

By Sarah Barber,
Jennifer Brown,
Daniel Ferguson

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Coronavirus: lockdown laws



Summary

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Summary

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?

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

- England: [\(COVID-19\) Coronavirus restrictions: what you can and cannot do](#)
- Scotland: [Coronavirus \(COVID-19\): local protection levels](#)
- Wales: [Current restrictions](#)
- Northern Ireland: [Coronavirus \(COVID-19\) regulations guidance: what the restrictions mean for you.](#)

Currently, England, Scotland and Wales all have systems of coronavirus restrictions in place where it is possible to move through steps/levels of restrictions.

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 have also been used.

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.

Other Library briefings about lockdown laws

[Coronavirus: a history of English lockdown laws](#)

[Coronavirus: enforcing restrictions](#)

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

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" has been 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 in place), this has included a ban on leaving the UK.

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 have restricted the **sale of alcohol**.

Other types of coronavirus restrictions

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 businesses to collect customer data for Test and Trace, to operate by table service only, to ensure social distancing between and to limit the size of parties making bookings.
- 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](#) has been compiled on [legislation.gov.uk](#)

1 What are 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 regulations 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 four national lockdown laws in the UK. One for each UK nations:

- **England:** [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#)
- **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 \(Coronavirus, Restrictions\) Regulations \(Northern Ireland\) 2021](#)

1.1 Coronavirus restrictions regulations

The lockdown laws are set out in ‘coronavirus restriction regulations’, secondary legislation made using powers in public health legislation.

There are many “coronavirus restrictions regulations”. The Library does **not** describe **all** coronavirus restriction regulations as “lockdown laws” (though others might). The Library distinguishes between four main types of coronavirus restrictions regulations.

Types of national coronavirus restrictions regulations




Lockdown



There are three categories of lockdown restriction:

- **Movement restrictions:** People have been required to “stay home” or “stay local” or stay in the United Kingdom.

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

	<ul style="list-style-type: none"> • Gatherings restrictions: People have been prohibited from meeting in groups. They have also restricted people from mixing with those they do not live with or have not formed a support bubble with. Often restrictions have distinguished between indoor and outdoor gatherings. • Business restrictions: Certain businesses have been required to close or operate with restrictions.
Face coverings 	<p>Most people in the UK are required to wear a face covering in shops, on public transport and in other public spaces (like museums and libraries) when they have been open. Some people are exempt from the requirement for medical or emergency reasons.</p>
International travel restrictions 	<p>There have been restrictions on international travel throughout the pandemic. Currently, there is a traffic light system for travel to different countries – requirements for travel, such as testing and self-isolation will depend on whether the country some is arriving from is designated as green, amber or red. More information on this is provided in the Library briefing, Coronavirus: International Travel FAQs for England.</p>
Self-isolation 	<p>People who have tested positive for coronavirus and their close contacts are required to self-isolate for ten days from when their symptoms began.</p>

Sometimes the same set of regulations contain more than one type of coronavirus restrictions. For example, [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#) contains Welsh lockdown laws, face covering laws and self-isolation laws. In England there are separate regulations for each of the main categories of coronavirus restrictions:

- **Lockdown:** [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#)
- **Face coverings:** [The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) Regulations 2020](#) and [The Health Protection \(Coronavirus, Wearing of Face Coverings on Public Transport\) \(England\) Regulations 2020](#)
- **International travel quarantine:** [The Health Protection \(Coronavirus, International Travel and Operator Liability\) \(England\) Regulations 2021](#)
- **Self-isolation:** [The Health Protection \(Coronavirus, Restrictions\) \(Self-Isolation\) \(England\) Regulations 2020](#)

Further coronavirus restrictions regulations set out what information businesses must keep about their customers for the purposes of the test and

trace system.³ There are also regulations that require businesses to limit booking sizes to the number of people that are permitted to gather under the lockdown laws and to maintain social distancing between groups/tables.⁴ There are coronavirus restrictions regulations which give local authorities powers to impose restrictions and enforce some coronavirus restrictions.⁵

1.2

Making and amending coronavirus restrictions regulations

The UK and Welsh governments are making and amending coronavirus restrictions regulations using an “urgent” power in the [Public Health \(Control of Diseases\) Act 1984](#).⁶ The Scottish and Northern Irish Governments are using equivalent powers (which as discussed below are derived from the Coronavirus Act 2020).⁷

The 1984 Act (as amended) allows both the UK and Welsh governments to make regulations in response to the spread of an infectious disease.⁸ It gives the UK and Welsh governments powers to include a wide variety of measures in these regulations. For example, regulations can create “restrictions or requirements” on “persons, things or premises” and create offences.⁹

Section 45R of the 1984 Act allows the UK Government to make and bring into force coronavirus regulations for England without prior parliamentary scrutiny.¹⁰ However, Parliament must approve the regulations within 28 sitting days of them being made.¹¹

In September 2020, following concerns about the UK Government’s approach to making and amending lockdown laws,¹² the Secretary of State for Health and Social Care, Matt Hancock, promised that “for significant national measures with effect in the whole of England or UK-wide” the Government

³ [The Health Protection \(Coronavirus, Collection of Contact Details etc and Related Requirements\) Regulations 2020](#)

⁴ [Health Protection \(Coronavirus, Restrictions\) \(Obligations of Undertakings\) \(England\) Regulations 2020](#)

⁵ [Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 3\) Regulations 2020](#) and [The Health Protection \(Coronavirus, Restrictions\) \(Local Authority Enforcement Powers and Amendment\) \(England\) Regulations 2020](#)

⁶ See for example: [Introductory text](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

⁷ 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

⁸ [s45C1](#), Public Health (Control of Disease) Act 1984

⁹ [s45C\(3\)\(c\)](#) and [s45E](#), Public Health (Control of Disease) Act 1984

¹⁰ [s45B](#), Public Health (Control of Disease) Act 1984

¹¹ [s45B\(6\)](#), Public Health (Control of Disease) Act 1984

¹² BBC News, [Coronavirus: Support grows for rebel MPs over law](#), 27 September 2020

would hold votes (wherever possible) before regulations come into force.¹³ He also promised to provide Parliament with more opportunity to question the Government's scientific advisors.¹⁴

MPs have voted ahead of new English lockdown measures coming into force four times: in early November 2020, before England entered its second national lockdown, in December 2020 (at the end of the second lockdown), to introduce the second tier-system, in mid-March 2021 to begin easing restrictions at the end of the third national lockdown and on 16 June.¹⁵ MPs were recalled from Christmas Recess in early-January 2021 and voted for a second national lockdown in England on the day it started.¹⁶

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

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

Currently, the 'Roadmap regulations' set out the different 'steps' of restrictions that may be applied and the Government's roadmap states the earliest date on which the step may be introduced. The Government has announced, about a week before this date, whether the move to the next step will take place.

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 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.

¹³ HC Deb, [Coronavirus Act 2020 \(Review of Temporary Provisions\)](#), 30 September 2020, cc389

¹⁴ Ibid

¹⁵ HC Deb, [Public Health](#), 4 November 2020; HC Deb, [Public Health](#), 1 December 2020; HC Deb, [Coronavirus](#), 25 March 2021

¹⁶ HC Deb, [Covid-19](#), 6 January 2020

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](#).

1.3

Local lockdowns

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

At the time of writing, only Scotland has areas where different coronavirus restriction levels apply.

Local coronavirus restriction regulations

The first local lockdowns were imposed via standalone coronavirus restriction regulations. These laws were made by national governments, but only apply in a specified “protected area”.¹⁷ However, the UK nations moved away from this legislative approach in the autumn of 2020.

The UK Government favoured the use of a tiered system for local lockdown restrictions in the autumn of 2020.¹⁸ England’s four-tier system was legislated for via one set of coronavirus restrictions regulations separated into schedules assigning differing rules to specific areas.¹⁹ The Scottish and Welsh Government imposed a similar systems legislated for in much the same way.²⁰

Local lockdowns were applied across local authorities.²¹ In England this was normally 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.²²

¹⁷ See for example: [The Health Protection \(Coronavirus, Restrictions\) \(North East and North West of England\) Regulations 2020](#)

¹⁸ HC Deb, [Public Health](#), 4 November 2020, cc334

¹⁹ [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers\) \(England\) Regulations 2020](#)

²⁰ Scottish Government, [Scotland’s strategic framework](#), 23 October 2020; [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#)

²¹ See for example: [r1\(4\)](#), [The Health Protection \(Coronavirus, Restrictions\) \(North East and North West of England\) Regulations 2020](#)

²² Schedule 1, [Part 1](#), [The Health Protection \(Coronavirus, Restrictions\) \(Leicester\) Regulations 2020](#) (revoked) [as made]

Local authority directions

Local authorities in Scotland have powers to issue “directions” imposing prohibitions, requirements or restrictions on individuals, premises, events and public spaces.²³ Local authorities can use the powers to make local coronavirus restrictions. The Scottish Government has powers to compel local authorities to use these powers.²⁴ 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.²⁵ 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).²⁶ However, at the time of writing, this power has never been used.

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.²⁷ Directions must be proportionate, and the Government must consult public health officials before issuing them.²⁸

Once a space is closed via direction the public cannot enter or remain there without a “reasonable excuse”.²⁹ 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.³⁰

1.4

Coronavirus guidance

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’

²³ The Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Regulations 2020

²⁴ [r4](#), The Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities) (Scotland) Regulations 2020

²⁵ The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020

²⁶ **Note:** Directions cannot be issued for the Crown Estate, see [r6\(3\)](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

²⁷ [r6\(1\)](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

²⁸ *Ibid*, [r6\(4\)](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

²⁹ [r6\(11\)](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

³⁰ [r6\(12\)](#), The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020

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.³¹

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.³²

Guidance for specific local areas

In May 2021, the UK Government changed the [guidance on what people can and can’t do in England](#) under current coronavirus restrictions to introduce extra precautions in areas where there were clusters of the Delta (B.1.617.2) variant, first observed in India. The guidance advised people living in seven local authority areas to only meet outside where possible and advised against travel in or out of these areas.

The Government updated the guidance again a few days later to make clear that no new restrictions were in place in these areas. However, guidance in the areas most affected by the Delta variant remains that people should use caution, should meet inside rather than outside, and minimise travel where possible.

³¹ Institute for Government, [The government must draw a clear line between law and guidance during the coronavirus crisis](#), 1 April 2020

³² Institute for Government, [The government must draw a clear line between law and guidance during the coronavirus crisis](#), 1 April 2020

Concerns were raised following the change in the guidance that no announcement was made prior to the change in guidance and that it had led to some confusion.³³

A legal requirement to take account of guidance

In some circumstances, there is a legal requirement to “take account” of the Government guidance. For example, under [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#), organisers of “permitted organised gatherings”³⁴ must take certain precautions by meeting two requirements:

- Undertaking a risk assessment that would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999; and
- Take all reasonable steps to limit the transmission of coronavirus, taking into account the risk assessment above and “any guidance issued by the government which is relevant to the gathering”³⁵

A legal requirement to take account of coronavirus guidance was first introduced in regulation 5 of the [Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#).

Key guidance documents

England: [\(COVID-19\) Coronavirus restrictions: what you can and cannot do](#) provides an overview on the coronavirus restrictions in place in England.

Scotland: [Coronavirus \(COVID-19\): local protection levels](#) 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.

³³ See, for example: BBC News, [Covid: New government guidance for Leicester 'was incorrect'](#) 25 May 2021, and The Guardian, [Ministers back down over limiting travel to English Covid hotspots](#), 25 May 2021

³⁴ Permitted organised gatherings are defined in R5 [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#),

³⁵ R6, [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#),

1.5

Coronavirus Act 2020

Coronavirus restrictions regulations in England and Wales are **not** legally related to the Coronavirus Act 2020. As explained above, coronavirus restrictions regulations are made using powers in the Public Health (Control of Diseases) Act 1984.

Coronavirus restrictions regulations in Scotland and Northern Ireland are connected to the Coronavirus Act 2020. [Sections 48 and 49](#) (which introduce Schedules 18 and 19) of the 2020 Act grant Scottish and Northern Irish ministers³⁶ similar public health powers to those English and Welsh ministers have through 1984 Act.

What does the Coronavirus Act 2020 do?

The Coronavirus Act 2020 is a wide-ranging piece of legislation. Powers in the 2020 Act have been used to close schools, set up the job retention scheme and allowed the Government to postpone the 2020 local elections.

The Government has summarised the 2020 Act's provisions into five key areas:

1. **increasing the available health and social care workforce** – for example, by removing barriers to allow recently retired NHS staff and social workers to return to work (and in Scotland, in addition to retired people, allowing those who are on a career break or are social worker students to become temporary social workers)
2. **easing the burden on frontline staff** – by reducing the number of administrative tasks they have to perform, enabling local authorities to prioritise care for people with the most pressing needs, allowing key workers to perform more tasks remotely and with less paperwork, and taking the power to suspend individual port operations.
3. **containing and slowing the virus** – by reducing unnecessary social contacts, for example through powers over events and gatherings, and strengthening the quarantine powers of police and immigration officers.
4. **managing the deceased with respect and dignity** – by enabling the death management system to deal with increased demand for its services.

³⁶ Coronavirus restriction regulations in Northern Ireland are made using powers in the Public Health Act (Northern Ireland) 1967, which were inserted by section 48 and schedule 18 of the Coronavirus Act 2020.

5. **supporting people** – by allowing them to claim Statutory Sick Pay from day one, and by supporting the food industry to maintain supplies.³⁷

The Library published a [series of briefings](#) on the Coronavirus Bill 2019-21 before it was considered by the House and passed into legislation. These briefings provide more information on the Bill's provisions.

The Government has been publishing reports every two months on the status of the non-devolved provisions in the 2020 Act. The latest report [Coronavirus Act one-year report: March 2021](#) includes a “one year review” of the 2020 Act.

Parliament most recently debated the renewal of parts the Coronavirus Act in March 2021. The Library produced [a briefing](#) prior to this debate on the legislation and which parts of this were subject to renewal.

³⁷ Department of Health & Social Care, What the Coronavirus Bill will do: [contents of the Bill](#), 26 March 2020

2

England

England's current lockdown law is [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#) (The Roadmap Regulations). The Regulations will expire on 31 June 2021 unless revoked or replaced before.³⁸ The UK Government is required to review the need for the Roadmap Regulations every 35 days.³⁹

The Roadmap Regulations legislate for the Government's [roadmap out of lockdown](#) published 22 February 2021 as part of its [Spring 2021 response to COVID-19](#). The Spring 2021 strategy also includes information on the Government's vaccine roll out programme, their coronavirus testing strategy and how they will respond to new coronavirus variants of concern.

The Roadmap Regulations are divided into six parts:

Part 1 sets out the circumstances where a linked household (or support bubble) or linked childcare household (or childcare bubble) may be formed between two households. It also provides for permitted outdoor gathering under certain circumstances.

Part 2 introduces Schedules 1, 2 and 3 which set out three "steps" of lockdown restrictions. The Government will be able to move England (or areas within England) between the steps by amending the Roadmap Regulations. This is comparable to how the Government moved England (or areas within England) between tiers under the lockdown law in force after the second lockdown.

Part 3 introduces a restriction on leaving the UK. Recent regulations implementing coronavirus restrictions required individuals to stay at home unless it was reasonably necessary to leave home for purposes such as work and education. This requirement is no longer in place but there are now restrictions on international travel. More information is provided in section 2.2 below. Part 3 also introduces Schedule 5 and 6 which lists reasonable excuses to travel outside of the UK and set out which individuals are exempt from the restrictions on leaving the UK.

Part 4 provides powers for the Secretary of State to disapply the coronavirus restrictions to a specific premises or event for the purpose of research on the potential transmission of Covid-19 in controlled environments. The Secretary of State must seek advice from the Chief Medical Officer before making such a direction. This is a new power that wasn't present in previous iterations of England's lockdown law. It appears to allow the Government to pilot and

³⁸ [r21. The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#)

³⁹ [r20. The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#)

sanction some large ticketed events as the [roadmap out of lockdown](#) says will happen during steps 2 and 3.

Part 5 provides the police and others⁴⁰ with powers to enforce the restrictions. These powers are like those the police already have to police lockdown laws and other coronavirus restrictions. Police powers to enforce coronavirus restrictions are discussed in the Library briefing [Coronavirus: enforcing restrictions](#).

Part 6 contains final provisions including those regarding review and expiry of the regulations. It also introduces Schedule 8 which makes amendments to other coronavirus related regulations such as the self-isolation regulations, contact detail regulations and the international travel regulations.

2.1

The steps

The Roadmap Regulations provide for three legal “steps” of lockdown restrictions. The Government’s [roadmap out of lockdown](#) sets out a four-step process for easing lockdown. Step four, which the Government says will be reached “no earlier than 21 June”, involves lifting “all legal limits on social contact”.⁴¹ It is not clear what, if anything, will replace the Roadmap Regulations when step four is reached.

The UK Government has provided indicative dates for the earliest point at which they expect to be able to move England through the levels. The Government’s [COVID-19 Response - Spring 2021](#) explained that England would move through the four steps subject to four tests:

1. The vaccine deployment programme continues successfully.
2. Evidence shows vaccines are sufficiently effective in reducing hospitalisations and deaths in those vaccinated.
3. Infection rates do not risk a surge in hospitalisations which would put unsustainable pressure on the NHS.
4. Our assessment of the risks is not fundamentally changed by new Variants of Concern.⁴²

At present, the whole of England is under step three restrictions.

⁴⁰ As designated by the Secretary of State or a local authority.

⁴¹ Cabinet Office, COVID-19 Response - Spring 2021 (Summary): [Step 4](#), 22 February 2021

⁴² Cabinet Office, [COVID-19 Response - Spring 2021](#), 23 February 2021, para 83

On 14 June, the Prime Minister announced that the move to step four of the roadmap would be delayed until 19 July.⁴³

On 21 June, amendments came into force to the Roadmap regulations to remove capacity limits for wedding and civil partnership ceremonies, and for commemorative events after a person's death. The changes also make provision for the holding of large event pilots.⁴⁴

The Government has provided detailed guidance on the current rules applicable in England on its guidance page: [\(COVID-19\) Coronavirus restrictions: what you can and cannot do](#) (this link should always direct to the most up to date guidance).

England: Lockdown restrictions steps			
Movement		Gatherings	Business
1 (from 29 March)	N/A	Rule of six or two households (outdoors) People are prohibited from meeting inside with people not in their household/support bubble unless exemptions apply. Outdoor gatherings involving more than six people or people from only two households are prohibited unless exempted. Exemptions include gatherings of people from only two households and organised team sports.	Closures Non-essential retail, hospitality venues and close contact venues must remain closed (except click and collect, takeaway and delivery).
		Rule of six or two households (outdoors) People are prohibited from meeting inside with people not in their household/support bubble unless exemptions apply. Outdoor gatherings involving more than six people are prohibited unless exempted.	Reopening Non-essential retail and personal care services can re-open. Hospitality venues may offer food and

⁴³ Prime Minister's Office, [PM statement at coronavirus press conference: 14 June 2021](#)

⁴⁴ [Health Protection \(Coronavirus, Restrictions\) \(Steps and Other Provisions\) \(England\) \(Amendment\) \(No. 2\) Regulations 2021](#)

				drink for consumption outdoors.
		Large gatherings (outdoors)	Rule of six or two households (indoors)	Reopening
3 (17 May)	N/A	Outdoor gatherings over 30 people prohibited.	Indoor gatherings involving more than six people are prohibited unless exempted.	Hospitality can reopen inside with table service. Businesses such as nightclubs and sexual entertainment venues must remain closed.
4 (No earlier than 21 June)	Removal of “all legal limits on social contact”			Reopening of nightclubs and easing of restrictions on large events and performances.
Note: As explained above, there is no provision for level four in the Roadmap Regulations.				

Moving between steps

The Government says the steps have been “designed to apply to all regions”.⁴⁵ But it said it could not rule out imposing restrictions on a more local level if evidence suggested it was necessary:

The Government cannot rule out reimposing economic and social restrictions at a local or regional level if evidence suggests they are necessary to contain or suppress a variant which escapes the vaccine.

Where an area sees virus growth which could put the local NHS under unsustainable pressure, the Government will also act swiftly. Local authorities and public health leaders have been at the forefront of efforts to tackle the virus in our communities. While the Government is now in a position to look towards an easing of

⁴⁵ Ibid, para 81

restrictions, it is important to continue to support local authorities to keep doing their most important public health work in responding to the virus over the coming months.⁴⁶

⁴⁶ Ibid, para 154

3

Scotland

The R number (reproduction number) is the average number of people an affected individual would pass the infection on to, eg, an R value between 0.7 and 0.9 means that, on average, every 10 people infected will infect between 7 and 9 other people.

Scotland's lockdown restrictions are implemented through the [Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#) which came into force on 5 January 2021.⁴⁷ The Scottish Parliament [approved the regulations on 20 January](#).⁴⁸ These regulations set out the restrictions in place in different 'levels' in Scotland. When they came into force, almost all of Scotland was under the strictest restriction in level 4.

On 23 February, the First Minister, Nicola Sturgeon made a Statement to the Scottish Parliament about plans to ease coronavirus restrictions in Scotland.⁴⁹ She said that whilst the R number⁵⁰ was under one there was little scope to ease restrictions and highlighted that certain groups of children had returned to school on 22 February. The First Minister set out that the plan was for the re-introduction of a levels system in the last week of April (when the aim was to have vaccinated all adults in the top 9 priority groups) and that it was hoped that the whole of Scotland would go into level three. She also said that there would be a planned easing of level four restrictions over the next few weeks, dependent on an assessment that it was safe to proceed.

The Scottish Government's [Coronavirus \(COVID-19\): Strategic Framework update - February 2021](#) provided more information about how decisions on easing the restrictions will be made:

To achieve our intent, the process of easing current restrictions will be informed by data to give us confidence that it is safe to proceed. We want to be confident that there will be no resurgence of the epidemic or overwhelming of the NHS. This conditionality is key given ongoing uncertainties, both about the status of the epidemic and the impacts of making any changes to restrictions.

We will analyse data and intelligence to assess when there is likely to be sufficient room to allow further easing of restrictions without causing a resurgence of the virus. Monitoring the impact of easings on the R number will be critical to that: when the R number moves above one, the virus begins to grow exponentially again. If we move too fast, and open up settings and activities too early, then we risk triggering exponential growth again, in which case we may need to

⁴⁷ r1, The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 10) Regulations 2021

⁴⁸ Scottish Parliament, [Approval of SSI: Motion ref. S5M-2391Q](#), 20 January 2021

⁴⁹ Scottish Government, [Coronavirus \(COVID-19\) update: First Minister's statement](#) - 23 February 2021

⁵⁰ Department of Health and Social Care, [The R value and growth rate](#), 4 June 2021

rewind. We understand the costs involved in that and are keen to avoid them. We will also be mindful of advice from the World Health Organisation (WHO) in guiding our easing process.⁵¹

An update to the Strategic Framework in June 2021 set out that while much progress had been made, the increase in cases due to the Delta variant meant that the strategic framework would need to be adjusted. It stated that the lifting of level 0 restrictions should not take place until all adults over 40 had received two doses of the coronavirus vaccine, and that this was expected to be by the 9 August.⁵²

Following a change to the protection levels on 5 June, most areas of Scotland are currently in level one or two, some islands such as Orkney and Shetland have moved to level 0. The next review of coronavirus restrictions in Scotland is due on 13 July, with all of Scotland potentially moving to level 0 on 19 July, if all necessary vaccination and harm reduction measures are in place.⁵³

Detailed guidance on the restrictions in each level is provided on the government webpage, [Coronavirus \(COVID-19\): local protection levels](#). The table below summarises the main restrictions currently in levels 0-4.

Scotland: Local protection levels			
	Movement	Gatherings	Businesses
4	UK travel restrictions People are not allowed to leave level 4 areas without a reasonable excuse. People are not allowed to enter Scotland from other parts of the UK without a reasonable excuse.	Social gatherings ban Four people from a maximum of two households can meet outdoors (children under 12 are not counted) Children aged 12-17 may meet in groups of up to four people from four households outdoors.	Closures 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. Close contact services such as hairdressers may open for appointments only.
	People are not allowed to travel out of a level	Up to six people from a maximum of two households may meet	Hospitality venues may open to serve food and non-alcoholic drinks,

⁵¹ Scottish Government, [Coronavirus \(COVID-19\): Strategic Framework update - February 2021](#)

⁵² Scottish Government, [Coronavirus \(COVID-19\): Scotland's Strategic Framework update - June 2021](#)

⁵³ Scottish Government, [Coronavirus \(COVID-19\) protection levels: what you can do: Timetable](#)

<p>3</p> <p>three area without a reasonable excuse.</p> <p>People are not allowed to enter Scotland from other parts of the UK without a reasonable excuse.</p>	<p>in an indoor public place (children under 12 are not counted).</p> <p>Up to six people from a maximum of two households may meet outdoors (children under 12 are not counted).</p> <p>Children aged 12-17 may meet in groups of up to six people outdoors.</p>	<p>but alcohol may not be served.</p> <p>All retail businesses may open.</p> <p>Close contact services (except mobile providers) may open.</p>
<p>2</p> <p>People may travel into and out of Scotland to other parts of the UK, except where specific restrictions apply.</p> <p>People may travel to other level 2/1/0 areas but must not enter a level 3/4 area without a permitted reason.</p>	<p>Up to six people from three households may meet in an indoor public place or a home and stay overnight (children under 12 are not counted).</p> <p>Up to eight people from up to eight households may meet outside (children under 12 are not counted).</p>	<p>Most businesses, including retail, hospitality and close contact services may be open.</p> <p>Some businesses must still remain closed, such as soft play, fun fairs and nightclubs.</p>
<p>1</p> <p>People may travel into and out of Scotland to other parts of the UK, except where specific restrictions apply.</p> <p>People may travel to other level 2/1/0 areas but must not enter a level 3/4 area without a permitted reason.</p>	<p>Up to six people from three households may meet in a home and stay overnight (children under 12 are not counted).</p> <p>Up to eight people from three households may meet in an indoor public place (children under 12 are not counted)</p> <p>Up to 12 people from up to 12 households may meet outside (children under 12 are not counted).</p>	<p>Most businesses, including retail, hospitality and close contact services may be open.</p> <p>Some businesses must still remain closed, such as nightclubs and adult entertainment venues.</p>

0	People may travel into and out of Scotland to other parts of the UK, except where specific restrictions apply.	Up to eight people from four households may meet in a home and stay overnight (children under 12 are not counted).	Most businesses, including retail, hospitality and close contact services may be open.
	People may travel to other level 2/1/0 areas but must not enter a level 3/4 area without a permitted reason.	Up to 10 people from four households may meet in an indoor public place (children under 12 are not counted)	Some businesses must still remain closed, such as nightclubs and adult entertainment venues.
		Up to 15 people from up to 15 households may meet outside (children under 12 are not counted).	

3.1

Moving between levels

In contrast to the approach in England, where the Government have expressed an intention for the restrictions to apply consistently in every area, the Scottish Government has applied different level restrictions in different areas as it thought were needed. [The Coronavirus \(COVID-19\): Strategic Framework update - February 2021](#) provides the following information on this:

More generally, it is the return to geographically variable levels that we consider to be the best means for easing restrictions on the economy and the other aspects of society. We think this approach will be better than a nationwide route map when we reach this stage of managing the epidemic because it should allow areas with lower prevalence to see the easing of restrictions on business and other activities more quickly than if we were waiting for those same restrictions to be lifted on a nationwide basis. This is consistent with our commitment to keep restrictions in place for only as long as they are necessary and proportionate.

This is different from our nationwide approach to easing over May-August 2020 and reflects several key differences in our understanding and ability to manage the epidemic between now and then. For example, on the negative side, we have a much more transmissible virus to contend with, but on the plus side, we now have better local data on the status of the epidemic in different parts of the country; we have a ready-made and well understood levels system that can be deployed and adjusted rapidly; we have a much more established and expanded Test and Protect system; we have more

effective border measures and, of course, we have a highly successful vaccination programme.

The return to geographically variable levels should enable the opening up of the economy at a pace that is right for the state of the epidemic in the areas concerned. As we move down through the levels, retail reopens, the restrictions on hospitality are increasingly eased, the entertainment sector reopens in stages and domestic tourism opens up – particularly when domestic travel restrictions are able to be relaxed (below Level 3 currently).⁵⁴

In the most recent statement to the Scottish parliament, Nicola Sturgeon said that the benefits of a levels system is that there is no need to apply a “one size fits all” approach to areas with different case numbers. However, she acknowledged that the variable system was more complex, and may lead to “a sense of inequity.” Therefore, she said it was important to explain fully why different restrictions applied.⁵⁵

3.2 Scottish travel restrictions

Under some levels of restrictions in Scotland, there are restrictions on travelling into or out of that area. Travel is only allowed where there is a permitted reason, listed in legislation. Also, there are restrictions on travelling into/out of level 3/4 areas from other parts of the UK. At the time of writing only Glasgow city local area was under level 3 restrictions and subject to travel restrictions.

On 24 May, in response to UK clusters of the Delta (B.1.617.2) variant, first observed in India, the Scottish Government legislated to restrict travel to Bedford, Blackburn with Darwen and Bolton. People may only travel between Scotland and these places with a reasonable excuse (listed in Schedule 7A of the [Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#)). On 21 June, Manchester and Salford City Councils were added to this list of areas and became subject to the same restrictions.

⁵⁴ Scottish Government, [Coronavirus \(COVID-19\): Strategic Framework update - February 2021](#)

⁵⁵ [Coronavirus \(COVID-19\) update: First Minister's statement - 1 June 2021](#)

4

Wales

Wales' current lockdown laws are in [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) Regulations 2020](#) (The Welsh Regulations). The Welsh Regulations also contain provisions relating to Welsh self-isolation and face coverings rules. The regulations will expire on the 27 August 2021 unless revoked or replaced before this time. Since the 28 January 2021 the Welsh Government has been obliged to review the need for the Regulations every 21 days.⁵⁶

The Welsh Regulations implement the levels in the Welsh Government's [Coronavirus Control Plan](#) (March 2021). This document set out the plan to ease lockdown restrictions through Spring 2021:

In moving down the alert levels, we will pay more attention to lagging indicators such as hospital admissions, NHS capacity, critical care admissions and deaths. We would also expect to see more stability in these figures over a period of around three weeks, so we can be clear improvements are established and stable before making changes.

The move down the levels will be no quicker than one level at a time. Where there is significant uncertainty we may need to move between the levels more gradually than we currently are doing to get to alert level three.

In deciding whether to move up the levels (i.e. tighten restrictions) we will focus more on leading indicators, such as case numbers or positivity rates. We will also need to be able respond more quickly in moving up the levels, which could involve changes in indicators over the course of a week leading to action. The role of professional expertise and local intelligence will be critical to get the balance right and ensure actions remain proportionate.

The emergence of the new variant shows just how quickly the situation can escalate. Moving up the levels may necessitate moving more than one level at a time.⁵⁷

⁵⁶ [12](#), The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

⁵⁷ Welsh Government, [Coronavirus control plan: revised alert levels in Wales \(March 2021\)](#), 19 March 2021

4.1

Welsh levels

Welsh lockdown restrictions are split into four “levels”. Like the steps in the English Roadmap Regulations, the levels in the Welsh Regulations are set out in its Schedules (Schedule 1,2,3,3A and 4).

The Welsh Government expects to move between the remaining levels “in single steps.” Moving between levels “will be contingent on the vaccine rollout progressing as we hope and the effectiveness and efficacy of vaccines being high”. However, the Welsh Government gradually moved between levels four and three.⁵⁸

The Coronavirus Control plan stated that it was hoped that an all-Wales approach for levels will continue, but the system does allow for moving up and down alert levels on a regional or local basis if needed.⁵⁹

On 7 June, a gradual change in restrictions between level two and one was implemented across Wales.⁶⁰ These changes include that:

- Regulated events can take place with up to 10,000 people standing or 4,000 seated (subject to a risk assessment);
- Up to three households may now form an extended household; and
- Up to 30 people may meet in any public/private outdoor area.

Welsh Government guidance on all [four levels](#) and the [current restrictions](#) in Wales is available on the Welsh Government website (the latter link should always direct to the most up to date guidance).

Wales: Coronavirus restriction levels		
Movement	Gatherings	Businesses
4 Stay home People are prohibited from leaving home without a reasonable excuse.	Social gatherings ban Household (people you live with) or support bubble only	Non-essential retail, hospitality venues and close contact venues must remain closed (except click and collect, takeaway and delivery).

⁵⁸ Ibid, p18-19

⁵⁹ Welsh Government, [Coronavirus control plan: revised alert levels in Wales \(March 2021\)](#), 19 March 2021

⁶⁰ Welsh Government, [Restrictions from 7 June 2021](#), 4 June 2021

3	N/A	Indoors	Outdoors	
		Extended household and support bubble only	Six people from two households, excluding under 11s Extended household (if more than six) in public outdoor spaces but not in regulated settings	Non-essential retail, close contact services may open Hospitality may open outside.
2	N/A	Indoors (regulated premises only)	Outdoors	
		Rule of four, excluding under 11s	Rule of six, excluding under 11s Extended household (if more than six) in public outdoor spaces but not in regulated settings	Most businesses, including retail, hospitality and close contact services may be open.
1	N/A	All indoor spaces (and private gardens)	Outdoors	
		Rule of six, excluding under 11s (as long as these children are from no more than six households) or extended household	No more than 30 people, excluding under 11s (as long as these children are from no more than six households) and carers	Most businesses, including retail, hospitality and close contact services may be open. Ice skating rinks, pilot events in night-time entertainment venues.

5

Northern Ireland

Northern Ireland's lockdown law is [The Health Protection \(Coronavirus, Restrictions\) Regulations \(Northern Ireland\) 2021](#). It came into force on 9 April 2021 and implements coronavirus restrictions in Northern Ireland. The Northern Ireland Executive maintains [guidance on the restrictions applicable in Northern Ireland](#).

Following review of the coronavirus restrictions in May, changes were introduced to coronavirus restrictions on 24 May 2021.

A further review in June, when it was announced that any future easing of restrictions would be delayed due to the spread of the Delta variant. Restrictions will be reviewed again on 1 July, with a view to easing restrictions on 5 July.⁶¹

The table below summarises the rules which are currently in force:

National rules in Northern Ireland			
Movement	Social gatherings		Businesses
N/A	Indoor Gatherings	Outdoor gatherings	Closures
	<p>People may meet with up to six people from a maximum of two households indoors (children aged 12 and under are not counted) and may stay overnight.</p> <p>Households of more than six people can meet with one other household indoors up to ten</p>	<p>Up to 15 people (not including children under 12) from up to three households can meet in an outdoor place, including a private garden.</p> <p>Outdoor gatherings of up to 500 people may take place with a Covid-19 risk assessment. Gatherings up to 30 people do not</p>	<p>Most businesses are allowed to open.</p> <p>Businesses that are still not permitted to open include, theatres and concert halls (except for rehearsals and recordings) and nightclubs.</p>

⁶¹ Northern Ireland Executive, [Statement on Executive decisions – 17 June 2021](#)

	<p>people (children aged 12 and under are not counted) and may stay overnight.</p> <p>Large house parties/raves are prohibited.</p>	<p>require an assessment.</p> <p>Rule on indoor gatherings in public places will depend on the venue risk assessment.</p> <p>For hospitality, a maximum of six people may be seated together (not including children under 12). Or if one household has more than six people, up to ten people from one household/support bubble may be seated together (not including children under 12).</p>	
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6

Types of lockdown law

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:

- **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.
- **Movement restrictions:** During lockdowns, a law which prohibited people from leaving home without a “reasonable excuse” has been in place. 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.
- **High-street business restrictions:** Certain businesses have been required to close or operate under restrictions.

Relaxing and tightening restrictions

During “national lockdowns” there tends to be fewer 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, during “national lockdowns” pubs and restaurants are closed which means there does not need to be rules regulating the number of households that can meet inside them. During a “national 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.

6.1

Gatherings

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.⁶² 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”.⁶³

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.⁶⁴
- Exemptions for people who have formed a support bubble or extended household.⁶⁵
- Compassionate exemptions which allow people to visit those giving birth (if requested) or someone they believe is dying.⁶⁶

⁶² [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]

⁶³ [r4](#), The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020

⁶⁴ 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

⁶⁵ See for example: The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

⁶⁶ See for example: The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020

Support bubbles and extended households

The phrase “**support bubble**” is used to describe an arrangement where two households (and in some cases, three households) join together. In Scotland and Wales, this is called an “**extended household**”.

Initially, support bubbles were only possible between an adult who lived alone or in a single parent household and the adult(s) in one other household. However, the requirements for a support bubble have changed and are different in each UK nation:

- UK Government, [Making a support bubble with another household](#)
- Scottish Government, [Extended households and living alone](#)
- Welsh Government, [Gathering with other people: alert level 2](#)
- NI Direct, [Coronavirus \(COVID-19\) regulations guidance: what the restrictions mean for you](#)

Individuals can only be a member of one support bubble/ extended household. You cannot change the membership of support bubble or extended household.⁶⁷ However, in England, people can be part of a support bubble and a childcare bubble.⁶⁸

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;⁶⁹
- Elite sport;⁷⁰
- Significant life events, such as wedding and funerals;
- To attend a place of worship; and

⁶⁷ 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

⁶⁸ [Para 6, Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

⁶⁹ [Para 1 Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

⁷⁰ [Para 3\(14\) Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

- 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 2020.⁷¹

Large gatherings/ Illegal raves

Specific rules have been made to further discourage unlicensed music events/large parties during the pandemic.⁷² There are also specific laws which allow those who organise and participate in large gatherings to be issued higher penalties.⁷³

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.

6.2

Movement

Staying home

Legally, the original lockdown in each nation was built on a requirement to **stay at 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".⁷⁴ In England and Wales it was an offence be 'outside of' home without a reasonable excuse between 21 April and 1 June.⁷⁵

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

⁷¹ See section 3.4 of this paper.

⁷² [Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

⁷³ [Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

⁷⁴ [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

⁷⁵ [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

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.⁷⁶ As the lists were non-exhaustive, individuals were permitted to 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 was reinstated when the nations returned to national lockdowns. The non-exhaustive list of “reasonable excuses” was different when the rules were 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 a marriage, civil partnership ceremony or funeral; and
- moving house.⁷⁷

Not staying away

People have been prohibited from staying “overnight” away from home without a reasonable excuse.⁷⁸ Usually, legislation sets out a non-exhaustive list of reasonable excuses for staying overnight somewhere away from home.

⁷⁶ [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

⁷⁷ Schedule 4A, Part 2, [para 3](#), The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020

⁷⁸ [r6](#), The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 [as at 13 June 2020]

These include where it is “reasonably necessary” for work, to provide care or emergency assistance and when it is not safe or lawful to stay at home.⁷⁹

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 versa).⁸⁰ The list of reasonable excuses is slightly different in Wales and Scotland but both include work and travel for essential purposes.⁸¹

6.3

High-street business

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.⁸²

⁷⁹ [r6\(2\)](#), The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 [as at 13 June 2020]

⁸⁰ 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]

⁸¹ [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]

⁸² See generally [Coronavirus: Business re-opening](#), Commons Library Briefing Paper CBP-8945, 5 August 2020

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.

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 was that hospitality businesses were required to close at 10pm, but other restrictions on businesses opening have been applied.

The restrictions applied to a range of businesses listed in the legislation. These have included restaurants, pubs, cafes, cinemas, theatres, arcades and more.⁸³

There are a number of exceptions to these rules, which have included:

- 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.
- That cinemas, concert halls and theatres may be able to stay open to conclude a performance that began before 22:00; and
- That 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.⁸⁴
- prohibited the sale of alcohol for consumption inside licenced premises.⁸⁵
- prevented the sale of alcohol during specific times of the day.⁸⁶
- required certain business to sell alcohol with a main/ substantive meal.⁸⁷

⁸³ [Schedule 1](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

⁸⁴ See: Schedule 4, Part 2, [para 5](#), The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020

⁸⁵ 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

⁸⁶ See: [r15\(3\)](#), The Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020

⁸⁷ See: [r15](#), The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 [as at 14/10/20]

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