



BRIEFING PAPER

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Coronavirus: Lockdown laws

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Summary

This is a fast-moving area. This briefing is correct at time of publication.

The UK has hundreds of laws made in response to the coronavirus pandemic.¹ Many of these laws could be described as 'lockdown laws'. In this briefing the term 'lockdown law' refers to coronavirus restrictions relating to movement, gatherings and high street business operations.

What rules currently apply across the UK?

National lockdowns are currently in place in all four UK nations. Official guidance on the restrictions applicable can be found on government websites:

- England: [National lockdown: stay at home](#)
- Scotland: [Coronavirus \(COVID- 19\): stay at home guidance](#)
- Wales: [Alert level 4](#)
- Northern Ireland: [Coronavirus \(COVID-19\) regulations guidance: what the restrictions mean for you](#)

Summary of main lockdown laws in the UK

Movement

Staying home



People must stay home. They are only permitted to leave home with a "reasonable excuse".

The term "reasonable excuse" is **not** defined in legislation but there are non-exhaustive lists of examples of reasonable excuses. The lists are different in each nation but obtaining necessities, escaping harm, exercising and accessing medical care are listed as reasonable excuses across the UK.

Gatherings

Social gatherings ban



People are almost entirely prohibited from gathering socially with those who do not live in their support bubble.

The rules for forming a support bubble/extended household differs in the UK nations. But those who live alone or in a single parent household can "bubble" with one other household everywhere.

The list of gatherings that are permitted differs across the UK. Gatherings for work that is reasonably necessary and providing emergency assistance are allowed everywhere.

Businesses

High-street business closures



Most non-essential high street businesses must close but they are permitted to operate online/via delivery. The list of businesses that must close differs slightly in the UK nations but "close contact businesses" and hospitality business are closed everywhere.

Other Library briefings on lockdown laws

The development of England's lockdown laws is discussed in [coronavirus: a history of English lockdown laws](#). The enforcement of lockdown laws is discussed in [coronavirus: enforcing restrictions](#).

¹ See: legislation.gov.uk, [coronavirus legislation](#), undated

Types of lockdown law

Lockdown laws have imposed many different coronavirus restrictions. Different rules apply in each UK nation. Specific restrictions for certain local areas were also common.

Lockdown laws can be categorised into three types of restriction: gatherings, movement and business restrictions, within which an array of specific restrictions might be imposed.

Gatherings restrictions

- An almost **total ban on social gatherings** has been imposed during full national lockdowns.
- **Household mixing** rules have been imposed to prevent people who do not live together from meeting. Sometimes these rules specify places (usually indoor spaces) where people cannot meet.
- Versions of a **rule of six** have prevented gatherings larger than six people. Some exemptions to these rules allowed larger gatherings for specific purposes.
- Various other rules have been in place which allow only for **small gatherings**. Sometimes the size of the gathering permitted is defined by a specific number of households.
- Specific rules have been made to further discourage **large gatherings and illegal raves**. Those enforcing lockdown laws can issue higher penalties to those who break these rules. During summer 2020 England's national gatherings restriction was a "large gathering rule". The penalty for breaking this rule was the same as the "small gatherings rule" it replaced.

Movement restrictions

- During full national lockdowns **leaving home** without a "reasonable excuse" is prohibited.
- Laws have prevented people from travelling outside their **local area**.
- Laws have also prohibited **travel** between specified areas (often to/from areas with different restrictions).

Business restrictions

- Certain businesses have been required to close during the pandemic.
- Hospitality businesses have also been required to operate restricted **opening hours**.
- Some rules restrict the **sale of alcohol**.

Other types of coronavirus laws

Other laws have been used to impose restrictions designed to slow and contain the spread of the coronavirus. These include laws which:

- require people to wear face coverings in certain public spaces.
- require those who have tested positive for the coronavirus and their close contacts to self-isolate.
- require those arriving in the UK from specified countries to quarantine.

An overview of the main pieces of [coronavirus legislation](#) in the UK has been compiled on [legislation.gov.uk](https://www.legislation.gov.uk).

1. What are the lockdown laws?

The UK now has hundreds of laws made in response to the coronavirus pandemic.² Many of these laws could be described as “lockdown laws”. In this briefing the term “lockdown law” refers to coronavirus restrictions relating to movement, gatherings and high-street business operations.

Public health is a devolved policy area in Scotland, Wales and Northern Ireland. The Scottish and Welsh governments and the Northern Ireland Executive are responsible for the coronavirus response in their respective nations. This means there are separate lockdown laws in each UK nation.

1.1 National coronavirus restrictions regulations

National “lockdown laws” are set out in ‘national coronavirus restriction regulations’. These regulations are frequently amended and have been entirely replaced at least once in each UK nation. National coronavirus regulations have a legal expiry date but thus far the regulations have always been replaced or amended before they have expired.

The restrictions and requirements currently set out in national coronavirus restriction regulations are described in section three of this briefing.

The national coronavirus restrictions regulations

England: [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers\) \(England\) Regulations 2020](#)

Scotland: [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#)

Wales: [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#)

Northern Ireland: [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) Regulations \(Northern Ireland\) 2020](#)

1.2 Local coronavirus restrictions

At the time of writing, local restrictions are only applicable on some Scottish Islands. The Scottish Government has set out which islands are covered by local restrictions and the rules that apply on their webpage [coronavirus \(COVID-19\): local protection levels](#).

There are three types of law used to impose local coronavirus restrictions: Local coronavirus restriction regulations, local authority directions and government directions.

Local coronavirus restriction regulations

“Traditionally” local coronavirus restrictions were imposed via standalone regulations similar to the national coronavirus restriction regulations. These laws were made by national governments, but only apply in a specified “protected area”.³ However, the UK nations moved away from this legislative approach in the autumn of 2020.

The UK Government has favoured the use of a tiered system for local lockdown restrictions.⁴ England’s four-tier system was legislated for via one set of regulations separated into schedules assigning differing rules to specific areas.⁵ The Scottish

² See: legislation.gov.uk, [coronavirus legislation](#), undated

³ See for example: [The Health Protection \(Coronavirus, Restrictions\) \(North East and North West of England\) Regulations 2020](#)

⁴ HC Deb, [Public Health](#), 4 November 2020, cc334

⁵ [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers\) \(England\) Regulations 2020](#)

Government imposed a similar system legislated for in the same way. Scotland is divided into “four levels” rather than three tiers.⁶ At present the whole of mainland Scotland is under “level four” restrictions.

The Welsh Government introduced a new alert level system on 20 December. The Welsh system is also legislated for via one set of regulations, and the Schedules set out the restrictions in each alert level.⁷ The whole of Wales is under “alert four” restrictions.

Local coronavirus restrictions are usually applied across local authorities.⁸ In England this has normally been upper-tier local authorities (counties and unitary authorities). However, the UK Government did use postcodes to construct a unique “protected area” in the Leicester City region between 4 July and 18 July.⁹

Local authority directions

Local authorities in Scotland have powers to issue “directions” imposing prohibitions, requirements or restrictions on individuals, premises, events and public spaces.¹⁰ Local authorities can use the powers to make local coronavirus restrictions. The Scottish Government has powers to compel local authorities to use these powers.¹¹ These powers were used to impose rules on gatherings and care homes in the Greater Glasgow area.

Local authorities in England have similar powers to close businesses, restrict events and restrict access to certain outdoor places by order.¹² The UK Government has issued [guidance on these powers](#).

UK Government directions

The UK Government can issue directions restricting access to public outdoor places (like a beach or park) using a power in England’s national coronavirus restriction regulations.¹³

The directions must be in response to a “serious and imminent threat to public health” and to prevent, protect against or control the spread of coronavirus.¹⁴ Directions must be proportionate, and the Government must consult public health officials before issuing them.¹⁵

Once a space is closed via direction the public cannot enter or remain there without a “reasonable excuse”.¹⁶ Those who live, work or own parts of the land have a reasonable excuse to be there. It is also reasonable to travel through restricted land to get to your home.¹⁷

⁶ Scottish Government, [Scotland’s strategic framework](#), 23 October 2020

⁷ [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#)

⁸ See for example: [r1\(4\), The Health Protection \(Coronavirus, Restrictions\) \(North East and North West of England\) Regulations 2020](#)

⁹ Schedule 1, [Part 1, The Health Protection \(Coronavirus, Restrictions\) \(Leicester\) Regulations 2020 \(revoked\)](#) [as made]

¹⁰ [The Health Protection \(Coronavirus, Restrictions\) \(Directions by Local Authorities\) \(Scotland\) Regulations 2020](#)

¹¹ [r4, The Health Protection \(Coronavirus, Restrictions\) \(Directions by Local Authorities\) \(Scotland\) Regulations 2020](#)

¹² [The Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 3\) Regulations 2020](#)

¹³ **Note:** Directions cannot be issued for the Crown Estate, see [r6\(3\), The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

¹⁴ [r6\(1\), The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

¹⁵ [Ibid, r6\(4\), The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

¹⁶ [r6\(11\), The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

¹⁷ [r6\(12\), The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

1.3 Coronavirus guidance and lockdown laws

There is now huge range of government guidance relating to coronavirus. Most coronavirus guidance is a mixture of information on the law and public health advice.

Government guidance should indicate something is public health *advice* instead of law by the way it is written. The use of 'should' and 'should not' tend to be used when describing advice whereas words like 'must' and 'can't' are typically used when describing law. Coronavirus guidance is not always written in this way. Concerns have been expressed that discerning which instructions are required under law and which are public health advice can be difficult.¹⁸

Some of the law described in coronavirus guidance is not 'lockdown laws'. There have been hundreds of pieces of legislation made to respond to coronavirus. In addition to new law, many existing laws are relevant to the coronavirus pandemic (for example health and safety legislation and employment law). It can sometimes be difficult to attribute the legal basis of an instruction given in coronavirus guidance.¹⁹

Key coronavirus guidance documents

England: [National lockdown: Stay at Home](#) provides an overview on the coronavirus restrictions in areas in the three different tiers.

Scotland: [Coronavirus \(COVID-19\): stay at home guidance](#) provides a mixture of public health advice and guidance on the restrictions in each Scottish protection level.

Wales: [COVID-19 alert levels](#) provides a mixture of public health advice and guidance on the Welsh coronavirus restrictions regulations in each alert level.

Northern Ireland: [Coronavirus regulations guidance: what the restrictions mean for you](#) provides guidance on Northern Irish national coronavirus restrictions regulations.

1.4 Making and amending lockdown laws

The UK and Welsh governments are making and amending coronavirus restrictions regulations using an "urgent" power in the [Health Protection \(Control of Diseases\) Act 1984](#).²⁰ The Scottish and Northern Irish Governments are using equivalent powers.²¹

This power allows the Government to make and bring into force coronavirus regulations without *prior* parliamentary scrutiny.²² However, Parliament must approve the regulations within 28 sitting days of them being made.²³

Some have raised concerns about the UK Government's approach to making and amending lockdown laws.²⁴ In response, Matt Hancock (the Secretary of State for Health and Social Care) promised the Commons that "for significant national measures with effect in the whole of England or UK-wide" the Government would hold votes (wherever

¹⁸ Institute for Government, [The government must draw a clear line between law and guidance during the coronavirus crisis](#), 1 April 2020

¹⁹ Ibid

²⁰ See for example: [Introductory text](#), *The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020*

²¹ See for example: [Introductory text](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020*; [Introductory text](#), *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020*

²² [s45R](#), *Public Health (Control of Disease) Act 1984*

²³ [s45R\(6\)](#), *Public Health (Control of Disease) Act 1984*

²⁴ BBC News, [Coronavirus: Support grows for rebel MPs over law](#), 27 September 2020

possible) before regulations come into force.²⁵ He also promised to provide Parliament with more opportunity to question the Government's scientific advisors.²⁶

The process *usually* followed when changes to coronavirus restriction regulations are made for England.

First, the Government announces an upcoming change in the law.

The Government has normally announced major changes a few days in advance. Often, though not always, this announcement has been accompanied by a Ministerial Statement to Parliament which allowed MPs to question the Government on the upcoming change.

Then, the Government publishes guidance on the prospective law.

The Government updates its main [online guidance page\(s\)](#). This normally happens within twenty-four hours of an announcement. More specific and detailed guidance is amended in the days and weeks that follow. There are generally no other sources of advice on changes in coronavirus restrictions until Government advice was updated.

The Government then makes regulations for the prospective change.

Normally, regulations that will have a "significant national effect" are published a few days in advance of coming into force.

Other regulations (for example those which amend the tier an area is assigned to) are made and brought into force without parliamentary debate.

The regulations are published on www.legislation.gov.uk. They are most easily found on the page displaying [secondary legislation with the word "coronavirus" in the title](#).

If the regulations are amendment regulations, the online version of the existing regulations they change will be updated within a few days, showing tracked changes over time.

Parliament votes to approve the regulations.

MPs will normally debate regulations that have a "significant national effect" at least the day before they come into force. MPs must approve these regulations if they are to have effect.

Regulations brought into force without prior parliamentary approval must be approved within 28 days of them coming into force, otherwise they cease to have legal effect. The Government normally schedules time for the House of Commons to consider these regulations within a fortnight of them being made. This period can be longer if Parliament is in recess.

MPs might not actually vote on regulations. The Speaker (or Deputy Speaker) can determine that there is enough support to pass regulations without a vote. More information on how this process works can be found on [Parliament's website](#).

²⁵ HC Deb, [Coronavirus Act 2020 \(Review of Temporary Provisions\)](#), 30 September 2020, cc389

²⁶ Ibid

2. Types of coronavirus restrictions

This section provides some information on the types of restrictions that have been used across the UK. It **does not** set out what restrictions are currently in place in each nation of the UK.

There are three categories of lockdown restriction within which an array of specific restrictions might be imposed:

- 1 **Gatherings restrictions:** There have been various gatherings restrictions imposed in different parts of the UK throughout the coronavirus pandemic. Generally, these laws seek to limit the number of people who can socialise together, particularly in high risk indoor settings.
- 2 **Movement restrictions:** Early in the pandemic the lockdown was built on a law which prohibited people from leaving home without a “reasonable excuse”. There have been other laws which placed travel restrictions on people. Laws have prevented people from travelling outside their local area and have prohibited travel between areas.
- 3 **Business restrictions:** Certain businesses have been required to close or operate under restrictions.

Relaxing and tightening restrictions

During “full national lockdowns” there tends to be less but more restrictive rules. As lockdown rules are relaxed the number of restrictions tends to proliferate.

This is because relaxed lockdown restrictions allow for more social interactions which governments then attempt to regulate to minimise the likelihood of coronavirus transmission. For example, in “full lockdowns” pubs and restaurants are closed. Therefore, there does not need to be rules regulating the number of households that can meet inside these places. During a “full lockdown” you are not allowed to leave or be outside of home without a “reasonable excuse”, so laws which regulate where you can go when outside of home (i.e. those which prevent you leaving your local area or travelling to other parts of the UK) are not needed.

2.1 Gatherings

Summary

Social gatherings ban



Social gatherings are almost completely banned.

Household mixing



People are prohibited from meeting those they do not live with. Sometimes these rules specify places (usually indoor spaces) where people cannot meet.

Rule of six



People are prohibited from gathering socially in groups larger than six unless it is for an exempted purpose.

Small gatherings



Other rules have permitted small gatherings of different sizes (i.e. not six people). Sometimes these rules have regulated the number of people by setting a maximum number of households that can meet.

Illegal raves/ large gatherings



Specific rules allow those enforcing lockdown laws to issue tougher penalties to people who participate or organise large gatherings or illegal raves.

Social gatherings ban

As made, the lockdown regulations in all four nations made it an offence to gather in public groups of *more than two*.²⁷ There were originally four listed exemptions to this rule that were very similar in each nation:

- Gatherings involving members of the same household.
- Gatherings essential for work purposes.
- Funerals.
- Gatherings necessary to move to a new house, provide care or assistance to a vulnerable person, provide emergency assistance, participate in legal proceedings or fulfil a legal obligation.

Similar near total bans on social gatherings have been imposed when national governments have reinstated “full lockdowns”.²⁸

Household mixing

Household mixing restrictions prohibit people meeting those they do not live with. Sometimes these rules specify places where people who do not live together cannot meet (i.e. indoors or in each other’s homes).

There have been exemptions to these rules, which have been different in different nations and at different times but have included:

- Allowing home visits necessary for work, education, childcare, to care for a vulnerable person, to move home and in the case of emergencies.²⁹
- Exemptions for people who have formed a support bubble or extended household.³⁰
- Compassionate exemptions which allow people to visit those giving birth (if requested) or someone they believe is dying.³¹

Support bubbles and extended households

Support bubbles and extended households are terms sometimes used interchangeably, but they describe two different legal arrangements used in lockdown laws.

The phrase “**support bubble**” is used to describe an arrangement where two households join together. Previously, this arrangement was only possible between an adult who lived alone or in a single parent household and the adult(s) in one other household. However, it is now possible for the following households to also form a support bubble with another household:

- any household with a child under one;
- any household with a child under five with a disability that needs continuous care; and
- any household where one adult is living with another adult (or adults) with a disability who requires continuous care.³²

²⁷ [r7](#), *The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020* [as made]; [r6](#), *The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020* [as made]; [r8\(5\)](#), *The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020* [as made]; [r6](#), *The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020* [as made]

²⁸ [r4](#), *The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020*

²⁹ See for example: Schedule 1 *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020* [r2\(4\)](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Amendment Regulations 2020* (**note**: suspended and replaced until 26 Oct. – see [SSI 2020/318](#)); Schedule 2, [para 2](#), *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020*

³⁰ See for example: *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020*

³¹ See for example: *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020*

³² [r3](#), *The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020*



Once joined in a support bubble the two households are considered as one under lockdown laws. Support bubbles have a legal status in England and Wales.³³

The phrase “**childcare bubble**” is used to describe a situation where two households are linked for the purposes of providing informal childcare. This arrangement is defined in legislation in England and can only apply where one household includes at least one child under the age of 13.³⁴

An “**extended household**” is an arrangement between *any* two or more households. Extended households are effectively treated as one household in the lockdown laws. At present two households can form an extended household in Wales.³⁵

Individuals can only be a member of one support bubble/ extended household. You *cannot* change the membership of support bubble or extended household.³⁶ However, in England, people can be part of a support bubble and a childcare bubble.³⁷

Rule of six

The “rule of six” gatherings restriction prevented people from socialising in groups larger than six in most circumstances. Different versions of the “rule of six” have been in force across the UK. Some “rule of six” restrictions applied only to indoor/ outdoor gatherings. Exemptions to the rule of six have also differed, some examples include:

- Gatherings only involving people who live in the same household or support bubble;³⁸
- Elite sport;³⁹
- Significant life events, such as wedding and funerals;
- To attend a place of worship; and
- Where it is reasonably necessary for work purposes, childcare or education.

Small gatherings

Other rules have been imposed which are like the rule of six but permit different sizes of small gatherings. For example, outdoor gatherings of up to fifteen people were permitted in Northern Ireland in the autumn of 2020.⁴⁰



³³ See, for example: Schedule 1, *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*; [r33](#), *The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020*

³⁴ [Schedule 1 \(para 6\) The Health Protection \(Coronavirus, Local COVID-19 Alert Level\) \(High\) \(England\) Regulations 2020](#)

³⁵ r5, *The Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020*

³⁶ *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*, *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020*; [r2](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020* (**note:** suspended and replaced until 26 Oct. – see [SSI 2020/318](#)); Schedule 2, [para 3](#), *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020*

³⁷ [Para 6, Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020*

³⁸ [Para 1 Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*

³⁹ [Para 3\(14\) Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*

⁴⁰ See section 3.4 of this paper.

Large gatherings/ Illegal raves

Specific rules have been made to further discourage unlicensed music events during the pandemic.⁴¹ There are also specific laws which allow those who organise and participate in large gatherings to be issued higher penalties.⁴²

During the summer of 2020, whilst lockdown restrictions were relaxed, England’s gatherings restrictions only prohibited large gatherings (those involving more than thirty people). The penalty for this rule was the same as the “rule of six” restriction it replaced.



2.2 Movement

Summary			
Staying home	Not staying away	Staying Local	UK travel restrictions
			
People are prohibited from leaving their home without a “reasonable excuse”.	People are prohibited from staying overnight somewhere other than their home without a reasonable excuse.	People are prohibited from leaving their local area without a “reasonable excuse”. This restriction also prevents people from entering the specified area without a “reasonable excuse”	People are prohibited from travelling to specified areas from another specified area. These rules prevented people moving to and from “high risk” areas.

Staying home

Legally, the original lockdown in each nation was built on a requirement to **stay home**. People were prohibited from leaving home without a “reasonable excuse”.

As made, coronavirus restrictions regulations in all four nations made it an offence to be leave home without a “reasonable excuse”.⁴³ In England and Wales it was an offence be ‘outside of’ home without a reasonable excuse between 21 April and 1 June.⁴⁴



The regulations did not limit the number of times a person could leave their home per day, how far they could travel or the length of time they could spend outside. Individuals were permitted to leave home multiple times and for any period provided they had a “reasonable excuse”.

The regulations did not define the term “reasonable excuse” but they did provide non-exhaustive lists of reasonable excuses to be outside.⁴⁵ As the lists were non-exhaustive,

⁴¹ [Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*

⁴² [Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*

⁴³ [r6](#), *The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020* [as made]; [r5](#), *The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020*; [r8](#), *The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020* [as made]; [r5](#), *The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020*

⁴⁴ [r2\(4\)\(a\)](#), *The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020*; [r4\(2\)](#), *The Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020*; see also: House of Commons Library, [Coronavirus: Parliamentary consent for the lockdown in England](#), 4 May 2020

⁴⁵ [r6](#), *The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020* [as at 31 May 2020]; [r8\(5\)](#), *The Health Protection (Coronavirus Restrictions) (Scotland) Regulations 2020*; [r8](#), *The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020*; [r5](#), *The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020*

individuals were permitted be outside for a reason not listed provided it could be considered reasonable.

The list of reasonable excuses was different in all four nations and the governments of each nation made differing amendments to the lists during the first three months of the lockdown. Originally these lists were quite restrictive but did include things like shopping for necessities, exercising, escaping harm and conducting work that it is not “reasonably possible” to do from home. Following the second review of the lockdown laws (in early May) the four nations began to relax this restriction by adding “outdoor recreation” to these lists. In doing so the focus of lockdown enforcement in the UK began to shift away from the prohibition on leaving home onto restrictions on gatherings.

The stay home restriction has been reinstated when nations have returned to national lockdowns. The non-exhaustive list of “reasonable excuses” has been different when the rule has been reinstated.

Staying local

Staying local restrictions have been used both nationally and locally. They have prohibited people from leaving their local area without a “reasonable excuse”. The rules have also prevented people from entering the specified area. There have been specific “reasonable excuses” for leaving a protected area, including:

- obtaining medical and “essential” supplies;
- providing emergency assistance;
- attending attend a marriage, civil partnership ceremony or funeral; and
- moving house.⁴⁶

Not staying away

People have been prohibited from staying “overnight” away from home without a reasonable excuse.⁴⁷ There is normally a non-exhaustive list of reasonable excuses for staying overnight somewhere away from home. It includes things like when it is “reasonably necessary” for work, to provide care or emergency assistance and when it is not safe or lawful to stay at home.⁴⁸

UK travel restrictions

The Welsh and Scottish Governments have imposed travel restrictions which restrict people living in other parts of the UK entering their countries without a “reasonable excuse” (and vice a versa).⁴⁹ The list of reasonable excuses is slightly different in Wales and Scotland but both include work and travel for essential purposes.⁵⁰



⁴⁶ Schedule 4A, Part 2, [para 3](#), *The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020*

⁴⁷ [r6](#), *The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020* [as at 13 June 2020]




⁴⁸ [r6\(2\)](#), *The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020* [as at 13 June 2020]

⁴⁹ Welsh Government, [Coronavirus regulations: frequently asked questions: travelling and public transport](#), 19 October 2020; Scottish Government, Coronavirus (COVID-19): guidance on travel and transport: [Travel between Scotland and the rest of the UK, Ireland, the Channel Islands and the Isle of Man](#), [last accessed 27/11/20]

⁵⁰ [r9](#), *The Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020*; Scottish Government, Coronavirus (COVID-19): guidance on travel and transport: [Travel between Scotland and the rest of the UK, Ireland, the Channel Islands and the Isle of Man](#), [last accessed 27/11/20]

2.3 Businesses

Summary

Closures	Opening hours	Alcohol sales
		
Certain high-street businesses are required to close and (if applicable) move their business to online/ delivery only. The businesses that have been required to close has changed over time.	Hospitality businesses opening hours are restricted.	The sale of alcohol is restricted in some way. Rules have prevented the sale alcohol at certain times. Rules have also stipulated that restaurants/ pubs must sell alcohol with a “main meal”.
Businesses that are open are also subject to health and safety law as well as several additional restrictions, such as the requirement to collect staff and customer data for NHS Test & Trace. The Government has provided guidance on working safely during Covid-19 which provides more information.		

Business closures

The lockdown laws in all four nations initially required a wide range of high-street businesses to close their premises. There were four broad types of restrictions:

- Some businesses (e.g. cinemas; hairdressers) were required to close their premises entirely;
- Some businesses (e.g. restaurants; cafes) were required to close their premises except for processing takeaways / deliveries;
- Some businesses (e.g. non-essential retailers) were required to close except for processing online orders; and
- Some businesses (e.g. hotels) were required to close except for carrying out certain permitted activities.⁵¹

The list of businesses required to close differs between the four nations. Up-to-date lists of business closures can be found on the relevant [UK](#), [Scottish](#), [Welsh](#) and [Northern Irish](#) government websites.

Restrictions on opening hours

In September 2020 new rules restricting the opening hours of certain businesses were introduced. These rules were sometimes referred to as “curfews”. The most widely applied of these is that hospitality businesses will need to close at 10pm, but other restrictions on businesses opening have applied.

The restrictions applied to a range of businesses listed in the legislation. These have included restaurants, pubs, cafes, cinemas, theatres, arcades and more.⁵²

There are a number of exceptions to these rules, which may include:

- That businesses can continue to provide food or drink for delivery or drive-thru but not for takeaway;
- That rules do not apply to motorway service stations.
- cinemas, concert halls and theatres may be able to stay open to conclude a performance that began before 22:00; and

⁵¹ See generally [Coronavirus: Business re-opening](#), Commons Library Briefing Paper CBP-8945, 5 August 2020

⁵² [Schedule 1](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020*



- workplace canteens can remain open in some circumstances.

Restrictions on alcohol sales

The sale of alcohol has been restricted. Rules have:

- prevented certain businesses from selling alcohol at all.⁵³
- prohibited the sale of alcohol for consumption inside licenced premises.⁵⁴
- prevented the sale of alcohol during specific times of the day.⁵⁵
- required certain business to sell alcohol with a main/ substantive meal.⁵⁶



⁵³ See: Schedule 4, Part 2, [para 5](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020*

⁵⁴ See: Scottish Government, [New moves to stop COVID-19 spread](#), 7 October 2020; [r14](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020*

⁵⁵ See: [r15\(3\)](#), *The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020*

⁵⁶ See: [r15](#), *The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020* [as at 14/10/20]

3. National rules





3.1 England

On Monday 4 January, the Prime Minister, Boris Johnson, addressed the nation to announce a third national lockdown for England.⁵⁷ The Prime Minister said that hospitals “are under more pressure from Covid than at any time since the start of the pandemic”. He said it was “clear that we need to do more, together, to bring [the] new variant of the virus under control while our vaccines are rolled out”.⁵⁸

The Government made amendment regulations on 5 January 2021 to the existing tier system regulations. These regulations brought the national lockdown into force at midnight on 6 January. The House of Commons will be recalled on 6 January 2021 to debate and approve the new national restrictions.

The regulations will expire on 31 March (unless revoked or replaced before).⁵⁹ The Prime Minister has said that he hopes that schools will be able to re-open from February half term and areas may be able to move down tiers from then.⁶⁰

New Government guidance [national lockdown: stay at home](#) provides further detail on the current coronavirus restrictions in England. The table below summarises the main rules.

England's coronavirus restrictions			
Movement	Gatherings		Businesses
<p>Staying home</p>  <p>People are prohibited from leaving their home without a “reasonable excuse”.</p>	<p>Social gatherings ban</p>  <p>People are prohibited from gathering with those outside their support bubble unless it is for an exempted purpose.</p>	<p>Large gatherings</p>  <p>Those who organise illegal gatherings of 30 or more people face higher penalties.</p>	<p>Closures</p>  <p>Hospitality must close but are permitted to operate via takeaway or delivery only.</p> <p>Non-essential retail must close but are permitted to operate via click and collect or delivery only.</p>

3.2 Scotland

On 4 January 2020 the Scottish Parliament was recalled. First Minister Nicola Surgeon gave a statement in which she announced that Scotland “must return to a situation much

⁵⁷ Prime Minister's Office, 10 Downing Street, [Prime Minister announces national lockdown](#), 4 January 2021

⁵⁸ Prime Minister's Office, 10 Downing Street, [Prime Minister's address to the nation](#), 4 January 2021

⁵⁹ [r3\(2\)](#), *The Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021*

⁶⁰ Prime Minister's Office, [Prime Minister's address to the nation: 4 January 2021](#)

closer to the lockdown of last March.” She said that, at least for the whole of January, people in mainland Scotland must “stay home” and only leave home for essential purposes.⁶¹

The Scottish Parliament approved amendments to the existing Scottish regulations to bring the new measures into force the same day. The rules came into force on 5 January 2020.⁶² The First Minister promised to keep the restrictions “under review”. The regulations underpinning the restrictions will expire on 31 March unless revoked or replaced before.⁶³

The Scottish Government has provided detailed guidance on the restrictions on their webpage [Coronavirus \(COVID-19\): stay at home guidance](#). The table below summarises the main restrictions.

Mainland Scotland coronavirus restrictions ⁶⁴			
Movement		Gatherings	Businesses
Staying home 	UK travel restrictions 	Social gatherings ban 	Closures 
People are prohibited from leaving their home without a “reasonable excuse”.	People not living in mainland Scotland cannot travel to mainland Scotland unless they have a “reasonable excuse”.	People cannot gather socially with those outside of their support bubble. Indoor gatherings and outdoor gatherings of no more than two people are banned unless they are for an exempted purpose.	Hospitality must close but are permitted to operate via takeaway or delivery only. Non-essential retail must close but are permitted to operate via click and collect or delivery only.

3.3 Wales

A new system of Alert Levels in Wales were first announced by the Welsh Government on 18 December 2020.⁶⁵ The [Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#) provide for the introduction of the new system, as set out in the Welsh Government’s updated [Coronavirus Control Plan](#). Initially the alert level would apply nationally in Wales, with scope for regional or local variations at a later date. It was planned for Wales to move to ‘Alert Level 4’ at 6pm on Christmas Day, while Christmas bubble provisions were reduced to two households.

⁶¹ Scottish Government, [Coronavirus \(COVID-19\) update: First Minister’s statement](#), 4 January 2021

⁶² r1, *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021*







⁶³ r9, *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020*

⁶⁴ [Schedule 5](#), *The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020*; Scottish Government, [Coronavirus \(COVID-19\): stay at home guidance](#), 4 January 2020

⁶⁵ Welsh Government, [Written Statement: Introduction of the Health Protection \(Coronavirus Restriction\) \(No.5\) \(Wales\) Regulations 2020](#), 18 December

On 19 December 2020, with rising cases in Wales, the First Minister, Mark Drakeford, announced that Wales would move to Alert Level 4 from 20 December; he noted that the change was in line with changes in made in England.⁶⁶

The Welsh Government has issued [online guidance](#) which provides further information on Alert level 4. The table below summarises the main restrictions.





Welsh coronavirus restrictions					
Movement		Gatherings		Businesses	
Staying home 	UK travel restrictions 	Social gatherings ban 	Large gatherings 	Closures 	Alcohol sales restrictions 
People are prohibited from leaving their home without a "reasonable excuse".	People are prohibited from traveling to and from Wales without a "reasonable excuse".	People are prohibited from meeting those not part of their household/support bubble inside private dwellings, gardens or in outdoor spaces.	Those who organise indoor gatherings of more than 15 or outdoor gatherings of more than 30 (excluding under 11s) face higher penalties. Elite Sporting Events require authorisation from Welsh Ministers.	Hospitality must close but are permitted to operate via takeaway or delivery only. Non-essential retail must close but are permitted to operate via click and collect or delivery only.	Alcohol sales only allowed between 6am and 10pm

3.4 Northern Ireland

The Northern Ireland Executive agreed new coronavirus restrictions on 5 January. These will become law on Friday 8 January, but the First Minister, Arlene Foster has said people should not wait for the law to take effect and should follow the stricter 'stay at home' rules immediately.⁶⁷ The Northern Ireland Executive maintains [guidance on the legal restrictions applicable in Northern Ireland](#). The table overleaf summarises the rules which will be in force from 8 January 2021.

⁶⁶ Welsh Government, [First Minister statement](#), 19 December

⁶⁷ *BBC News*, [Covid-19: 'Stay at home' to become law in NI on Friday](#), 5 January 2021

National rules in Northern Ireland ⁶⁸			
Movement	Social gatherings		Businesses
<p>Stay home</p>  <p>People are prohibited from leaving their home without a "reasonable excuse".</p>	<p>Household mixing</p>  <p>People are prohibited from meeting anyone outside their household inside unless for an exempted purpose.</p>	<p>Rule of six</p>  <p>Up to six people (not including children under 12) from two households can meet outside.</p>	<p>Closures</p>  <p>Non-essential retail closed (delivery allowed)</p> <p>Hospitality venues closed (takeaway orders allowed until 11pm).</p>

⁶⁸ Northern Ireland Executive, [Executive statement on additional restrictions](#), 5 January 2021

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