

Designations under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

The Secretary of State makes the following designations, in relation to England, with immediate effect, in exercise of the powers conferred by regulations 8(12)(a)(iv), 10(3)(b), 10(11)(a)(iii) and 11 of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020¹ ("the Restrictions Regulations"):

Enforcement: general

1. For the purposes of regulation 8 of the Restrictions Regulations, each specified authority (see paragraph 5 below) is hereby designated by the Secretary of State as a relevant person who may take such action as is necessary to enforce any requirement or restriction imposed by regulation 4 (business closures) or 5 (further business restrictions) of the Regulations, including giving a prohibition notice under regulation 8(2) of the Regulations in relation to any contravention of regulation 4 or 5.

Enforcement: fixed penalty notices

2. For the purposes of regulation 10 of the Restrictions Regulations, the Chief Executive Officer of the ACRO Criminal Records Office (hosted by the Chief Constable of Hampshire Constabulary) is hereby designated by the Secretary of State as "the designated officer" (who may be specified in a fixed penalty notice as the authority to whom payment of the fixed penalty may be made, and who may sign a certificate stating that payment of the fixed penalty was, or was not, received by the date specified in the certificate).
3. For the purposes of regulation 10 of the Restrictions Regulations, each specified authority is hereby designated by the Secretary of State as an authorised person who may issue a fixed penalty notice to anyone, aged 18 or over, who the authorised person reasonably believes has committed an offence of contravening a requirement or restriction in regulation 4 or 5 of the Restrictions Regulations.

Prosecutions

4. For the purposes of regulation 11 of the Restrictions Regulations, each specified authority is designated as a person who may bring proceedings for:
 - i. any offence of contravening a requirement or restriction in regulation 4 or 5 of the Regulations;
 - ii. any offence of obstruction under regulation 9(2) of the Regulations;
 - iii. any offence under regulation 9(3) of failing to comply with a prohibition notice given under regulation 8 of the Regulations;
 - iv. any offence by an officer of a body corporate under regulation 9(5) of the Regulations.

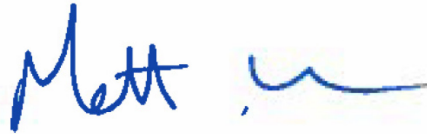
Specified authorities

5. For the purposes of these designations, "a specified authority" means:
 - i. a district council;
 - ii. a county council;
 - iii. a London borough council;
 - v. the Common Council of the City of London in its capacity as a local authority;
 - vi. the Council of the Isles of Scilly.

¹ 5.1. 2020/350, as amended by the Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (S.I. 2020/447), the Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.2) Regulations 2020 (S.I. 2020/500), the Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/558) and the Health Protection (Coronavirus, Restrictions) (Amendment) (No. 4) Regulations 2020 (S.I. 2020/588).

Revocation

6. These Designations replace the designations made under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 made at 5pm on 4 April 2020 and at 9am on 23 April 2020. Any enforcement action taken, function carried out, notice issued or prosecution brought under those designations before their replacement continues to have effect after that replacement.



MATT HANCOCK

Secretary of State for Health and Social
Care

At ~~10.00~~ 10.00 pm on 16 June 2020