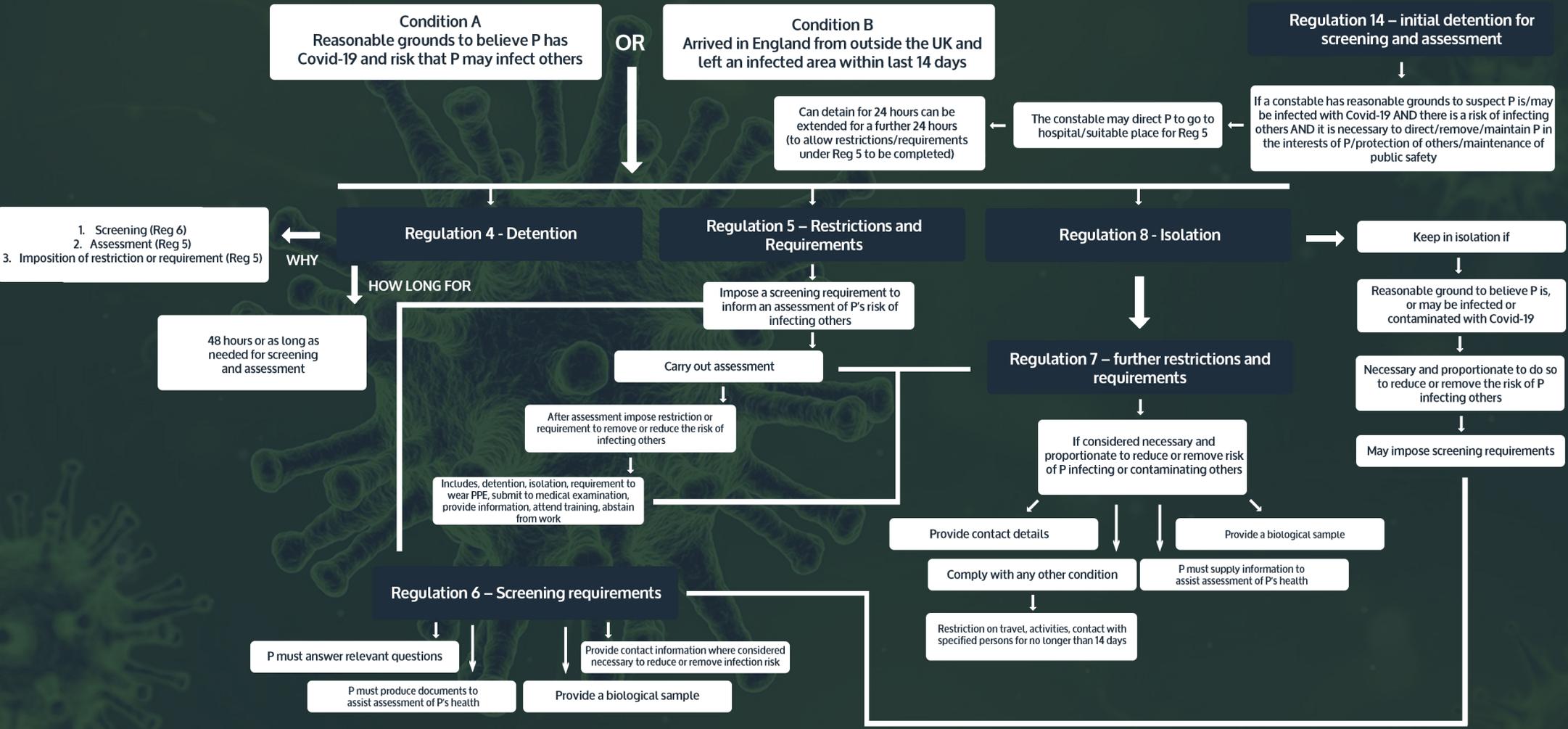


The Health Protection (Coronavirus) Regulations (2020) – as accurate 23/3/2020



Published 23/3/2020. All information correct at the time of publishing and is subject to change.

Please get in touch with us for more detailed advice.

www.hempsons.co.uk | 020 7839 0278

General points

1. Regulations are in place because the Secretary of State has declared that the incidence or transmission of Coronavirus constitutes a serious and imminent threat to public health
2. where a restriction/requirement imposed it must be expressed to be 'contingent on the incidence or transmission of Covid-19 constituting a serious and imminent threat to public health'
3. the restriction or requirement must be proportionate to what is sought to be achieved
4. if a child is suspected of having Covid-19 – the responsible adult must ensure actions are taken/adhered to as far as is reasonably able
5. where a restriction or requirement is imposed (or varied) orally, written notification must be provided as soon as reasonably practicable
6. the Regulation refers to the Secretary of State or a registered public health consultant (working within PHE) broadly making the decisions
7. where P is detained or in isolation as a result of these regulations there must be:
 - a. due regard for P's well being
 - b. if under Reg 5 or 8 detention/isolation is for longer than 14 days there must be a review and thereafter every 24 hours
8. where someone is in detention or isolation P must be told:
 - a. the fact of detention/isolation
 - b. the powers under which P is detained or isolated
 - c. the reasons why
 - d. the next steps that may be taken and by who
 - e. the obligation to keep the need for the detention or isolation under review
 - f. the penalty for absconding, providing false/misleading information, obstructing a person
 - g. the right to appeal (to a Magistrates Court)
9. enforcement of isolation or detention falls to a constable, who may use reasonable force to take, keep and return an absconder to the suitable place
10. offences generally involve a failure to comply (without reasonable excuse) and is punishable on summary conviction by a fine not exceeding level 3 on the standard scale
11. the Regulations cease to have effect at the end of a period of two years and will be updated

This is naturally a summary/overview and more detail is available by calling Hempsons.