

Regulations made by the Secretary of State, laid before Parliament under section 45R of the Public Health (Control of Disease) Act 1984 (c. 22), for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the instrument is made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

2020 No. 588

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020

<i>Made</i>	- - - -	<i>at 12.00 p.m. on 12th June 2020</i>
<i>Laid before Parliament</i>		<i>at 2.30 p.m. on 12th June 2020</i>
<i>Coming into force in accordance with regulation 1</i>		

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 45C(1), (3)(c), (4)(d), 45F(2) and 45P of the Public Health (Control of Disease) Act 1984⁽¹⁾.

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 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 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 and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020.

(2) This regulation and regulation 2(1), (2), (4)(c), (5), (6)(a) and (c), (7), (8) and (9) come into force on 13th June 2020.

(3) The other provisions of these Regulations come into force on 15th June 2020.

(1) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

Amendment of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

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

(2) In regulation 1(3)—

(a) before sub-paragraph (za), insert—

“(zza) “child” means a person under the age of 18;”;

(b) after sub-paragraph (aa), insert—

“(aaa) “linked household” has the meaning given in regulation 7A(3);”;

(c) in paragraph (ab), omit the words from “and for these purposes” to the end.

(3) In regulation 4, after paragraph (6), insert—

“(7) Paragraph (4) does not prevent a person responsible for carrying on a business or providing a service listed in Part 2 of Schedule 2 (“the closed business”)—

(a) carrying on a business of offering goods for sale or for hire—

(i) in a shop which is separate from the premises used for the closed business; or

(ii) by making deliveries or otherwise providing services in response to orders received—

(aa) through a website, or otherwise by on-line communication,

(bb) by telephone, including orders by text message, or

(cc) by post;

(b) from operating a café or restaurant solely to sell food or drink for consumption off the premises, if the café or restaurant is separate from the premises used for the closed business.

(8) For the purposes of paragraph (7), a shop, café or restaurant (“SCR”) is separate from premises used for the closed business if—

(a) the SCR is in a self-contained unit, and

(b) it is possible for a member of the public to enter the SCR from a place outside those premises.”.

(4) In regulation 5—

(a) in paragraph (1)—

(i) for the opening words, substitute “A person responsible for providing library services (“the library services provider”) must, during the emergency period”;

(ii) in sub-paragraph (a), omit “carry on that business or”;

(iii) in sub-paragraph (b), omit “carry out its business or”;

(iv) in sub-paragraph (c), omit “carry on its business or”;

(b) for paragraph (2), substitute—

“(2) Paragraph (1) does not prevent the library services provider—

(a) carrying on a business of offering goods for sale or for hire—

(i) in a shop which is separate from the premises usually used for the provision of library services (“the library premises”); or

(ii) by making deliveries in any way permitted under paragraph (1)(a);

- (b) from operating a café or restaurant solely to sell food or drink for consumption off the premises, if the café or restaurant is separate from the library premises.”;
 - (c) in paragraph (6)—
 - (i) at the end of sub-paragraph (c), omit “or”;
 - (ii) at the end of sub-paragraph (d), insert—
 - “or
 - (e) for private prayer by individuals, and for these purposes, “private prayer” means prayer which does not form part of communal worship.”;
 - (d) after paragraph (6), insert—
 - “(6A) Paragraph (5) does not prevent the person responsible for the place of worship—
 - (a) carrying on a business of offering goods for sale or for hire—
 - (i) in a shop which is separate from the place of worship, or
 - (ii) by making deliveries or otherwise providing services in response to orders received—
 - (aa) through a website, or otherwise by on-line communication,
 - (bb) by telephone, including orders by text message, or
 - (cc) by post;
 - (b) from operating a café or restaurant solely to sell food or drink for consumption off the premises, if the café or restaurant is separate from the place of worship.
 - (6B) For the purposes of paragraphs (2) and (6A), a shop, café or restaurant (“SCR”) is separate from a place of worship or library premises if—
 - (a) the SCR is in a self-contained unit, and
 - (b) it is possible for a member of the public to enter the SCR from a place outside the place of worship or library premises.”.
 - (e) in paragraph (7)—
 - (i) at the end of sub-paragraph (a), omit “or”;
 - (ii) at the end of sub-paragraph (b), insert—
 - “, or
 - (c) to host an indoor market”;
 - (f) in paragraph (9), for “(1)” in both places it occurs, substitute “(2)”.
- (5) In regulation 6—
- (a) in paragraph (1), at the end, insert “or where their linked household is living”;
 - (b) in paragraph (2)(d), after paragraph (v), insert—
 - “(vi) to enable P to attend a birth or make a visit as permitted by regulation 7(2) (g), (h) or (i);”.
- (6) In regulation 7(2)—
- (a) in sub-paragraph (a), at the end, insert “or members of two households which are linked households in relation to each other”;
 - (b) after sub-paragraph (c), insert—

- “(ca) the person concerned is attending a drive-in cinema in a car or other vehicle, and the people in the vehicle are members of the same household, or of two households which are linked households in relation to each other;”;
- (c) after sub-paragraph (f), insert—
- “(g) the person concerned is attending a person giving birth (“M”), at M’s request;
- (h) the person concerned (“P”) is visiting a person P reasonably believes is dying (“D”), and P is—
- (i) a member of D’s household,
 - (ii) a close family member of D,
 - (iii) a friend of D, or
 - (iv) where no-one falling within paragraphs (i) to (iii) is visiting D, any other person;
- (i) the person concerned (“P”) is visiting a person (“V”) receiving treatment in a hospital or staying in a hospice or care home, or is accompanying V to a medical appointment and P is—
- (i) a member of V’s household,
 - (ii) a close family member of V, or
 - (iii) a friend of V,
- and for these purposes, “care home” has the meaning given in section 3 of the Care Standards Act 2000(3).”.
- (7) After regulation 7, insert—

“Linked households

- 7A.**—(1) Where a household comprises one adult, or one adult and one or more persons who are under the age of 18 on 12th June 2020 (“the first household”), the adult may choose to be linked with one other household (“the second household”), provided that—
- (a) the second household is not linked with any other household; and
 - (b) all the adult members of the second household agree.
- (2) There is no limit on the number of adults or children which may be in the second household.
- (3) The first and second households are “linked households” in relation to each other.
- (4) The first and second households cease to be linked households if neither household satisfies the condition in the opening words of paragraph (1).
- (5) Once the first and second households have ceased being linked households, neither the first household nor the second household may be linked with any other household.”.
- (8) In regulation 9(2), after “Regulations” insert “, including any person who is a relevant person for the purposes of regulation 8,”.
- (9) In regulation 10(12), at the end insert “or the obstruction under regulation 9(2) of a person carrying out a function under regulation 8”.
- (10) In Schedule 2—

(3) 2000 c. 14. Section 3 has been amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2008 (c. 14). There are other amendments to section 3 which are no relevant to these Regulations.

- (a) in Part 2—
 - (i) in paragraph 5, at the end, insert “, except for drive-in cinemas”;
 - (ii) in paragraph 10, at the end, insert “but not including retail galleries, where the majority of the art on display is for sale”;
 - (iii) omit paragraph 12;
 - (iv) omit paragraph 23;
 - (v) for paragraph 23C, substitute—
 - “**23C.** Indoor attractions (within the meaning given in paragraph 23E(2)) at aquariums, zoos, safari parks, farms, wildlife centres and any place where animals are exhibited to the public as an attraction.”
 - (vi) omit paragraph 23D;
 - (vii) in paragraph 23E(2), in the opening words, omit “shops and”;
- (b) omit Part 3.

At 12.00 p.m. on 12th June 2020

Matt Hancock
Secretary of State,
Department of Health and Social Care

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 ([S.I. 2020/350](#)) to permit the opening of retail businesses and certain outdoor attractions, to enable churches to open for private prayer by individuals, to make provision for linked households, and to permit certain gatherings.

A full regulatory impact assessment has not been prepared for these Regulations.