

ANNEXES

- **Public Health (Control of Disease) Act 1984**
- **The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020**
- **Coronavirus Act 2020**

PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984
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45 C Health protection regulations: domestic

(1)The appropriate Minister may by regulations make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in England and Wales (whether from risks originating there or elsewhere).

(2)The power in subsection (1) may be exercised—

- (a)in relation to infection or contamination generally or in relation to particular forms of infection or contamination, and
- (b)so as to make provision of a general nature, to make contingent provision or to make specific provision in response to a particular set of circumstances.

(3)Regulations under subsection (1) may in particular include provision—

- (a)imposing duties on registered medical practitioners or other persons to record and notify cases or suspected cases of infection or contamination,
- (b)conferring on local authorities or other persons functions in relation to the monitoring of public health risks, and
- (c)imposing or enabling the imposition of restrictions or requirements on or in relation to persons, things or premises in the event of, or in response to, a threat to public health.

(4)The restrictions or requirements mentioned in subsection (3)(c) include in particular—

- (a)a requirement that a child is to be kept away from school,
- (b)a prohibition or restriction relating to the holding of an event or gathering,
- (c)a restriction or requirement relating to the handling, transport, burial or cremation of dead bodies or the handling, transport or disposal of human remains, and
- (d)a special restriction or requirement.

(5)The power in subsection (1) is subject to section 45D.

(6)For the purposes of this Part—

- (a) a “ special restriction or requirement ” means a restriction or requirement which can be imposed by a justice of the peace by virtue of section 45G(2), 45H(2) or 45I(2), but

(b) a restriction or requirement mentioned in subsection (4)(a), (b) or (c) is not to be regarded as a special restriction or requirement.

[...]

45 F Health protection regulations: supplementary

(1) This section makes further provision about regulations under section 45B or 45C (“health protection regulations”).

(2) Health protection regulations may—

(a) confer functions on local authorities and other persons;

(b) create offences;

(c) enable a court to order a person convicted of any such offence to take or pay for remedial action in appropriate circumstances;

(d) provide for the execution and enforcement of restrictions and requirements imposed by or under the regulations;

(e) provide for appeals from and reviews of decisions taken under the regulations;

(f) permit or prohibit the levy of charges;

(g) permit or require the payment of incentive payments, compensation and expenses;

(h) provide for the resolution of disputes.

(3) Health protection regulations may, for the purposes of giving effect to an international agreement or arrangement, amend any enactment.

(4) Health protection regulations may not confer functions on officers of Revenue and Customs unless the regulations are made with the consent of the Commissioners for Her Majesty's Revenue and Customs.

(5) Health protection regulations may not create an offence triable on indictment or punishable with—

(a) imprisonment,

[...]

45 G - Orders that may be made by justice of the peace

Power to order health measures in relation to persons

(1) A justice of the peace may make an order under subsection (2) in relation to a person (“P”) if the justice is satisfied that—

(a) P is or may be infected or contaminated,

(b) the infection or contamination is one which presents or could present significant harm to human health,

(c) there is a risk that P might infect or contaminate others, and

(d) it is necessary to make the order in order to remove or reduce that risk.

(2) The order may impose on or in relation to P one or more of the following restrictions or requirements—

(a) that P submit to medical examination;

- (b)that P be removed to a hospital or other suitable establishment;
- (c)that P be detained in a hospital or other suitable establishment;
- (d)that P be kept in isolation or quarantine;
- (e)that P be disinfected or decontaminated;
- (f)that P wear protective clothing;
- (g)that P provide information or answer questions about P's health or other circumstances;
- (h)that P's health be monitored and the results reported;
- (i)that P attend training or advice sessions on how to reduce the risk of infecting or contaminating others;
- (j)that P be subject to restrictions on where P goes or with whom P has contact;
- (k)that P abstain from working or trading.

(3)A justice of the peace may make an order under subsection (4) in relation to a person (“P”) if the justice is satisfied that—

- (a)P is or may be infected or contaminated,
- (b)the infection or contamination is one which presents or could present significant harm to human health,
- (c)there is a risk that a related party might infect or contaminate others, and
- (d)it is necessary to make the order in order to remove or reduce that risk.

(4)The order may impose on or in relation to P a requirement that P provide information or answer questions about P's health or other circumstances (including, in particular, information or questions about the identity of a related party).

(5) “ Related party ” means—

- (a)a person who has or may have infected or contaminated P, or
- (b)a person whom P has or may have infected or contaminated.

(6)An order under this section may also order a person with parental responsibility (within the meaning of the Children Act 1989) for P to secure that P submits to or complies with the restrictions or requirements imposed by the order.

(7)The appropriate Minister must by regulations make provision about the evidence that must be available to a justice of the peace before the justice can be satisfied as mentioned in subsection (1) or (3).

(8)Any reference in this section to a person who is infected or contaminated includes a reference to a person who carries the source of an infection or contamination, and any reference to infecting or contaminating others includes a reference to passing that source to others.

[...]

45PGeneral provision about regulations

(1)A power to make regulations under this Part is exercisable by statutory instrument.

(2)A power to make regulations under this Part includes power to make different provision for different cases or different areas.

45Q Parliamentary control

(1) An instrument containing regulations under this Part, except one to which subsection (4) applies, is subject to annulment—

(a) in the case of English regulations, in pursuance of a resolution of either House of Parliament;

(b) in the case of Welsh regulations, in pursuance of a resolution of the National Assembly for Wales.

(2) Subject to subsection (3), subsection (4) applies to an instrument containing (whether alone or with other provisions)—

(a) regulations under section 45C,

(b) regulations which amend an enactment pursuant to section 45F(3),

(c) the first regulations to be made under section 45G(7),

(d) the first regulations to be made under section 45L(4), or

(e) the first regulations to be made under section 45N.

(3) Subsection (4) does not apply by virtue of subsection (2)(a) if the instrument contains a declaration that the person making it is of the opinion that the instrument does not contain any provision made by virtue of section 45C(3)(c) which imposes or enables the imposition of—

(a) a special restriction or requirement, or

(b) any other restriction or requirement which has or would have a significant effect on a person's rights.

(4) Subject to section 45R, an instrument to which this subsection applies may not be made unless—

(a) in the case of English regulations, a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament;

(b) in the case of Welsh regulations, a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(5) If an instrument, or a draft of an instrument, containing regulations under section 45B or 45C would, apart from this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.

(6) In this section—

“ English regulations ” means regulations made by the Secretary of State;

“ Welsh regulations ” means regulations made by the Welsh Ministers

45 R Emergency procedure

(1) This section applies to an instrument to which subsection (4) of section 45Q applies by virtue of subsection (2)(a) or (b) of that section.

(2) The instrument may be made without a draft having been laid and approved as mentioned in subsection (4) of that section if the instrument contains a declaration that the person making it is of the opinion that, by reason of urgency, it is necessary to make the order without a draft being so laid and approved.

(3) After an instrument is made in accordance with subsection (2), it must be laid—

- (a) in the case of English regulations, before each House of Parliament;
- (b) in the case of Welsh regulations, before the National Assembly for Wales.

(4) Regulations contained in an instrument made in accordance with subsection (2) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved—

- (a) in the case of English regulations, by a resolution of each House of Parliament;
- (b) in the case of Welsh regulations, by a resolution of the National Assembly for Wales.

(5) But if on any day during that period, on proceedings on a motion that (or to the effect that) the instrument be so approved, either House of Parliament or, as the case may be, the National Assembly for Wales comes to a decision rejecting the instrument, the regulations cease to have effect at the end of that day instead.

(6) In reckoning any such period of 28 days, no account is to be taken—

- (a) in the case of English regulations, of any time during which Parliament is prorogued or dissolved or during which both Houses are adjourned for more than 4 days;
- (b) in the case of Welsh regulations, of any time during which the National Assembly for Wales is dissolved or is in recess for more than 4 days.

(7) Subsections (4) and (5) do not—

- (a) affect anything done in reliance on the regulations before they ceased to have effect, or
- (b) prevent the making of new regulations.

(8) In this section “English regulations” and “Welsh regulations” have the same meaning as in section 45Q.

<p style="text-align: center;">THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (ENGLAND) REGULATIONS 2020</p>
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The emergency period and review of need for restrictions

3.—(1) For the purposes of these Regulations, the “emergency period”—

(a) starts when these Regulations come into force, and

(b) ends in relation to a restriction or requirement imposed by these Regulations on the day and at the time specified in a direction published by the Secretary of State terminating the requirement or restriction.

(2) The Secretary of State must review the need for restrictions and requirements imposed by these Regulations at least once every 21 days, with the first review being carried out by 16th April 2020.

(3) As soon as the Secretary of State considers that any restrictions or requirements set out in these Regulations are no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in England with the coronavirus, the Secretary of State must publish a direction terminating that restriction or requirement.

(4) A direction published under this regulation may—

(a) terminate any one or more requirement or restriction;

(b) terminate a requirement or restriction in relation to a specified business or service or a specified description of business or service.

(5) In this regulation, “specified” means specified in a direction published under this regulation.

Requirement to close premises and businesses during the emergency

4.—(1) A person responsible for carrying on a business which is listed in Part 1 of Schedule 2 must—

(a) during the emergency period—

(i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and

(ii) cease selling food or drink for consumption on its premises; or

(b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.

(2) For the purposes of paragraph (1)(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.

(3) For the purposes of paragraph (1)(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.

(4) A person responsible for carrying on a business or providing a service which is listed in Part 2 of Schedule 2 must cease to carry on that business or to provide that service during the emergency period.

(5) Paragraph (4) does not prevent the use of—

(a) premises used for the businesses or services listed in paragraphs 5, 6, 8, 9 or 10 of that Part to broadcast a performance to people outside the premises, whether over the internet or as part of a radio or television broadcast;

(b) any suitable premises used for the businesses or services listed in that Schedule to host blood donation sessions.

(6) If a business listed in Part 1 or 2 of Schedule 2 (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) if it closes down business A.

Restrictions on movement

6.—(1) During the emergency period, no person may leave the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

(a) to obtain basic necessities, including food and medical supplies for those in the same household (including any pets or animals in the household) or for vulnerable persons and supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person, or to obtain money, including from any business listed in Part 3 of Schedule 2;

(b) to take exercise either alone or with other members of their household;

(c) to seek medical assistance, including to access any of the services referred to in paragraph 37 or 38 of Schedule 2;

(d) to provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006(1), to a vulnerable person, or to provide emergency assistance;

(e) to donate blood;

(f) to travel for the purposes of work or to provide voluntary or charitable services, where it is not reasonably possible for that person to work, or to provide those services, from the place where they are living;

(g) to attend a funeral of—

(i) a member of the person’s household,

(ii) a close family member, or

- (iii) if no-one within sub-paragraphs (i) or (ii) are attending, a friend;
 - (h) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
 - (i) to access critical public services, including—
 - (i) childcare or educational facilities (where these are still available to a child in relation to whom that person is the parent, or has parental responsibility for, or care of the child);
 - (ii) social services;
 - (iii) services provided by the Department of Work and Pensions;
 - (iv) services provided to victims (such as victims of crime);
 - (j) in relation to children who do not live in the same household as their parents, or one of their parents, to continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
 - (k) in the case of a minister of religion or worship leader, to go to their place of worship;
 - (l) to move house where reasonably necessary;
 - (m) to avoid injury or illness or to escape a risk of harm.
- (3) For the purposes of paragraph (1), the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.
- (4) Paragraph (1) does not apply to any person who is homeless.

Restrictions on gatherings

7. During the emergency period, no person may participate in a gathering in a public place of more than two people except—

- (a) where all the persons in the gathering are members of the same household,
- (b) where the gathering is essential for work purposes,
- (c) to attend a funeral,
- (d) where reasonably necessary—
 - (i) to facilitate a house move,

(ii) to provide care or assistance to a vulnerable person, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding of Vulnerable Groups Act 2006,

(iii) to provide emergency assistance, or

(iv) to participate in legal proceedings or fulfil a legal obligation.

Enforcement of requirement

8.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by regulation 4, 5 or 7.

(2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—

(a) the person is contravening a requirement in regulation 4 or 5, and

(b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.

(3) Where a relevant person considers that a person is outside the place where they are living in contravention of regulation 6(1), the relevant person may—

(a) direct that person to return to the place where they are living, or

(b) remove that person to the place where they are living.

(4) A relevant person exercising the power in paragraph (3)(b) to remove a person to the place where they are living, may use reasonable force, if necessary, in the exercise of the power.

(5) Where the person outside the place where they are living without reasonable excuse is a child accompanied by an individual who has responsibility for the child—

(a) the relevant person may direct that individual to take the child to the place where they are living, and

(b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.

(6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 6(1), the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.

(7) For the purposes of this regulation, an individual has responsibility for a child if the individual—

(a) has custody or charge of the child for the time being, or

(b) has parental responsibility for the child (within the meaning of the Children Act 1989(1)).

(8) A relevant person may only exercise the power in paragraph (3), (5) or (6) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the requirement.

(9) Where a relevant person considers that three or more people are gathered together in contravention of regulation 7, the relevant person may—

- (a) direct the gathering to disperse;
- (b) direct any person in the gathering to return to the place where they are living;
- (c) remove any person in the gathering to the place where they are living.

(10) Paragraphs (4), (5), (6), (7) and (8) of this regulation apply to the exercise of a power under paragraph (9), as they apply to the exercise of a power under paragraph (3).

(11) A relevant person exercising a power under paragraph (3), (5), (6) or (9) may give the person concerned any reasonable instructions they consider to be necessary.

(12) For the purposes of this regulation—

(a) a “relevant person” means—

- (i) a constable,
 - (ii) a police community support officer,
 - (iii) subject to paragraph (13), a person designated by a local authority for the purposes of this regulation, or
 - (iv) a person designated by the Secretary of State for the purposes of this regulation;
- (b) references to a requirement include references to a restriction.

(13) A local authority may only designate a person for the purposes of this regulation in relation to a requirement in regulation 4 or 5.

Offences and penalties

9.—(1) A person who—

- (a) without reasonable excuse contravenes a requirement in regulation 4, 5, 7 or 8, or
- (b) contravenes a requirement in regulation 6, commits an offence.

(2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

(3) A person who, without reasonable excuse, contravenes a direction given under regulation 8, or fails to comply with a reasonable instruction or a prohibition notice given by a relevant person under regulation 8, commits an offence.

(4) An offence under this regulation is punishable on summary conviction by a fine.

(5) If an offence under this regulation committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(6) In paragraph (5), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

(7) Section 24 of the Police and Criminal Evidence Act 1984(1) applies in relation to an offence under this regulation as if the reasons in subsection (5) of that section included—

- (a) to maintain public health;

(b)to maintain public order.

(8) For the purposes of this regulation, references to a requirement include references to a restriction.

[...]

Fixed penalty notices

10.—(1) An authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes—

(a)has committed an offence under these Regulations;

(b)is over the age of 18.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

(3) The local authority specified in the notice must be the local authority (or as the case may be, any of the local authorities) in whose area the offence is alleged to have been committed (“the relevant local authority”).

(4) Where a person is issued with a notice under this regulation in respect of an offence—

(a)no proceedings may be taken for the offence before the end of the period of 28 days following the date of the notice;

(b)the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(5) A fixed penalty notice must—

(a)give reasonably detailed particulars of the circumstances alleged to constitute the offence;

(b)state the period during which (because of paragraph (4)(a)) proceedings will not be taken for the offence;

(c)specify the amount of the fixed penalty;

(d)state the name and address of the person to whom the fixed penalty may be paid;

(e)specify permissible methods of payment.

(6) The amount specified under paragraph (5)(c) must, subject to paragraph (7), be £60.

(7) (a) Unless sub-paragraph (b) applies, a fixed penalty notice must specify that if £30 is paid before the end of the period of 14 days following the date of the notice that is the amount of the fixed penalty;

(b) if the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—

(i) sub-paragraph (a) does not apply, and

(ii) the amount specified as the fixed penalty is to be—

(aa) in the case of the second fixed penalty notice received, £120;

(bb) in the case of the third and subsequent fixed penalty notice received, double the amount specified in the last fixed penalty notice received by that person, to a maximum of £960.

(8) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(9) Where a letter is sent as mentioned in paragraph (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(10) In any proceedings, a certificate—

(a) that purports to be signed by or on behalf of the chief finance officer of the local authority concerned, and

(b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate, is evidence of the facts stated.

(11) In this regulation—

(a) “authorised person” means—

(i) a constable;

(ii) a police community support officer;

(iii) a person designated by the Secretary of State for the purposes of this regulation;

(iv) subject to paragraph (12), a person designated by the relevant local authority for the purposes of this regulation;

(b) a “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority’s financial affairs.

(12) The relevant local authority may only designate a person for the purposes of this regulation to issue fixed penalty notices where the alleged offence relates to the contravention of a requirement or restriction in regulation 4 or 5.

Expiry

12.—(1) These Regulations expire at the end of the period of six months beginning with the day on which they come into force.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

89 Expiry

(1) This Act expires at the end of the period of 2 years beginning with the day on which it is passed, subject to subsection (2) and section 90.

(2) Subsection (1) does not apply to—

(a) section 1;

(b) section 2 and Schedule 1 so far as they—

(i) make provision about a person who has been registered in any register by virtue of that Schedule, or

(ii) make provision for or in connection with the revocation of a person's registration;

(c) section 5 and Schedule 4 so far as they—

(i) make provision about a person who has been registered in the register of pharmaceutical chemists or against whose name in that register an annotation has been recorded, or

(ii) make provision for or in connection with the revocation of a person's registration or the removal of an annotation;

(d) section 6 and Schedule 5 so far as they—

(i) make provision about a person who has been registered in any register by virtue of that Schedule, or

(ii) make provision for or in connection with the revocation of a person's registration;

(e) sections 11, 12 and 13;

(f) section 17;

(g) section 19(11);

(h) section 21(7);

(i) sections 59 to 70;

(j) sections 72 to 74;

(k) section 75(1);

(l) section 76;

(m) this Part;

(n) Parts 2 to 5 of Schedule 7, and section 8 so far as relating to those Parts;

(o) Part 3 of Schedule 8, and section 10(1) and Part 1 of that Schedule so far as relating to that Part;

(p) Parts 3 and 4 of Schedule 10, and section 10(3) and Part 1 of that Schedule so far as relating to those Parts;

(q) Parts 3 and 4 of Schedule 11, and section 10(4) and Part 1 of that Schedule so far as relating to those Parts;

(r) paragraphs 3(2) and (3), 10, 13, 18, 30, 33 and 35 of Schedule 12, and section 15 and paragraphs 1 and 19 of that Schedule so far as relating to those paragraphs;

(s) paragraphs 8, 9, 15, 16 and 30 of Schedule 13, and section 18 and paragraphs 1, 10 and 17 of that Schedule so far as relating to those paragraphs.

(3) A Minister of the Crown may by regulations make transitional, transitory or saving provision in connection with the expiry of any provision of this Act.

(4) In the case of provision made by regulations under subsection (3) which could also be made by an authority under subsection (5), (7) or (9), a Minister of the Crown may not make the provision without the authority's consent.

(5) If the condition in subsection (6) is met, the Welsh Ministers may by regulations make transitional, transitory or saving provision in connection with the expiry in relation to Wales of any provision of this Act.

(6) The condition is that, so far as it extends to England and Wales and applies to Wales, the provision would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).

(7) If the condition in subsection (8) is met, the Scottish Ministers may by regulations make transitional, transitory or saving provision in connection with the expiry in relation to Scotland of any provision of this Act.

(8) The condition is that, so far as it extends to Scotland, the provision would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.

(9) If the condition in subsection (10) is met, a Northern Ireland department may by order make transitional, transitory or saving provision in connection with the expiry in relation to Northern Ireland of any provision of this Act.

(10) The condition is that the provision, so far as it extends to Northern Ireland—
(a) would be within the legislative competence of the Northern Ireland Assembly, and
(b) would not require the consent of the Secretary of State, if it were contained in an Act of that Assembly.

(11) The power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.

(12) The power of a Northern Ireland department to make an order under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).

90 Power to alter expiry date

(1) A relevant national authority may by regulations provide that any provision of this Act—
(a) does not expire at the time when it would otherwise expire (whether by virtue of section 89 or previous regulations under this subsection or subsection (2)), and
(b) expires instead at such earlier time as is specified in the regulations.

(2) A relevant national authority may by regulations provide that any provision of this Act—
(a) does not expire at the time when it would otherwise expire (whether by virtue of section 89 or previous regulations under this subsection or subsection (1)), and
(b) expires instead at such later time as is specified in the regulations.

(3) A time specified under subsection (2) in relation to a provision of this Act must not be later than the end of the period of 6 months beginning with the time when the provision would otherwise have expired (whether by virtue of section 89 or previous regulations under subsection (1) or (2)).

(4) Regulations under this section—

- (a) may make different provision for different purposes or areas;
- (b) may make transitional, transitory or saving provision.

(5) In this section “relevant national authority” means a Minister of the Crown, subject as follows.

(6) In the case of regulations under this section which could also be made by an authority by virtue of subsection (7), (9) or (11), a Minister of the Crown may not make the regulations without the authority's consent.

(7) The Welsh Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—

- (a) it extends to England and Wales and applies in relation to Wales, and
- (b) so far as it so extends and applies, it would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).

(8) The power of the Welsh Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to England and Wales and applies in relation to Wales.

(9) The Scottish Ministers are also a relevant national authority for the purposes of this section in relation to a provision of this Act if—

- (a) it extends to Scotland, and
- (b) so far as it so extends, it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.

(10) The power of the Scottish Ministers to make regulations under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Scotland.

(11) A Northern Ireland department is also a relevant national authority for the purposes of this section in relation to a provision of this Act if—

- (a) it extends to Northern Ireland, and
- (b) so far as it so extends, were it contained in an Act of the Northern Ireland Assembly—
 - (i) it would be within the legislative competence of that Assembly, and
 - (ii) it would not require the consent of the Secretary of State.

(12) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.

(13) The power of a Northern Ireland department to make an order under this section in relation to a provision of this Act is a power to do so only so far as the provision extends to Northern Ireland.

(14) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under this section is exercisable by statutory instrument.

(15) Any power of a Northern Ireland department to make an order under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).