period ends with the later of—

(a) the tenth day of that period; or

(b) the commencement date.

(3) In calculating whether the tenth day of a period of self-isolation has been reached for the purposes of paragraph (2), the period is to be treated as having begun the day after the day on which it originally began.

Amendment of the All Tiers Regulations

4.—(1) The All Tiers Regulations are amended as follows.

(2) In regulations 3(9) and 5(7), for “14” substitute “10”.

At 11.00 a.m. on 11th December 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations make amendments to the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 and the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

In particular, they provide that where an individual has been notified of a requirement to self-isolate as being a close contact of a person who has tested positive for coronavirus, the period of self-isolation is 10 days, instead of 14, as calculated under regulation 3 of the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020.

In addition, these regulations amend the provisions regarding when a person's period of self-isolation begins.

Where, in accordance with regulation 3 a person is self-isolating as a close contact on the commencement date of these regulations, these regulations operate to end the self-isolation period in accordance with the amendments made by these regulations, so that such a person may stop self-isolating earlier than they would otherwise have done.

These regulations amend the minimum period, as defined in the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, that individuals within a linked household or a linked childcare household (as defined within those regulations) may not gather in reliance on being a linked household or a linked childcare household (as the case may be) before changing the household with which they are linked for either purpose.

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