

# **This publication was withdrawn on 25 April 2022**

This page has been withdrawn as the regulations that these designations relate to are no longer in place.

# Designations under the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021

The Secretary of State makes the following designations, with immediate effect, in exercise of the powers conferred by regulations 10(13)(b)(iv), 12(3)(b), 12(9)(a)(iii) and 18 of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021<sup>1</sup> (“the Steps Regulations”):

## Enforcement: general

1. For the purposes of regulation 10 of the Steps Regulations, each specified authority (see paragraph 6 below) is hereby designated by the Secretary of State as a relevant person who may take such action as is necessary to enforce:
  - a. a Step 1 restriction imposed by Part 2 of Schedule 1 to the Steps Regulations,
  - b. a Step 2 restriction imposed by Part 2 of Schedule 2 to the Steps Regulations, or
  - c. a Step 3 restriction imposed by Part 2 of Schedule 3 to the Steps Regulations, (“business restrictions”) including giving a prohibition notice under regulation 10(6) of the Steps Regulations in relation to any contravention of any business restriction.
2. In this designation, “Step 1 restriction”, “Step 2 restriction” and “Step 3 restriction” have the meanings set out in regulation 7 of the Steps Regulations.

## Enforcement: fixed penalty notices

3. For the purposes of regulation 12 of the Steps Regulations, the Chief Executive Officer of the ACRO Criminal Records Office (hosted by the Chief Constable of Hampshire Constabulary) is hereby designated by the Secretary of State as “the designated officer” (who may be specified in a fixed penalty notice as the authority to whom payment of the fixed penalty may be made, and who may sign a certificate stating that payment of the fixed penalty was, or was not, received by the date specified in the certificate).
4. For the purposes of regulation 12 of the Steps Regulations, each specified authority is hereby designated by the Secretary of State as an authorised person who may issue a fixed penalty notice to anyone, aged 18 or over, who the authorised person reasonably believes has committed a business restriction offence, within the meaning of regulation 16(3) of the Steps Regulations.

## Prosecutions

5. For the purposes of regulation 18 of the Steps Regulations, each specified authority is designated as a person who may bring proceedings for:
  - i. any offence of contravening a business restriction;
  - ii. any offence under regulation 11(1)(d) of failing to comply with a prohibition notice given under regulation 10 of the Regulations;
  - iii. any offence of obstruction under regulation 11(1)(e) of the Regulations;
  - iv. any offence by an officer of a body corporate under regulation 11(4) of the Regulations;
  - v. any offence by a member of a body corporate under regulation 11(6) of the Regulations.

## Specified authorities

6. For the purposes of these designations, “a specified authority” means:
  - i. a district council;
  - ii. a county council;

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<sup>1</sup> S.I. 2021/364, as amended by the Health Protection (Coronavirus, Restrictions) (Steps and Local Authority Enforcement Powers) (England) (Amendment) Regulations 2021 (S.I. 2021/455).

- iii. a London borough council;
- vi. the Common Council of the City of London in its capacity as a local authority;
- vii. the Council of the Isles of Scilly.

### Savings

7. These Designations do not affect:
- a. the Designation titled “the Designations under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020<sup>(2)</sup>”, made at 10pm on 16 June 2020, or
  - b. the Designation titled “the Designation of persons who may bring proceedings for an offence under Coronavirus regulations (England)”, made at 10pm on 8 February 2021,
  - c. any Designations made, or treated as made, under:
    - i. the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020,
    - ii. the Health Protection (Coronavirus, Restrictions) (No 2) (England) Regulations 2020<sup>(3)</sup>; or
    - iii. the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020<sup>(4)</sup>,

and enforcement action may continue to be taken, functions carried out, and notices issued or prosecutions brought under those Designations.

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11:58 08/07/2021

**Lord James Bethell on behalf of Rt Hon Sajid Javid**

Secretary of State for Health and Social Care

At ..... am/pm on ..... July 2021

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<sup>(2)</sup> S.I. 2020/350.  
<sup>(3)</sup> S.I. 2020/684.  
<sup>(4)</sup> S.I. 2020/1374.