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SCHEDULES

SCHEDULE 1

Section 2

EMERGENCY REGISTRATION OF NURSES AND OTHER HEALTH AND CARE PROFESSIONALS

Nursing and Midwifery Order 2001

1 (1) The Nursing and Midwifery Order 2001 (S.I. 2002/253) has effect as if it were subject to the following modifications.

(2) The Order has effect as if after article 9 there were inserted—

“Temporary registration in emergencies involving loss of human life or human illness etc

9A (1) The Registrar may register a person as a registered nurse, midwife or nursing associate, or the persons comprising a specified group of persons as registered nurses, midwives or nursing associates, if—

- (a) the Secretary of State has advised the Registrar that an emergency has occurred, is occurring or is about to occur and that the Registrar should consider acting under this article, and
- (b) the Registrar considers that the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of paragraph (1)(b) the emergency registration requirement is met—

- (a) in relation to a person, if the Registrar considers that the person is a fit, proper and suitably experienced person to be registered as a nurse, midwife or nursing associate with regard to the emergency;
- (b) in relation to a group of persons, if the Registrar considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as nurses, midwives or nursing associates with regard to the emergency.

(3) The Registrar may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Registrar may include an annotation in the register denoting that a person has been registered under this regulation.

(5) The registration of a person under this article has effect subject to any conditions imposed by the Registrar; and the Registrar may at any time vary or revoke such a condition or add new conditions.

(6) Where a person is registered under this article as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

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- (7) A person's registration under this article ceases to have effect if revoked by the Registrar; and the Registrar—
- (a) must revoke the registration if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to give the advice referred to in paragraph (1)(a) no longer exist;
 - (b) may at any time revoke the registration for any other reason, including where the Registrar suspects that the person's fitness to practise may be impaired.
- (8) A person's registration as a member of a specified group may be revoked—
- (a) without the registration of the other members of the group being revoked, or
 - (b) as a result of a decision to revoke the registration of all the members of the group.
- (9) Rules under article 7 may not provide for fees to be charged in respect of a person's registration under this article.
- (10) The following provisions of this Order do not apply to persons registered under this article—
- articles 5A, 9, 10, 12 and 13 (provisions relating to registration);
 - articles 15 to 19 (provisions relating to education and training);
 - Part 5 (fitness to practise), other than articles 21, 22(10) and 25(1) and (3) to (6).
- (11) If a person breaches a condition to which the person's registration under this article is subject, anything done by the person in breach of the condition is to be treated as not done by a registered nurse, midwife or nursing associate (as the case may be).
- (12) In this article “emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004, read with subsection (2)(a) and (b) of that section.”
- (3) Article 25(1) (power of Nursing and Midwifery Council to require disclosure of information) has effect as if it enabled requirements to be imposed for the purpose of assisting the Registrar in carrying out functions in respect of identifying any person registered by virtue of article 9A(2)(b) (emergency registration of a group of persons).
- (4) Article 37 (appeals against Registrar's decisions) has effect as if after paragraph (2B) there were inserted—
- “(2C) No appeal lies to the Council where the Registrar—
- (a) has refused to register a person under article 9A, or
 - (b) has revoked a person's registration under that article.”

Health Professions Order 2001

- 2 (1) The Health Professions Order 2001 (S.I. 2002/254) has effect as if it were subject to the following modifications.
- (2) The Order has effect as if after article 9 there were inserted—

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*“Temporary registration in emergencies
involving loss of human life or human illness etc*

- 9A (1) The Registrar may register a person as a member of a relevant profession, or the persons comprising a specified group of persons as members of a relevant profession, if—
- (a) the Secretary of State has advised the Registrar that an emergency has occurred, is occurring or is about to occur and that the Registrar should consider acting under this article, and
 - (b) the Registrar considers that the emergency registration requirement is met in relation to the person or group of persons.
- (2) For the purposes of paragraph (1)(b) the emergency registration requirement is met—
- (a) in relation to a person, if the Registrar considers that the person is a fit, proper and suitably experienced person to be registered as a member of the profession in question with regard to the emergency;
 - (b) in relation to a group of persons, if the Registrar considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as members of the profession in question with regard to the emergency.
- (3) The Registrar may register all of the persons comprising a specified group of persons without first identifying each person in the group.
- (4) The Registrar may include an annotation in the register denoting that a person has been registered under this regulation.
- (5) The registration of a person under this article has effect subject to any conditions imposed by the Registrar; and the Registrar may at any time vary or revoke such a condition or add new conditions.
- (6) Where a person is registered under this article as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.
- (7) A person's registration under this article ceases to have effect if revoked by the Registrar; and the Registrar—
- (a) must revoke the registration if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to give the advice referred to in paragraph (1)(a) no longer exist;
 - (b) may at any time revoke the registration for any other reason, including where the Registrar suspects that the person's fitness to practise may be impaired.
- (8) A person's registration as a member of a specified group may be revoked—
- (a) without the registration of the other members of the group being revoked, or
 - (b) as a result of a decision to revoke the registration of all the members of the group.

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- (9) Rules under article 7 may not provide for fees to be charged in respect of a person's registration under this article.
- (10) The following provisions of this Order do not apply to persons registered under this article—
- articles 9, 10, 11 and 12 (provisions relating to registration);
 - articles 15 to 19 (provisions relating to education and training);
 - Part 5 (fitness to practise), other than articles 21, 22(10) and 25(1) and (3) to (5).
- (11) If a person breaches a condition to which the person's registration under this article is subject, anything done by the person in breach of the condition is to be treated as not done by a person registered as a member of the relevant profession in question.
- (12) In this article “emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004, read with subsection (2)(a) and (b) of that section.”
- (3) Article 25(1) (power of Health and Care Professions Council to require disclosure of information) has effect as if it enabled requirements to be imposed for the purpose of assisting the Registrar in carrying out functions in respect of identifying any person registered by virtue of article 9A(2)(b) (emergency registration of a group of persons).
- (4) Article 38 (appeals) has effect as if after paragraph (1A) there were inserted—
- “(1B) No appeal lies to the Council where the Registrar—
- (a) has refused to register a person under article 9A, or
 - (b) has revoked a person's registration under that article.”

F¹SCHEDULE 2

Section 3

Textual Amendments

F1 Sch. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. 89 (with s. 90)

F²SCHEDULE 3

Section 4

Textual Amendments

F2 Sch. 3 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. 89 (with s. 90)

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SCHEDULE 4

Section 5

EMERGENCY REGISTRATION OF PHARMACEUTICAL CHEMISTS
AND EXTENSION OF PRESCRIBING POWERS: NORTHERN IRELAND*Interpretation*

- 1 (1) In this Schedule “the 1976 Order” means the Pharmacy (Northern Ireland) Order 1976 (S.I. 1976/1213 (N.I. 22)).
- (2) In this Schedule references to Articles are to Articles of the 1976 Order.
- (3) Expressions used in this Schedule and in the 1976 Order have the meaning given in that Order.

Emergency registration of pharmaceutical chemists

- 2 The 1976 Order has effect as if it were subject to the following modifications.
- 3 After Article 8D insert—

*“Temporary registration in the register of
pharmaceutical chemists in certain emergencies*

- 8E (1) The registrar may register a person, or the persons comprising a specified group of persons, in the register of pharmaceutical chemists if the conditions set out in paragraph (2) are satisfied.
- (2) The conditions are that—
- (a) the Department has advised the registrar that an emergency has occurred, is occurring or is about to occur and that the registrar should consider acting under this Article; and
 - (b) the registrar considers that the emergency registration requirement is met in relation to the person or group of persons.
- (3) The emergency registration requirement is met—
- (a) in relation to a person, if the person is a fit, proper and suitably experienced person to be registered as a pharmaceutical chemist with regard to the emergency;
 - (b) in relation to a group of persons, if the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as pharmaceutical chemists with regard to the emergency.
- (4) The registrar may register all of the persons comprising a specified group of persons without first identifying each person in the group.
- (5) A person's registration under this Article has effect subject to any conditions imposed by the registrar; and the registrar may at any time vary or revoke such a condition or add new conditions.
- (6) Where a person is registered under this Article as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

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- (7) The registration of a person under this Article ceases to have effect if revoked by the registrar; and the registrar—
- (a) must revoke the registration if the Department advises the registrar that the circumstances that led the Department to give the advice referred to in paragraph (2)(a) no longer exist;
 - (b) may at any time revoke the registration for any other reason, including where the registrar has grounds for suspecting that the person's fitness to practise may be impaired.
- (8) A person's registration as a member of a specified group may be revoked—
- (a) without revoking the registration of the other members of the group; or
 - (b) as a result of a decision to revoke the registration of all the members of the group.
- (9) Regulations made under Article 5 with respect to the following matters do not apply to persons registered under this Article—
- (a) paragraph (1)(b) (examinations and qualifications for registration);
 - (b) paragraph (1)(bb), in so far as it refers to the necessary knowledge of English;
 - (c) paragraph (1)(e) (fees);
 - (d) paragraph (1)(f), (ffg) and (g) (qualifications etc in relation to registration);
 - (e) such other matters as the Council may by regulations provide;
- but this is subject to paragraph (11).
- (10) The following provisions of this Order do not apply to persons registered under this Article—
- (a) Article 4A (continuing professional development);
 - (b) Articles 7, 8 and 8AA (provisions relating to registration);
 - (c) Article 11(1) (evidence of qualification required for registration);
 - (d) Article 15 (retention fees);
 - (e) Article 20 and Schedule 3 (fitness to practise) other than paragraphs 1 to 3; and
 - (f) such other provisions as the Council may by regulations provide;
- but this is subject to paragraph (11).
- (11) The Council may make regulations that provide that the following apply to persons registered under this Article—
- (a) regulations with respect to any of the matters referred to in paragraph (9)(a) to (e); and
 - (b) any of the provisions of this Order referred to in paragraph (10)(a) to (f).
- (12) If a person breaches any condition to which the person's registration under this Article is subject, anything done by that person in breach of the condition is to be treated as not being done by a registered pharmaceutical chemist.
- (13) The registrar may make available information to assist with the identification of persons registered under this Article in such manner as the registrar sees fit.

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(14) In this Article—

“emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004 (meaning of “emergency”), read with subsection (2)(a) and (b) of that section;

“specified” means specified in a direction given by the registrar or by a person authorised by the registrar.”

4 In Article 9(2) (maintenance of the register), at the end insert “ or in the case of the register mentioned in Article 6(1)(a) registered by virtue of Article 8E ”.

5 At the end of Article 9 (the registrar and registers) insert—

“(6) The registrar may record an annotation against the name of a registered person denoting that the person is registered under Article 8E.”

Emergency extension of prescribing powers for pharmaceutical chemists

6 After Article 9 insert—

“Temporary extension of prescribing powers in certain emergencies

9A (1) In the register mentioned in Article 6(1)(a), the registrar may record an annotation under paragraph (2) against—

- (a) the name of a registered person; or
- (b) the names of the persons comprising a specified group of registered persons,

if the conditions set out in paragraph (3) are satisfied.

(2) An annotation under this paragraph indicates that the person is qualified to order drugs, medicines and appliances in a specified capacity, notwithstanding that the person would not (but for this Article) be so qualified.

(3) The conditions are that—

- (a) the Department has advised the registrar that an emergency has occurred, is occurring or is about to occur and that the registrar should consider acting under this Article; and
- (b) the registrar considers that the emergency annotation requirement is met in relation to the person or group of persons.

(4) The emergency annotation requirement is met—

- (a) in relation to a registered person, if the person is a fit, proper and suitably experienced person to order drugs, medicines and appliances in a specified capacity with regard to the emergency; and
- (b) in relation to a group of registered persons, if the group is comprised of persons who may reasonably be considered fit, proper and suitably experienced persons to order drugs, medicines and appliances in a specified capacity with regard to the emergency.

(5) The registrar may record the annotation in such a way as to distinguish between annotations recorded by virtue of this Article and other annotations.

(6) Annotations recorded by virtue of this Article—

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- (a) must be removed by the registrar if the Department advises the registrar that the circumstances that led the Department to give the advice referred to in paragraph (3)(a) no longer exist;
 - (b) may at any time be removed by the registrar for any other reason including where the registrar has grounds for suspecting that the person's fitness to order drugs, medicines and appliances may be impaired.
- (7) An annotation recorded against the name of a person in the register as a member of a specified group may be removed—
- (a) without the removal by the registrar of the annotations recorded against the names in the register of the other members of the group; or
 - (b) by virtue of a decision by the registrar to remove the annotations recorded against the names in the register of all the members of the group.
- (8) Regulations made under Article 5 with respect to the following matters do not apply to persons with an annotated entry—
- (a) paragraph (1)(e) (fees);
 - (b) paragraph (1)(ff) (annotations of the register); and
 - (c) such other matters as the Council may by regulations provide;
- but this is subject to paragraph (10).
- (9) The following provisions of this Order do not apply to persons with an annotated entry—
- (a) Article 4A (continuing professional development);
 - (b) Article 8 (qualifications for registration); and
 - (c) such other provisions as the Council may by regulations provide;
- but this is subject to paragraph (10).
- (10) The Council may make regulations that provide that the following apply to persons with an annotated entry—
- (a) regulations with respect to any of the matters referred to in paragraph (8)(a) to (c); and
 - (b) any of the provisions of this Order referred to in paragraph (9)(a) to (c).
- (11) In this Article—
- “emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004 (meaning of “emergency”), read with subsection (2)(a) and (b) of that section;
- “person with an annotated entry” means a person who has an annotation under paragraph (2) against their name in the register; and
- “specified” means specified in a direction given by the registrar or by a person authorised by the registrar.”

Appeals

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- “(3) No appeal lies to the Council against a decision of the registrar—
- (a) to register or refuse to register a person under Article 8E;
 - (b) to register or refuse to register under that Article the persons comprising a group of persons;
 - (c) to impose, vary or revoke a condition as respects the registration of a person, or the persons comprising a group of persons, under Article 8E(5);
 - (d) to revoke a person's registration under that Article (and, in the case of a member of a group, it does not matter whether the registrar also decides to revoke the registration of any or all of the other members of the group);
 - (e) to record or refuse to record an annotation under Article 9A(2) against the name of a registered person, or the names of the persons comprising a group of registered persons;
 - (f) to remove an annotation under that Article (and, in the case of a member of a group, it does not matter whether the registrar also decides to remove the annotation of any or all of the other members of the group).”

Power to require disclosure of information

- 8 Paragraph 2(1) of Schedule 3 to the 1976 Order (power of the Council to require disclosure of information) has effect as if it enabled requirements to be imposed for the purpose of assisting the registrar in carrying out functions in respect of identifying any person registered by virtue of Article 8E(3)(b) (emergency registration of a group of persons).

SCHEDULE 5

Section 6

EMERGENCY REGISTRATION OF SOCIAL WORKERS: ENGLAND AND WALES

Social Workers Regulations 2018

- 1 (1) The Social Workers Regulations 2018 (S.I. 2018/893) have effect as if they were subject to the following modifications.
- (2) Regulation 9 (information to be recorded in the register in relation to a registered social worker) has effect as if—
- (a) in paragraph (1) after sub-paragraph (b) there were inserted—
 - “(ba) in the case of a social worker registered under regulation 12A (emergency registration) the fact that the social worker has been registered under that regulation,”
 - and
 - (b) after paragraph (1) there were inserted—
 - “(1A) The information referred to in paragraph (1)(a), (b) or (ba) is not required to be recorded in the register in relation to a social worker registered under regulation 12A as a member of a specified group.”
- (3) The regulations have effect as if after regulation 12 there were inserted—

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*“Temporary registration in emergencies
 involving loss of human life or human illness etc*

- 12A(1) The regulator may register a person as a social worker, or the persons comprising a specified group of persons as social workers, if—
- (a) the Secretary of State has advised the regulator that an emergency has occurred, is occurring or is about to occur and that the regulator should consider acting under this regulation, and
 - (b) the regulator considers that the emergency registration requirement is met in relation to the person or group of persons.
- (2) For the purposes of paragraph (1)(b) the emergency registration requirement is met—
- (a) in relation to a person, if the regulator considers that the person is a fit, proper and suitably experienced person to be registered as a social worker with regard to the emergency;
 - (b) in relation to a group of persons, if the regulator considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as social workers with regard to the emergency.
- (3) The regulator may register all of the persons comprising a specified group of persons without first identifying each person in the group.
- (4) The registration of a person under this regulation has effect subject to any conditions imposed by the regulator; and the regulator may at any time vary or revoke such a condition or add new conditions.
- (5) Where a person is registered under this regulation as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.
- (6) A person's registration under this regulation ceases to have effect if revoked by the regulator; and the regulator—
- (a) must revoke the registration if the Secretary of State advises the regulator that the circumstances that led the Secretary of State to give the advice referred to in paragraph (1)(a) no longer exist;
 - (b) may at any time revoke the registration for any other reason, including where the regulator suspects that the person's fitness to practise may be impaired.
- (7) A person's registration as a member of a specified group may be revoked—
- (a) without the registration of the other members of the group being revoked, or
 - (b) as a result of a decision to revoke the registration of all the members of the group.
- (8) If a person's registration under this regulation is revoked under paragraph (6)
- (a), the registration ceases to have effect at the end of the period of 14 days beginning with the day on which it is revoked.
- (9) If a person's registration under this section is revoked under paragraph (6)
- (b), the registration ceases to have effect immediately.

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- (10) The following provisions of these regulations do not apply to persons registered under this regulation—
- (a) regulation 9 (content of the register), other than paragraph (1)(a), (b) and (ba) and paragraphs (1A) and (3);
 - (b) regulations 10 to 12 and 13 to 15 (other provisions relating to registration);
 - (c) regulation 16(4) and (5) (duty to provide information to regulator: sanctions);
 - (d) regulation 17 (fees for registration);
 - (e) Part 5 (discipline and fitness to practise).
- (11) If a person breaches a condition to which the person's registration under this regulation is subject, anything done by the person in breach of the condition is to be treated as not done by a registered social worker.
- (12) The regulator may do anything which appears to it to be necessary or expedient for the purpose of, or in connection with, the performance of its functions under this regulation.
- (13) This includes—
- (a) making rules, and
 - (b) issuing guidance to persons registered under this regulation or to the public.
- (14) Paragraphs (2) to (5) of regulation 3 do not apply to rules under paragraph (12)(a).
- (15) In this regulation “emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004, read with subsection (2)(a) and (b) of that section.”
- (4) Regulation 19 (registration appeals) has effect as if after paragraph (2) there were inserted—
- “(2A) Paragraph (1) does not apply to—
- (a) a decision by the regulator to refuse to register a person under regulation 12A, or
 - (b) a decision by the regulator to revoke a person's registration under that regulation.”

Regulation and Inspection of Social Care (Wales) Act 2016

- 2 (1) The Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) has effect as if it were subject to the following modifications.
- (2) The Act has effect as if after section 83 of the English language text there were inserted—

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“83A Temporary registration in emergencies involving loss of human life or human illness etc

- (1) The registrar may register a person as a social worker in the social worker part of the register, or the persons comprising a specified group of persons as social workers in that part, if—
 - (a) the Welsh Ministers have advised the registrar that an emergency has occurred, is occurring or is about to occur and that the registrar should consider acting under this section, and
 - (b) the registrar considers that the emergency registration requirement is met in relation to the person or group of persons.
- (2) For the purposes of subsection (1)(b) the emergency registration requirement is met—
 - (a) in relation to a person, if the registrar considers that the person is a fit, proper and suitably experienced person to be registered as a social worker with regard to the emergency;
 - (b) in relation to a group of persons, if the registrar considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as social workers with regard to the emergency.
- (3) The registrar may register all of the persons comprising a specified group of persons without first identifying each person in the group.
- (4) The registrar may include an annotation in the social worker part of the register denoting that a person has been registered under this section.
- (5) The registration of a person under this section has effect subject to any conditions imposed by the registrar; and the registrar may at any time vary or revoke such a condition or add new conditions.
- (6) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.
- (7) A person's registration under this section ceases to have effect if revoked by the registrar; and the registrar—
 - (a) must revoke the registration if the Welsh Ministers advise the registrar that the circumstances that led the Welsh Ministers to give the advice referred to in subsection (1)(a) no longer exist;
 - (b) may at any time revoke the registration for any other reason, including where the registrar suspects that the person's fitness to practise may be impaired.
- (8) A person's registration as a member of a specified group may be revoked—
 - (a) without the registration of the other members of the group being revoked, or
 - (b) as a result of a decision to revoke the registration of all the members of the group.

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- (9) If a person's registration under this section is revoked under subsection (7) (a), the registration ceases to have effect at the end of the period of 14 days beginning with the day on which it is revoked.
 - (10) If a person's registration under this section is revoked under subsection (7) (b), the registration ceases to have effect immediately.
 - (11) Rules under section 74 may not provide for fees to be charged in respect of a person's registration under this section.
 - (12) The following provisions do not apply to persons registered under this section—
 - (a) sections 82, 83, 84, 86, 87, 89, 94 and 95 (provisions relating to registration) of this Act;
 - (b) sections 113 to 115 (continuing professional development) of this Act and rules made under any of those sections;
 - (c) Part 6 (social care workers: fitness to practise) of this Act, other than section 160(1) and (3) to (5).
 - (13) If a person breaches a condition to which the person's registration under this section is subject, anything done by the person in breach of the condition is to be treated as not done by a person registered in the social worker part of the register.
 - (14) In this section “emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004, read with subsection (2)(a) and (b) of that section.”
- (3) The Act has effect as if after section 83 of the Welsh language text there were inserted—

“83A Cofrestru dros dro mewn argyfyngau sy'n cynnwys colli bywyd dynol neu salwch dynol etc

- (1) Caiff y cofrestrydd gofrestru person fel gweithiwr cymdeithasol yn rhan gweithwyr cymdeithasol y gofrestr, neu bersonau sy'n ffurfio grŵp penodedig o bersonau fel gweithwyr cymdeithasol yn y rhan honno, —
 - (a) os yw Gweinidogion Cymru wedi cynghori'r cofrestrydd bod argyfwng wedi codi, yn codi neu ar fin codi, ac y dylai'r cofrestrydd ystyried gweithredu o dan yr adran hon, a
 - (b) os yw'r cofrestrydd yn ystyried bod y gofyniad ar gyfer cofrestru mewn argyfwng wedi ei fodloni mewn perthynas â'r person neu'r grŵp o bersonau.
- (2) At ddibenion is-adran (1)(b) mae'r gofyniad ar gyfer cofrestru mewn argyfwng yn cael ei fodloni—
 - (a) mewn perthynas â pherson, os yw'r cofrestrydd yn ystyried bod y person yn berson addas a phriodol sydd â phrofiad cyfaddas i gael ei gofrestru fel gweithiwr cymdeithasol o ran yr argyfwng;
 - (b) mewn perthynas â grŵp o bersonau, os yw'r cofrestrydd yn ystyried bod y grŵp yn cael ei ffurfio o bersonau sydd o fath y gellir eu hystyried yn rhesymol yn bersonau addas a phriodol sydd â phrofiad

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cyfaddas i gael eu cofrestru fel gweithwyr cymdeithasol o ran yr argyfwng.

- (3) Caiff y cofrestrydd gofrestru pob un o'r personau sy'n ffurfio grŵp penodedig o bersonau heb enwi'n gyntaf bob person yn y grŵp.
- (4) Caiff y cofrestrydd gynnwys anodiad yn rhan gweithwyr cymdeithasol y gofrestr sy'n dynodi bod person wedi cael ei gofrestru o dan yr adran hon.
- (5) Mae cofrestriad person o dan yr adran hon yn cael effaith yn ddarostyngedig i unrhyw amodau a osodir gan y cofrestrydd; a chaiff y cofrestrydd amrywio neu ddirymu unrhyw amod o'r fath neu ychwanegu unrhyw amodau newydd ar unrhyw adeg.
- (6) Pan fo person wedi ei gofrestru o dan yr adran hon fel aelod o grŵp penodedig, caniateir i gofrestriad y person fod (ond nid oes rhaid iddo fod) yn ddarostyngedig i'r un amodau â chofrestriad aelodau eraill o'r grŵp.
- (7) Mae cofrestriad person o dan yr adran hon yn peidio â chael effaith os caiff ei ddirymu gan y cofrestrydd; a—
 - (a) rhaid i'r cofrestrydd ddirymu'r cofrestriad os yw Gweinidogion Cymru yn cynghori'r cofrestrydd nad yw'r amgylchiadau a arweiniodd Gweinidogion Cymru at roi'r cyngor y cyfeirir ato yn is-adran (1)(a) bellach yn bodoli;
 - (b) caiff y cofrestrydd, ar unrhyw adeg, ddirymu'r cofrestriad am unrhyw reswm arall, gan gynnwys pan fo'r cofrestrydd yn amau y gall addasrwydd y person i ymarfer fod wedi ei amharu.
- (8) Caniateir i gofrestriad person fel aelod o grŵp penodedig gael ei ddirymu—
 - (a) heb ddirymu cofrestriad aelodau eraill o'r grŵp, neu
 - (b) o ganlyniad i benderfyniad i ddirymu cofrestriad pob aelod o'r grŵp.
- (9) Os yw cofrestriad unrhyw berson yn cael ei ddirymu o dan is-adran (7)(a), mae'r cofrestriad yn peidio â chael effaith ar ddiwedd cyfnod o 14 diwrnod sy'n dechrau â'r diwrnod y caiff ei ddirymu.
- (10) Os yw cofrestriad unrhyw berson yn cael ei ddirymu o dan is-adran (7)(b), mae'r cofrestriad yn peidio â chael effaith ar unwaith.
- (11) Ni chaiff rheolau o dan adran 74 ddarparu ar gyfer codi ffioedd o ran cofrestriad person o dan yr adran hon.
- (12) Nid yw darpariaethau canlynol y Ddeddf yn gymwys i bersonau a gofrestrir o dan yr adran hon—
 - (a) adrannau 82, 83, 84, 86, 87, 89, 94 a 95 (darpariaethau sy'n ymwneud â chofrestru) o'r Ddeddf hon;
 - (b) adrannau 113 i 115 (datblygiad proffesiynol parhaus) o'r Ddeddf hon a rheolau a wneir o dan unrhyw un o'r adrannau hynny;
 - (c) Rhan 6 (gweithwyr gofal cymdeithasol: addasrwydd i ymarfer) o'r Ddeddf hon ac eithrio adran 160(1) a (3) i (5).
- (13) Os yw person yn torri amod y mae cofrestriad y person o dan yr adran hon yn ddarostyngedig iddo, mae unrhyw beth a wneir gan y person yn groes i'r amod i'w drin fel peth nad yw wedi ei wneud gan berson a gofrestrwyd yn rhan gweithwyr cymdeithasol y gofrestr.

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- (14) Yn yr adran hon mae i “argyfwng” yr ystyr a roddir i'r math o “emergency” a ddisgrifir yn adran 19(1)(a) o Ddeddf Argyfyngau Sifil Posibl 2004, wedi ei darllen ynghyd ag is-adran (2)(a) a (b) o'r adran honno.”
- (4) Section 101 (appeals against decisions of the registrar) has effect as if—
- (a) after subsection (2) of the English language text there were inserted—
- “(3) Subsection (1) does not apply to—
- (a) a decision by the registrar to refuse to register a person under section 83A, or
- (b) a decision by the registrar to revoke a person's registration under that section.”;
- (b) after subsection (2) of the Welsh language text there were inserted—
- “(3) Nid yw is-adran (1) yn gymwys i—
- (a) penderfyniad gan y cofrestrydd i wrthod cofrestru person o dan adran 83A, neu
- (b) penderfyniad gan y cofrestrydd i ddirymu cofrestriad person o dan yr adran honno.”
- (5) Section 160(1) (power of Social Care Wales to require disclosure of information) has effect as if it enabled requirements to be imposed for the purpose of assisting the registrar in carrying out functions under section 83A.

F³SCHEDULE 6

Section 7

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Textual Amendments

F3 Sch. 6 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

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PROSPECTIVE

SCHEDULE 7

Section 8

EMERGENCY VOLUNTEERING LEAVE

^{F4}**PART 1**

ENTITLEMENT TO EMERGENCY VOLUNTEERING LEAVE

Textual Amendments

F4 Sch. 7 Pt. 1 expires (17.7.2021) by [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), **reg. 2(1)(a)** (see 2020 c. 7, s. 89(2)(n))

Entitlement to emergency volunteering leave

^{F4}₁

Meaning of “volunteering period”

^{F4}₂

Exceptions to entitlement to emergency volunteering leave

^{F4}₃

Meaning of “appropriate authority”

^{F4}₄

PART 2

EFFECT OF TAKING EMERGENCY VOLUNTEERING LEAVE

Application of terms and conditions of employment

5 (1) An employee who takes emergency volunteering leave is, during any period of leave—

- (a) entitled to the benefit of all of the terms and conditions of employment which would have applied if the employee had not been absent, and
- (b) bound by any obligations arising under those terms and conditions (except in so far as they are inconsistent with paragraph 1).

(2) In sub-paragraph (1) “terms and conditions of employment”—

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- (a) includes matters connected with an employee's employment whether or not they arise under the contract of employment, but
 - (b) does not include terms and conditions about remuneration.
- (3) For the purposes of this paragraph, only sums payable to an employee by way of wages or salary are to be treated as remuneration.

Right to return

- 6
- (1) An employee who returns to work after a period of emergency volunteering leave is entitled to return from leave to the job in which they were employed before the absence.
 - (2) The right to return under this paragraph is a right to return—
 - (a) with the employee's seniority, pension and similar rights as they would have been if the employee had not been absent, and
 - (b) on terms and conditions no less favourable than those which would have applied if the employee had not been absent.

Pension rights

- 7
- (1) If an employment-related benefit scheme does not include an emergency volunteering rule, it is to be treated as including one.
 - (2) An emergency volunteering rule is a provision that has the effect set out in subparagraphs (3) and (4).
 - (3) If a relevant term does not treat time when a worker is on emergency volunteering leave as it treats time when they are not, the term is modified so as to treat time when they are on emergency volunteering leave as time when they are not.
 - (4) If a term confers a relevant discretion capable of being exercised so that time when a worker is on emergency volunteering leave is treated differently from time when they are not, the term is modified so as not to allow the discretion to be exercised in that way.
 - (5) A term is relevant if it is—
 - (a) a term relating to membership of the scheme,
 - (b) a term relating to the accrual of rights under the scheme, or
 - (c) a term providing for the determination of the amount of a benefit payable under the scheme.
 - (6) A discretion is relevant if its exercise is capable of affecting—
 - (a) membership of the scheme,
 - (b) the accrual of rights under the scheme, or
 - (c) the determination of the amount of a benefit payable under the scheme.
 - (7) This paragraph does not require the worker's contributions to the scheme in respect of time when they are on emergency volunteering leave to be determined otherwise than by reference to the amount they are paid by the employer in respect of that time.
 - (8) “Employment-related benefit scheme”—
 - (a) in relation to England and Wales and Scotland, has the meaning given by paragraph 7 of Schedule 5 to the Social Security Act 1989;

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- (b) in relation to Northern Ireland, has the meaning given by paragraph 7 of Schedule 5 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13)).

PART 3

MODIFICATIONS OF EMPLOYMENT RIGHTS ACT 1996

8 The Employment Rights Act 1996 (“the 1996 Act”) has effect in accordance with this Part of this Schedule.

9 The 1996 Act has effect as if after section 47G there were inserted—

“47H Emergency volunteering leave

(1) A worker has the right not to be subjected to a detriment by any act, or any deliberate failure to act, by their employer on the grounds that—

- (a) the worker took, sought to take, or made use of the benefits of, emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020, or
- (b) the employer believed that the worker was likely to take emergency volunteering leave under that Schedule.

(2) A worker makes use of the benefits of emergency volunteering leave if, during a period of emergency volunteering leave, the worker benefits from any provision of Part 2 of Schedule 7 to the Coronavirus Act 2020.

(3) Subsection (1) does not apply where the worker is an employee and the detriment in question amounts to dismissal within the meaning of Part 10.”

10 The 1996 Act has effect as if in section 48 (complaints to employment tribunals)—

(a) after subsection (1B) there were inserted—

“(1C) A worker may present a complaint to an employment tribunal that they have been subjected to a detriment in contravention of section 47H.”;

(b) in subsection (2), for “or (1B)” there were substituted “, (1B) or (1C)”.

11 The 1996 Act has effect as if in section 49 (remedies)—

(a) in subsection (1), for “or (1B)” there were substituted “, (1B) or (1C)”;

(b) after subsection (7) there were inserted—

“(8) Where—

- (a) the complaint is made under section 48(1C),
- (b) the detriment to which the worker is subjected is the termination of their worker's contract, and
- (c) that contract is not a contract of employment,

any compensation must not exceed the compensation that would be payable under Chapter 2 of Part 10 if the worker had been an employee and had been dismissed for the reason specified in section 104H.”

12 The 1996 Act has effect as if in section 88 (pay during period of notice: employments with normal working hours), in subsection (1)(c), after “paternity

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- leave” there were inserted “ or emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020 ”.
- 13 The 1996 Act has effect as if in section 89 (pay during period of notice: employments without normal working hours), in subsection (3)(b), after “paternity leave” there were inserted “ or emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020 ”.
- 14 The 1996 Act has effect as if after section 104G there were inserted—
- “104H Emergency volunteering leave**
- (1) An employee who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that—
- (a) the employee took, sought to take, or made use of the benefits of, emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020, or
- (b) the employer believed that the employee was likely to take emergency volunteering leave under that Schedule.
- (2) An employee makes use of the benefits of emergency volunteering leave if, during a period of emergency volunteering leave, the worker benefits from any provision of Part 2 of Schedule 7 to the Coronavirus Act 2020.”
- 15 The 1996 Act has effect as if in section 105 (redundancy), after subsection (7BB) there were inserted—
- “(7BC) This subsection applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one of those specified in section 104H.”
- 16 The 1996 Act has effect as if in section 108(3) (exceptions to qualifying period of employment for unfair dismissal), after paragraph (gm) there were inserted—
- “(gn) section 104H applies,”.
- 17 The 1996 Act has effect as if in section 124(1A) (exceptions to limits on compensation), after “103A,” there were inserted “ 104H, ”.
- 18 The 1996 Act has effect as if in section 203(1)(a) (restrictions on contracting out), after “this Act” there were inserted “ or Schedule 7 to the Coronavirus Act 2020 ”.

PART 4

MODIFICATIONS OF EMPLOYMENT RIGHTS (NORTHERN IRELAND) ORDER 1996

- 19 The Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16)) (“the 1996 Order”) has effect in accordance with this Part of this Schedule.
- 20 The 1996 Order has effect as if after Article 70F there were inserted—

“Emergency volunteering leave

- 70G(1) A worker has the right not to be subjected to a detriment by any act, or any deliberate failure to act, by their employer on the grounds that—

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- (a) the worker took, sought to take, or made use of the benefits of, emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020, or
- (b) the employer believed that the worker was likely to take emergency volunteering leave under that Schedule.
- (2) A worker makes use of the benefits of emergency volunteering leave if, during a period of emergency volunteering leave, the worker benefits from any provision of Part 2 of Schedule 7 to the Coronavirus Act 2020.
- (3) Paragraph (1) does not apply where the worker is an employee and the detriment in question amounts to dismissal within the meaning of Part 11.”
- 21 The 1996 Order has effect as if in Article 71 (complaints to industrial tribunals)—
- (a) after paragraph (1B) there were inserted—
- “(1C) A worker may present a complaint to an industrial tribunal that they have been subjected to a detriment in contravention of Article 70G.”;
- (b) in paragraph (2), for “or (1B)” there were substituted “, (1B) or (1C) ”.
- 22 The 1996 Order has effect as if in Article 72 (remedies)—
- (a) in paragraph (1), for “or (1B)” there were substituted “, (1B) or (1C) ”;
- (b) after paragraph (7) there were inserted—
- “(8) Where—
- (a) the complaint is made under Article 71(1C),
- (b) the detriment to which the worker is subjected is the termination of their worker's contract, and
- (c) that contract is not a contract of employment,
- any compensation must not exceed the compensation that would be payable under Chapter 2 of Part 11 if the worker had been an employee and had been dismissed for the reason specified in Article 135G.”
- 23 The 1996 Order has effect as if in Article 120 (pay during period of notice: employments with normal working hours), in paragraph (1)(c), after “paternity leave” there were inserted “ or emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020 ”.
- 24 The 1996 Order has effect as if in Article 121 (pay during period of notice: employments without normal working hours), in paragraph (3)(b), after “paternity leave” there were inserted “ or emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020 ”.
- 25 The 1996 Order has effect as if after Article 135F there were inserted—
- “Emergency volunteering leave*
- 135G) An employee who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that—
- (a) the employee took, sought to take, or made use of the benefits of, emergency volunteering leave under Schedule 7 to the Coronavirus Act 2020, or

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- (b) the employer believed that the employee was likely to take emergency volunteering leave under that Schedule.
- (2) An employee makes use of the benefits of emergency volunteering leave if, during a period of emergency volunteering leave, the worker benefits from any provision of Part 2 of Schedule 7 to the Coronavirus Act 2020.”
- 26 The 1996 Order has effect as if in Article 137 (redundancy)—
- (a) in paragraph (1)(c), for “(7M)” there were substituted “ (7N) ”;
- (b) after paragraph (7M) there were inserted—
- “(7N) This paragraph applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one of those specified in Article 135G.”
- 27 The 1996 Order has effect as if in Article 140(3) (exceptions to qualifying period of employment for unfair dismissal), after sub-paragraph (fk) there were inserted—
- “(fl) Article 135G applies,”.
- 28 The 1996 Order has effect as if in Article 158(1A) (exceptions to limits on compensation), after “135F,” there were inserted “ 135G, ”.
- 29 The 1996 Order has effect as if in Article 245(1)(a) (restrictions on contracting out), after “this Order” there were inserted “ or Schedule 7 to the Coronavirus Act 2020 ”.

PART 5

GENERAL

Application of this Schedule to agency workers

- 30 (1) This paragraph applies in relation to a worker who is supplied by a person (an “agent”) to do work for another (a “principal”) under a contract or other arrangements made between the agent and the principal.
- (2) Where the worker gives notice and a certificate under paragraph 1(2) to the employer, the employer must as soon as reasonably practicable provide copies of them—
- (a) if the employer is the agent, to any principals to whom the worker was to be supplied during the period specified in the certificate,
- (b) if the employer is a principal, to the agent, and
- (c) if the employer is neither the agent nor a principal, to the agent and any principals to whom the worker was to be supplied during the period specified in the certificate.
- (3) For the purposes of the provisions mentioned in sub-paragraph (4) references to the worker's employer are to be read as including—
- (a) the agent, and
- (b) any principals to whom the worker was to be supplied during the period specified in the certificate,
- (where they would not otherwise be the worker's employer).
- (4) The provisions referred to in sub-paragraph (3) are—

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- (a) in paragraph 9, section 47H (right not to be subjected to detriment by employer: Great Britain);
- (b) in paragraph 20, Article 70G (right not to be subjected to detriment by employer: Northern Ireland).

Interpretation

- 31 (1) This paragraph applies for the interpretation of this Schedule.
- (2) In relation to England and Wales and Scotland, the following terms have the meaning given by section 230 of the Employment Rights Act 1996—
- “contract of employment”,
 - “employed”,
 - “employee”,
 - “employer”,
 - “employment”,
 - “worker”,
 - “worker's contract”.
- (3) In relation to Northern Ireland, the following terms have the meaning given by Article 3 of the Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))—
- “contract of employment”,
 - “employed”,
 - “employee”,
 - “employer”,
 - “employment”,
 - “worker”,
 - “worker's contract”.
- (4) “Emergency volunteering leave” has the meaning given by paragraph 1.
- (5) “Health or social care” has the meaning given by section 9 of the Health and Social Care Act 2008.
- (6) “Week” means any period of 7 consecutive days.
- (7) “Working day” means a day other than—
- (a) a Saturday or a Sunday,
 - (b) Christmas Day or Good Friday, or
 - (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.

Regulations

- 32 A power to make regulations under this Schedule includes power to make consequential, supplementary, incidental, transitional or saving provision.
- 33 (1) Regulations made by the Secretary of State under this Schedule are to be made by statutory instrument.

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- (2) A statutory instrument containing regulations made by the Secretary of State under this Schedule is subject to annulment in pursuance of a resolution of either House of Parliament.
- 34 (1) Regulations made by the Department for the Economy in Northern Ireland under this Schedule may contain only provision which—
- (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.
- (2) The power of the Department for the Economy in Northern Ireland to make regulations under this Schedule 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).
- (3) Regulations under this Schedule made by the Department for the Economy in Northern Ireland are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954.

SCHEDULE 8

Section 10

MENTAL HEALTH: ENGLAND AND WALES

^{F5}PART 1

INTRODUCTORY PROVISION ETC

Textual Amendments

- F5** Sch. 8 Pt. 1 expires (E.) (10.12.2020) by [The Coronavirus Act 2020 \(Expiry of Mental Health Provisions\) \(England and Wales\) Regulations 2020 \(S.I. 2020/1467\)](#), [reg. 2\(1\)\(a\)](#) (with [reg. 2\(2\)](#))
Sch. 8 Pt. 1 expires in part (W.) (10.12.2020) by [The Coronavirus Act 2020 \(Expiry of Mental Health Provisions\) \(England and Wales\) Regulations 2020 \(S.I. 2020/1467\)](#), [reg. 2\(1\)\(b\)\(ii\)](#)

Interpretation

- 1 (1) References in this Schedule to sections are to sections of the Mental Health Act 1983 (“the 1983 Act”).
- (2) Expressions used in this Schedule and in the 1983 Act have the same meaning as in that Act.

Commencement Information

- I1** Sch. 8 para. 1 in force at 27.3.2020 at 9.00 a.m. for W. by [S.I. 2020/366](#), [reg. 2\(b\)](#)

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Forms

- 2 Where any form prescribed for use in connection with a provision of the 1983 Act is inconsistent with a modification made by Part 2 of this Schedule, the form—
- (a) may, in connection with the provision as so modified, be used with appropriate amendments;
 - (b) is otherwise, for use in that connection, to be read with such amendments as are necessary to reflect the modification.]

Commencement Information

I2 Sch. 8 para. 2 in force at 27.3.2020 at 9.00 a.m. for W. by [S.I. 2020/366, reg. 2\(b\)](#)

^{F6}PART 2

MODIFICATIONS OF THE MENTAL HEALTH ACT 1983 AND RELATED PROVISION

Textual Amendments

F6 Sch. 8 Pt. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

PROSPECTIVE

^{F6}*Applications for compulsory admission to hospital for assessment or treatment*

^{F63}

PROSPECTIVE

^{F6}*Applications for compulsory admission of patients already in hospital*

^{F64}

PROSPECTIVE

^{F6}*Period of remand to hospital*

^{F65}

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PROSPECTIVE

^{F6}Court orders for the detention of accused or convicted persons in hospital

F⁶6

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PROSPECTIVE

^{F6}Directions for the transfer of prisoners to hospital

F⁶7

.....

PROSPECTIVE

^{F6}Conveyance of accused or convicted persons to hospital

F⁶8

.....

PROSPECTIVE

^{F6}Administration of medicine to persons liable to detention in hospital

F⁶9

.....

PROSPECTIVE

^{F6}Detention in place of safety

F⁶10

.....

Constitution and proceedings of the Mental Health Review Tribunal for Wales

.....

PROSPECTIVE

PART 3

TRANSITIONAL PROVISION

14

Paragraph 4(2) or (3), 8(3) or 10 continues to apply after the end of a period for which it has effect for the purposes of determining the length of any period which has begun before the end of that period.

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- 15 Where, by virtue of paragraph 5, a person has been remanded under section 35(7) or 36(6) for more than 12 weeks in all, the person may not be further remanded under that provision after the end of a period for which that paragraph has effect.
- 16 (1) Paragraph 8(1) continues to apply after the end of a period for which it has effect in relation to any order or direction made during that period, subject to sub-paragraph (2).
- (2) The constable or other person whose duty is modified by that provision must in any event convey the person concerned to the requisite hospital within the period of seven days beginning with the day on which the period referred to in sub-paragraph (1) ends.
- 17 Paragraph 11(3) to (6) continues to apply after the end of a period for which it has effect in relation to proceedings that are, when the period ends, before a constitution of the Mental Health Review Tribunal for Wales appointed under sub-paragraph (2) of that paragraph.
- 18 Paragraph 12 continues to apply after the end of a period for which it has effect in relation to any application or reference with respect to which, when the period ends, a decision to dispense with a hearing has been notified by the Mental Health Review Tribunal for Wales under sub-paragraph (3) of that paragraph and remains current
- 19 Paragraph 13 continues to apply after the end of a period for which it has effect in relation to any nomination of a temporary deputy that is in force when the period ends.

PROSPECTIVE

^{F7}SCHEDULE 9

Section 10

MENTAL HEALTH: SCOTLAND

Textual Amendments

^{F7} Sch. 9 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

^{F7}**PART 1**

INTRODUCTORY PROVISION ETC

^{F7}*Interpretation*

^{F7}₁

^{F7}*Forms*

^{F7}₂

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

^{F7}PART 2

MODIFICATIONS OF THE MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003

^{F7}*Emergency detention*

^{F7}3

^{F7}*Short-term detention certificates*

^{F7}4

^{F7}*Compulsory treatment orders*

^{F7}5

^{F7}*Transfer for treatment directions*

^{F7}6

^{F7}*Nurse's power to detain pending medical examination*

^{F7}7

^{F7}*Admission to hospital*

^{F7}8

^{F7}*Suspension of requirements to review orders and directions authorising detention*

^{F7}9

^{F7}*Administration of medicine*

^{F7}10

^{F7}*Constitution of Mental Health Tribunal for Scotland*

^{F7}11

^{F7}PART 3

MODIFICATIONS OF THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1995

^{F7}*Assessment orders: extension*

^{F7}12

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F7 Court orders authorising detention

F713

F7 Admission to hospital

F714

F7 PART 4

MODIFICATIONS OF SUBORDINATE LEGISLATION

F7 The Mental Health Tribunal for Scotland (Practice and Procedure) (No. 2) Rules 2005 (SSI 2005/519)

F715

F7 The Mental Health (Conflict of Interest) (Scotland) Regulations 2017 (SSI 2017/174)

F716

SCHEDULE 10

Section 10

MENTAL HEALTH: NORTHERN IRELAND

[F8 PART 1

INTRODUCTORY PROVISION ETC

Textual Amendments

F8 Sch. 10 Pt. 1 suspended in part (10.5.2021) by [The Coronavirus Act 2020 \(Suspension\) Order \(Northern Ireland\) 2021 \(S.R. 2021/98\)](#), arts. 1(1), 2 (with art. 3, Sch.)

Interpretation

1 (1) In this Schedule—

“the 1986 Order” means the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4));

“the 1986 Regulations” means the Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) Regulations (Northern Ireland) 1986 (S.R. (N.I.) 1986 No. 174);

“the Department of Health” means the Department of Health in Northern Ireland;

an “RQIA practitioner” means a medical practitioner appointed for the purposes of Part 2 of the 1986 Order by RQIA.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (2) In this Schedule—
- (a) references to Articles are to Articles of the 1986 Order;
 - (b) references to Forms are to the Forms set out in the Schedule to the 1986 Regulations.
- (3) Expressions used in this Schedule and in the 1986 Order have the meaning given in that Order.

Commencement Information

I3 Sch. 10 para. 1 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

Prescribed forms

- 2 Where any form prescribed for use in connection with a provision of the 1986 Order is inconsistent with a modification made by Part 2 of this Schedule, the form—
- (a) may, in connection with the provision as so modified, be used with appropriate amendments;
 - (b) is otherwise, for use in that connection, to be read with such amendments as are necessary to reflect the modification.]

Commencement Information

I4 Sch. 10 para. 2 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

^{F9}**PART 2**

MODIFICATIONS OF THE MENTAL HEALTH (NORTHERN IRELAND) ORDER 1986

.....

Textual Amendments

F9 Sch. 10 Pt. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), [s. 89](#) (with [s. 90](#))

PART 3

TRANSITIONAL PROVISION

- 16 Paragraph 5, 6, 7 or 13(3) continues to apply after the end of any period for which it has effect for the purposes of determining the length of any period which has begun before the end of that period.

Commencement Information

I5 Sch. 10 para. 16 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 17 Where, by virtue of paragraph 9, a person has been remanded under Article 42 or 43 for more than 12 weeks in all, the person may not be further remanded under that provision after the end of a period for which that paragraph has effect.

Commencement Information

I6 Sch. 10 para. 17 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

- 18 (1) Paragraph 13(1) or 14(4) continues to apply after the end of a period for which it has effect in relation to any order or direction made during that period, subject to sub-paragraph (2).
- (2) The constable or other person whose duty is modified by paragraph 13(1) or 14(4) (as the case may be) must in any event convey the person concerned to the requisite hospital before—
- (a) the end of the period specified in Article 42(9)(c) or Article 46(2) or (3), without the modification made by the provision concerned, or
 - (b) the end of the period of seven days beginning with the day on which the period referred to in sub-paragraph (1) ends,
- whichever is later.

Commencement Information

I7 Sch. 10 para. 18 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

PART 4

REVIEW OF OPERATION OF CERTAIN PROVISIONS OF THIS SCHEDULE

- 19 (1) Each HSC trust must maintain a record of each instance where—
- (a) an application for assessment is made in reliance on paragraph 3,
 - (b) a patient was detained for assessment in reliance on Article 9(4)(aa) or (b) (as substituted by paragraph 6(2)(a)), and
 - (c) a report is furnished in reliance on paragraph 8.
- (2) The HSC trust must prepare a report containing an evaluation by it of each such instance and its opinion as to whether the reliance—
- (a) by the relevant social worker on paragraph 3,
 - (b) by the medical practitioner on Article 9(4)(aa) or (b) (as substituted by paragraph 6(2)(a)), or
 - (c) by the relevant medical practitioner on paragraph 8,
- was appropriate.
- (3) The HSC trust must send the report under sub-paragraph (2) to the Department of Health no later than 56 days after the end of a period for which the paragraph of this Schedule in question has effect.

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Commencement Information

I8 Sch. 10 para. 19 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(c\)](#)

SCHEDULE 11

Section 10

MENTAL CAPACITY: NORTHERN IRELAND

PART 1

INTRODUCTORY PROVISION ETC

Interpretation

- 1 (1) In this Schedule, “the 2016 Act” means the Mental Capacity Act (Northern Ireland) 2016 (c. 18 (N.I.)).
- (2) In this Schedule—
- (a) references to sections are to sections of the 2016 Act;
 - (b) references to Schedules are to Schedules to that Act.
- (3) Expressions used in this Schedule and in the 2016 Act have the meaning given in that Act.

Commencement Information

I9 Sch. 11 para. 1 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(d\)](#)

Prescribed forms

- 2 Where any form prescribed for use in connection with a provision of the 2016 Act is inconsistent with a modification made by Part 2 of this Schedule, the form—
- (a) may, in connection with the provision as so modified, be used with appropriate amendments,
 - (b) is otherwise, for use in that connection, to be read with such amendments as are necessary to reflect the modification.

Commencement Information

I10 Sch. 11 para. 2 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(d\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F10 PART 2

MODIFICATIONS OF THE MENTAL CAPACITY ACT (NORTHERN IRELAND) 2016

Textual Amendments

F10 Sch. 11 Pt. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Proceedings of panels constituted to decide applications

.....

Time limit for panel's decisions regarding authorisations of certain serious interventions

.....

Interim authorisations by panels of certain serious interventions

.....

Report authorising short-term detention in hospital for examination etc

.....

Consultation required before such a report is made

.....

Extension by panel of period of authorisation

.....

Additional notification requirements for panels

.....

PROSPECTIVE

F10 Period of detention in place of safety

F10₁₁

PROSPECTIVE

F10 Periods of remand to hospital

F10₁₂

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PROSPECTIVE

*F10 Required medical evidence for court to be satisfied
treatment condition is met in relation to remand to hospital*

F10₁₃

PROSPECTIVE

*F10 Required medical evidence for public protection orders,
interim detention orders, determinations of question of fitness
to be tried or findings of not guilty on ground of insanity*

F10₁₄

PROSPECTIVE

F10 Required medical evidence for hospital directions

F10₁₅

PROSPECTIVE

F10 Extension reports in relation to public protection orders without restrictions

F10₁₆

PROSPECTIVE

F10 Required medical evidence for directions for the transfer of prisoners etc to hospital

F10₁₇

PROSPECTIVE

F10 Admission of person subject to hospital transfer direction to hospital

F10₁₈

Code of practice

.....

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PART 3

TRANSITIONAL PROVISION

- 20 Paragraph 5, 9, 11 or 18 continues to apply after the end of any period for which it has effect for the purposes of determining the length of any period which has begun before the end of that period.

Commencement Information

I11 Sch. 11 para. 20 in force at 2.4.2020 for specified purposes by [S.R. 2020/58](#), [art. 2\(f\)](#)

PROSPECTIVE

- 21 Where, by virtue of paragraph 12 an accused person has been remanded under section 162 for more than 12 weeks in total, the person may not be further remanded under that provision after the end of any period for which that paragraph has effect.

PART 4

REVIEW OF OPERATION OF CERTAIN PROVISIONS OF THIS SCHEDULE

- 22 (1) Each HSC trust must maintain a record of each instance where a panel operates in reliance on paragraph 5 or 9.
- (2) The HSC trust must prepare a report containing an evaluation by it of each such instance and its opinion as to whether the reliance on paragraph 5 or 9 was appropriate.
- (3) The HSC trust must send the report under sub-paragraph (2) to the Department of Health in Northern Ireland no later than 3 months after the end of a period for which the paragraph of this Schedule in question has effect.

Commencement Information

I12 Sch. 11 para. 22 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(g\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE 12

Section 15

LOCAL AUTHORITY CARE AND SUPPORT

^{F11}PART 1

POWERS AND DUTIES OF LOCAL AUTHORITIES IN ENGLAND

Textual Amendments

- F11** Sch. 12 Pt. 1 expires (except for Sch. 12 paras. 3(2)(3), 10, 13, 18) (17.7.2021) by virtue of [The Coronavirus Act 2020 \(Early Expiry\) Regulations 2021 \(S.I. 2021/856\)](#), [reg. 4\(a\)](#) (see 2020 c. 7, s. 89(2) (r))

Introductory

^{F11}₁

Assessing needs for care and support

^{F11}₂

Assessment of financial resources

3 (1) ^{F11} ...

This is subject to sub-paragraph (2).

(2) A local authority may not make a charge under section 14 of CA 2014 for meeting any needs under section 18, 19, 20 or 62 of that Act during a period for which paragraph 4, 5, 6 or (as the case may be) 9 of this Schedule has effect without having carried out an assessment under section 17 of that Act.

(3) The requirement under sub-paragraph (2) to carry out an assessment under section 17 of CA 2014 applies whether or not the authority has made a determination under section 13(1) of that Act.

Commencement Information

- I13** Sch. 12 para. 3 in force at 31.3.2020 by [S.I. 2020/388](#), [reg. 2](#)

Duties and powers to meet needs for care and support

^{F11}₄

^{F11}₅

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^{F11}₈

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F119

Charging for meeting needs during emergency period

- 10 (1) This paragraph applies where—
 - (a) at any time during an emergency period, a local authority begins to meet needs under section 18, 19, 20 or 62 of CA 2014,
 - (b) at that time, the authority would have been entitled to make a charge under section 14 of that Act for meeting any of those needs, but
 - (c) the authority decided not to carry out an assessment under section 17 of that Act before beginning to meet those needs.

In this paragraph “emergency period”, in relation to section 18, 19, 20 or 62 of CA 2014, means a period for which paragraph 4, 5, 6 or (as the case may be) 9 of this Schedule has effect.

- (2) The local authority is not prevented by that decision from subsequently carrying out an assessment under section 17 of CA 2014 (whether during or after the emergency period) and deciding to make a charge for meeting those needs during that period; and nothing in that section is to be taken to prevent the authority from carrying out such an assessment, even though the authority has already begun to meet, or has met, those needs.
- (3) In so far as there is any charge for meeting any needs under section 18 or 19(2) of CA 2014 during the emergency period, the fact that condition 1, 2 or 3 in section 18 of that Act is not met at the time of the making of the charge does not affect anything already done under section 18 or (as the case may be) 19(2) of that Act.
- (4) In so far as there is any charge for meeting any needs under section 20(1) of CA 2014 during the emergency period, the fact that condition 1, 2, 3 or 4 in that section is not met at the time of the making of the charge does not affect anything already done under that section.

<p>.....</p> <p>Commencement Information</p> <p>I14 Sch. 12 para. 10 in force at 31.3.2020 by S.I. 2020/388, reg. 2</p>
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Care and support plans etc

F111

Continuity of care and support when person moves

F112

- 13 (1) This paragraph applies where—
 - (a) paragraph 12 has had effect for any period (“the emergency period”), and
 - (b) the emergency period has ended.
- (2) Section 37 of CA 2014 has effect subject to the modifications in sub-paragraphs (3) to (5).
- (3) In subsections (1) and (2)—

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- (a) any reference to notifying a local authority that an adult intends to move to the area of that authority includes, in the case of an adult who moved to the area of a local authority during the emergency period, a reference to notifying that authority that the adult has moved to that area, and
 - (b) where a local authority is notified that an adult has moved to the authority's area by virtue of paragraph (a), the condition in subsection (1)(c) or (as the case may be) (2)(c) is to be disregarded (and accordingly the requirement imposed by subsection (4)(b) does not apply).
- (4) In subsection (3)—
- (a) the reference to notifying a local authority that an adult intends to move out of accommodation but to remain in the authority's area includes, in the case of an adult who moved out of accommodation in the area of a local authority during the emergency period, a reference to notifying that authority that the adult has moved out of the accommodation but has remained in that area, and
 - (b) where a local authority is notified that an adult has moved out of accommodation by virtue of paragraph (a), the condition in subsection (3)(c) is to be disregarded (and accordingly the requirement imposed by subsection (4)(b) does not apply).
- (5) In a case where subsection (4)(b) does not apply by virtue of sub-paragraph (3)(b) or (4)(b), subsection (5) has effect as if the reference to having received the notification under subsection (4)(b) were omitted.
- (6) The reference in section 38(1) of CA 2014 to the day of the intended move is, in the case of an adult who moved as mentioned in section 37(1)(b), (2)(b) or (3)(b) of that Act during the emergency period, to be read as a reference to the day on which that period ended.

Commencement Information

I15 Sch. 12 para. 13 in force at 31.3.2020 by [S.I. 2020/388](#), [reg. 2](#)

Discharge of hospital patients with care and support needs

^{F11}14

Transition for children to adult care and support

^{F11}15

Duties arising before commencement

^{F11}16

Period within which assessments may be carried out

^{F11}17

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Guidance

- 18 (1) The Secretary of State may issue guidance about how local authorities are to exercise functions under any of the following enactments in consequence of the provision made by this Part of this Schedule—
- (a) Part 1 of CA 2014;
 - (b) section 2 of the Chronically Sick and Disabled Persons Act 1970;
 - (c) section 17 of the Children Act 1989.
- (2) A local authority must have regard to any guidance issued under this paragraph.
- (3) A local authority must comply with such guidance issued under this paragraph as the Secretary of State directs.
- (4) The Secretary of State—
- (a) may from time to time revise any guidance issued under this paragraph;
 - (b) may vary or revoke a direction made under sub-paragraph (3).
- (5) A local authority may disregard any guidance under section 7 of the Local Authority Social Services Act 1970 or section 78 of CA 2014, so far as it is inconsistent with guidance issued under this paragraph.

Commencement Information

I16 Sch. 12 para. 18 in force at 31.3.2020 by [S.I. 2020/388](#), **reg. 2**

F12, F13 **PART 2**

POWERS AND DUTIES OF LOCAL AUTHORITIES IN WALES

Textual Amendments

F12 Sch. 12 Pt. 2 expires (except for Sch. 12 paras. 19 (in part), 30, 33, 35) (1.8.2021) by virtue of [The Coronavirus Act 2020 \(Early Expiry: Local Authority Care and Support\) \(Wales\) Regulations 2021 \(S.I. 2021/850\)](#), regs. 1(2), **2(a)** (see 2020 c. 7, s. **89(2)(r)**)

F13 Sch. 12 Pt. 2 suspended (22.3.2021) by [The Coronavirus Act 2020 \(Suspension: Local Authority Care and Support\) \(Wales\) Regulations 2021 \(S.I. 2021/316\)](#), regs. 1(2), **2(a)**

Introductory

- [^{F12}19 (1) In this Part of this Schedule “SSW(W)A 2014” means the Social Services and Well-being (Wales) Act 2014 (anaw 4).
- (2) Expressions used in this Part of this Schedule and in SSW(W)A 2014 have the same meaning in this Part of this Schedule as in that Act.]

Commencement Information

I17 Sch. 12 para. 19 in force at 1.4.2020 by [S.I. 2020/366](#), **reg. 3**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Assessing needs for care and support

F1220
F1221
F1222
F1223
F1224

Duty to carry out financial assessment

F1225

Duties to meet needs for care and support

F1226
F1227
F1228
F1229

Charging for meeting needs during emergency period

- 30 (1) This paragraph applies where—
- (a) at any time during an emergency period, a local authority begins to meet needs under section 35 or 40 of SSW(W)A 2014,
 - (b) at that time, the authority would have been entitled to impose a charge under section 59 of that Act for meeting any of those needs, but
 - (c) the authority decided not to carry out an assessment under section 63(2) of that Act before beginning to meet those needs.

In this paragraph “emergency period” means a period for which paragraph 26 or (as the case may be) 27 has effect.

- (2) The local authority is not prevented by that decision from subsequently carrying out an assessment under section 63(2) of SSW(W)A 2014 (whether during or after the emergency period) and deciding to impose a charge for meeting those needs during that period; and nothing in that section is to be taken to prevent the authority from carrying out such an assessment, even though the authority has already begun to meet, or has met, those needs.
- (3) In so far as there is any charge for meeting any needs under section 35 of SSW(W)A 2014 during the emergency period, the fact that condition 3 in that section is not met at the time of the imposition of the charge does not affect anything already done under that section.
- (4) In so far as there is any charge for meeting any needs under section 40 of SSW(W)A 2014 during the emergency period, the fact that condition 3 in that section is not met at the time of the imposition of the charge does not affect anything already done under that section.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I18 Sch. 12 para. 30 in force at 1.4.2020 by [S.I. 2020/366, reg. 3](#)

Care and support plans etc

^{F12}31

Portability of care and support

^{F12}32

- 33 (1) This paragraph applies where—
- (a) paragraph 32 has had effect for any period (“the emergency period”), and
 - (b) the emergency period has ended.
- (2) Section 56 of SSW(W)A 2014 has effect in the case of an adult with the modifications in sub-paragraphs (3) to (5).
- (3) In subsection (1)—
- (a) the reference to a local authority being notified that a person is going to move to the area of another local authority includes, in the case of an adult who moved to the area of another local authority during the emergency period, a reference to being notified that the adult has moved to that area, and
 - (b) where a local authority is notified that an adult has moved to the area of another local authority by virtue of paragraph (a), the reference to the authority being satisfied that the move is likely to happen is to be disregarded (and accordingly the requirement imposed by subsection (1)(a) does not apply).
- (4) In subsection (2)—
- (a) the reference to a local authority being notified that a person is going to move to the area of that authority includes, in the case of an adult who moved to the area of a local authority during the emergency period, a reference to that authority being notified that the adult has moved to that area, and
 - (b) where a local authority is notified that an adult has moved to the authority's area by virtue of paragraph (a), the reference to the authority being satisfied that the move is likely to happen is to be disregarded (and accordingly the requirement imposed by subsection (2)(a) does not apply).
- (5) The reference in subsection (3) to the day the person moves to the area of a local authority is, in the case of an adult who moved to the area of a local authority during the emergency period, to be read as a reference to the day on which that period ended.

Commencement Information

I19 Sch. 12 para. 33 in force at 1.4.2020 by [S.I. 2020/366, reg. 3](#)

Duties arising before commencement

^{F12}34

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Guidance

- 35 (1) The Welsh Ministers may issue guidance about how local authorities are to exercise functions under Parts 2 to 5 of SSW(W)A 2014 in consequence of the provision made by this Part of this Schedule.
- (2) A local authority must have regard to any guidance issued under this paragraph.
- (3) A local authority must comply with such guidance issued under this paragraph as the Welsh Ministers direct.
- (4) The Welsh Ministers—
- (a) may from time to time revise any guidance issued under this paragraph;
 - (b) may vary or revoke a direction made under sub-paragraph (3).
- (5) A local authority may disregard any provision of a code under section 145 of SSW(W)A 2014, so far as it is inconsistent with guidance issued under this paragraph.]

Commencement Information

I20 Sch. 12 para. 35 in force at 1.4.2020 by [S.I. 2020/366, reg. 3](#)

SCHEDULE 13

Section 18

REGISTRATION OF DEATHS AND STILL-BIRTHS

PART 1

ENGLAND AND WALES

Interpretation

- 1 (1) In this Part of this Schedule—
- “the 1926 Act” means the Births and Deaths Registration Act 1926;
 - “the 1953 Act” means the Births and Deaths Registration Act 1953;
 - “the principal 1987 Regulations” means the Registration of Births and Deaths Regulations 1987 (S.I. 1987/2088);
 - “the 2019 Regulations” means the Notification of Deaths Regulations 2019 (S.I. 2019/1112).
- (2) Expressions used in this Part of this Schedule and in the 1953 Act have the same meaning as in that Act.

Commencement Information

I21 Sch. 13 para. 1 in force at 26.3.2020 by [S.I. 2020/361, reg. 2\(a\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Information concerning deaths: England and Wales

F14²

Textual Amendments

F14 Sch. 13 para. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Giving information other than in person and dispensing with signing the register

F15³

Textual Amendments

F15 Sch. 13 para. 3 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Medical certificates of cause of death

F16⁴

Textual Amendments

F16 Sch. 13 para. 4 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Delivery of documents by alternative methods

F17⁵

Textual Amendments

F17 Sch. 13 para. 5 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Further modifications of the principal 1987 Regulations

F18⁶

Textual Amendments

F18 Sch. 13 para. 6 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Notification of death to coroner

F19⁷

Textual Amendments

F19 Sch. 13 para. 7 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Transitional provision

- 8 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which a provision of this Part of this Schedule has effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I22 Sch. 13 para. 8 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

- 9 (1) This paragraph applies where, during any period for which paragraph 5 has effect, a person delivers a relevant document in reliance on that paragraph.
- (2) The person must give, deliver or send the document in accordance with the applicable legislation as soon as reasonably practicable after the end of the period, and in any event not later than the end of the period of 3 months beginning with the day on which the period ends.
- (3) The Registrar General may give a direction—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (4) A direction under sub-paragraph (3) may be expressed as having effect generally, in relation to persons within a description specified in the direction, or in relation to a particular case.
- (5) A direction under sub-paragraph (3) may vary or revoke previous directions given under that sub-paragraph.
- (6) A registrar may, in relation to a relevant document that is required to be given, delivered or sent to the registrar, give a direction in a particular case—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (7) In this paragraph—
- “applicable legislation” means—
 - (a) in the case of a document within paragraph 5(2)(a), the 1953 Act, and
 - (b) in the case of a document within paragraph 5(2)(b), the 1926 Act;
 - “relevant document” has the same meaning as in paragraph 5.

Commencement Information

I23 Sch. 13 para. 9 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

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PART 2

SCOTLAND

Modifications etc. (not altering text)

- C1** Sch. 13 Pt. 2 continued until 24.9.2022 (24.3.2022) by [The Coronavirus Act 2020 \(Alteration of Expiry Date\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/40\)](#), regs. 1, **2(a)**

Interpretation

- 10 (1) In this Part of this Schedule “the 1965 Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965.
- (2) Expressions used in this Part of this Schedule and in the 1965 Act have the same meaning as in that Act.

Commencement Information

- I24** Sch. 13 para. 10 in force at 26.3.2020 by [S.I. 2020/361](#), reg. **2(a)**

Information concerning deaths

F20₁₁

Textual Amendments

- F20** Sch. 13 para. 11 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

Giving information other than in person

F21₁₂

Textual Amendments

- F21** Sch. 13 para. 12 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

Delivery of documents by alternative methods

F22₁₃

Textual Amendments

- F22** Sch. 13 para. 13 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

Guidance

F23₁₄

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

F23 Sch. 13 para. 14 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Transitional provision

- 15 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which a provision of this Part of this Schedule has effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I25 Sch. 13 para. 15 in force at 26.3.2020 by [S.I. 2020/361, reg. 2\(a\)](#)

- 16 (1) This paragraph applies where, during any period for which paragraph 13 has effect, a person gives or delivers a relevant document in reliance on that paragraph.
- (2) The person must give, deliver or send the document in accordance with the 1965 Act as soon as reasonably practicable after the end of the period, and in any event not later than the end of the period of 3 months beginning with the day on which the period ends.
- (3) The Registrar General may give a direction—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (4) A direction under sub-paragraph (3) may be expressed as having effect generally, in relation to persons within a description specified in the direction, or in relation to a particular case.
- (5) A direction under sub-paragraph (3) may vary or revoke previous directions given under that sub-paragraph.
- (6) A district registrar may, in relation to a relevant document that is required to be given, delivered or sent to the registrar, give a direction in a particular case—
- (a) setting a later deadline than the one specified in sub-paragraph (2), or
 - (b) dispensing with the duty under sub-paragraph (2).
- (7) In this paragraph “relevant document” has the same meaning as in paragraph 13.

Commencement Information

I26 Sch. 13 para. 16 in force at 26.3.2020 by [S.I. 2020/361, reg. 2\(a\)](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coronavirus Act 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PART 3

NORTHERN IRELAND

Modifications etc. (not altering text)

- C2** Sch. 13 Pt. 3 continued in part until immediately before 25.9.2022 (24.3.2022) by [The Coronavirus Act 2020 \(Registration of deaths and still-births\) \(Extension\) Order \(Northern Ireland\) 2022 \(S.R. 2022/160\)](#), arts. 1, 3

Interpretation

- 17 (1) In this Part of this Schedule—
 “the 1976 Order” means the Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1041 (N.I. 14));
 “the 2012 Regulations” means the Civil Registration Regulations (Northern Ireland) 2012 (S.R. (N.I.) 2012 No. 408).
- (2) In this Part of this Schedule—
 (a) references to Articles are to Articles of the 1976 Order;
 (b) references to Forms are to Forms in Schedule 1 to the 2012 Regulations.
- (3) Expressions used in this Schedule and in the 1976 Order have the meaning given in that Order.

Modifications etc. (not altering text)

- C3** Sch. 13 para. 17 continued in part until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), art. 2(b)
- C4** Sch. 13 para. 17 continued in part until 23.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), art. 2(b)
- C5** Sch. 13 para. 17 continued in part until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), art. 2(b)
- C6** Sch. 13 para. 17 continued in part until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), art. 2(b)
- C7** Sch. 13 para. 17 continued in part until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), art. 2(b)

Commencement Information

- I27** Sch. 13 para. 17 in force at 26.3.2020 by [S.I. 2020/361](#), reg. 2(a)

Giving certificate of cause of still-birth directly

- 18 (1) This paragraph applies if—

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- (a) a registered medical practitioner or registered midwife is required under Article 15(5) to give an informant a certificate for the purposes of Article 15(3), and
 - (b) the certificate is signed during any period for which this paragraph has effect.
- (2) The medical practitioner or, as the case may be, the registered midwife—
- (a) must forthwith send a copy of the certificate to the registrar by electronic means;
 - (b) is not required to give the certificate to the informant (but may do so).
- (3) The informant is not subject to any duty under Article 15(3) in relation to the certificate.

Modifications etc. (not altering text)

- C8** Sch. 13 paras. 18-22 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C9** Sch. 13 paras. 18-22 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C10** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)
- C11** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), [art. 2\(a\)](#)
- C12** Sch. 13 paras. 18-22 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), [art. 2\(a\)](#)

Commencement Information

- I28** Sch. 13 para. 18 in force at 26.3.2020 by [S.I. 2020/361](#), [reg. 2\(a\)](#)

- 19 In accordance with paragraph 18, Form 10 has effect as if, in the opening lines, for “accompanied by” there were substituted “and a copy of”.

Modifications etc. (not altering text)

- C8** Sch. 13 paras. 18-22 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C9** Sch. 13 paras. 18-22 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C10** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)
- C11** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), [art. 2\(a\)](#)

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C12 Sch. 13 paras. 18-22 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), **art. 2(a)**

Commencement Information

I29 Sch. 13 para. 19 in force at 26.3.2020 by [S.I. 2020/361](#), **reg. 2(a)**

Giving certificate of notice of still-birth directly

- 20 Article 15(7) (registrar receiving written notice of still-births) has effect as if—
- (a) for “accompanied by such a certificate” there were substituted “ and a copy of such a certificate ”;
 - (b) for “person sending the notice” there were substituted “ person who has control over, or who ordinarily effects the disposal of bodies at, any burial ground or other place at which it is intended to dispose of the body of a still-born child, ”.

Modifications etc. (not altering text)

- C8** Sch. 13 paras. 18-22 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), **art. 2(a)**
- C9** Sch. 13 paras. 18-22 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), **art. 2(a)**
- C10** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), **art. 2(a)**
- C11** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), **art. 2(a)**
- C12** Sch. 13 paras. 18-22 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), **art. 2(a)**

Commencement Information

I30 Sch. 13 para. 20 in force at 26.3.2020 by [S.I. 2020/361](#), **reg. 2(a)**

Giving information to the registrar other than in person and dispensing with signing the register

- 21 (1) A qualified informant who is required under the 1976 Order to give information concerning a death or still-birth to a registrar, but who is unable to attend before a registrar in person, may give that information—
- (a) by telephone, or
 - (b) by electronic means.
- (2) The duty of a qualified informant to sign the register does not apply where information is given in reliance on sub-paragraph (1).

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- (3) Where information is given in reliance on sub-paragraph (1), that information is to be regarded for the purposes of the 1976 Order as having been given in the manner that is required by the 2012 Regulations.
- (4) An entry in the register of deaths or the register of still-births for which, by virtue of sub-paragraph (2), no signature is required is to be treated as an entry signed by a qualified informant for the purposes of the 2012 Regulations.
- (5) A qualified informant is to be treated as unable to attend before a registrar in person for the purposes of sub-paragraph (1) if it would be unreasonable or impracticable for the person to do so (whether because of illness, the need to care for others, the risk of infection, staff shortages at the registrar's office or any other reason).

Modifications etc. (not altering text)

- C8** Sch. 13 paras. 18-22 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C9** Sch. 13 paras. 18-22 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C10** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)
- C11** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), [art. 2\(a\)](#)
- C12** Sch. 13 paras. 18-22 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), [art. 2\(a\)](#)

Commencement Information

- I31** Sch. 13 para. 21 in force at 26.3.2020 by [S.I. 2020/361](#), [reg. 2\(a\)](#)

- 22 In accordance with paragraph 21—
- (a) Form 2 has effect as if at entry number 15 for “Signature” there were substituted “ Name of person professing to be informant ”;
 - (b) Form 3 has effect as if at entry number 16 for “Signature of informant” there were substituted “ Name of person professing to be informant ”.

Modifications etc. (not altering text)

- C8** Sch. 13 paras. 18-22 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C9** Sch. 13 paras. 18-22 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C10** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)

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- C11** Sch. 13 paras. 18-22 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), **art. 2(a)**
- C12** Sch. 13 paras. 18-22 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), **art. 2(a)**

Commencement Information

- I32** Sch. 13 para. 22 in force at 26.3.2020 by [S.I. 2020/361](#), **reg. 2(a)**

Signing of certificates of cause of death

^{F24}23

Textual Amendments

- F24** Sch. 13 para. 23 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

^{F25}24

Textual Amendments

- F25** Sch. 13 para. 24 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

^{F26}25

Textual Amendments

- F26** Sch. 13 para. 25 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

^{F27}26

Textual Amendments

- F27** Sch. 13 para. 26 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

Giving certificate of cause of death directly

- 27 (1) This paragraph applies if—
- (a) a registered medical practitioner signs a certificate of cause of death under Article 25(2) (whether or not the certificate is signed in reliance on paragraph 23 or 24), and
 - (b) the certificate is signed during any period for which this paragraph has effect.
- (2) The medical practitioner—
- (a) must forthwith send a copy of the certificate, together with such other particulars as are prescribed under Article 25(2), to the registrar by electronic means,
 - (b) is not required to give the certificate to the informant (but may do so).

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(3) The informant is not subject to any duties in relation to the certificate.

Modifications etc. (not altering text)

- C13** Sch. 13 paras. 27-29 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C14** Sch. 13 paras. 27-29 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C15** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)
- C16** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), [art. 2\(a\)](#)
- C17** Sch. 13 paras. 27-29 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), [art. 2\(a\)](#)

Commencement Information

- I33** Sch. 13 para. 27 in force at 26.3.2020 by [S.I. 2020/361](#), [reg. 2\(a\)](#)

28 In accordance with paragraph 27—

- (a) Article 22 has effect as if the words “, accompanied by such medical certificate of the cause of the death as is required by Article 25 to be given to the registrar,” were omitted;
- (b) Article 25(3) has effect as if after “paragraph (2)” there were inserted “ or give the registrar a copy of such a certificate ”;
- (c) Article 25(4) has effect as if for the words from “An informant” to “and” there were substituted “ Where a registered medical practitioner gives to the registrar a copy of the certificate which the practitioner has signed under Article 25(2) together with such other particulars as are required under Article 25(2) to be given by the practitioner, ”.

Modifications etc. (not altering text)

- C13** Sch. 13 paras. 27-29 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), [art. 2\(a\)](#)
- C14** Sch. 13 paras. 27-29 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), [art. 2\(a\)](#)
- C15** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), [art. 2\(a\)](#)
- C16** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), [art. 2\(a\)](#)

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C17 Sch. 13 paras. 27-29 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), **art. 2(a)**

Commencement Information

I34 Sch. 13 para. 28 in force at 26.3.2020 by [S.I. 2020/361](#), **reg. 2(a)**

Giving certificate of registration, or written notice, of death directly

29 Article 29 (certificate of registration of death) has effect with the following modifications—

- (a) paragraph (1) has effect as if—
 - (i) after “person giving information concerning the death” there were inserted “ or the person who effects the disposal of, or performs any funeral service for, the body of the deceased person ”;
 - (ii) after “a certificate in the prescribed form”, the words “under his hand” were omitted;
- (b) paragraph (2) has effect as if—
 - (i) for “the person sending the notice, if required to do so,” there were substituted “ the person who effects the disposal of, or performs any funeral service for, the body of the deceased person ”;
 - (ii) after “a certificate in the prescribed form”, the words “under his hand” were omitted.

Modifications etc. (not altering text)

- C13** Sch. 13 paras. 27-29 continued until 24.3.2023 (N.I.) (23.9.2022) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2022 \(S.R. 2022/225\)](#), **art. 2(a)**
- C14** Sch. 13 paras. 27-29 continued until 24.9.2023 (N.I.) (22.3.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2023 \(S.R. 2023/49\)](#), **art. 2(a)**
- C15** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (20.9.2023) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/137\)](#), **art. 2(a)**
- C16** Sch. 13 paras. 27-29 continued until 24.3.2024 (N.I.) (4.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) Order \(Northern Ireland\) 2024 \(S.R. 2024/29\)](#), **art. 2(a)**
- C17** Sch. 13 paras. 27-29 continued until 24.9.2024 (N.I.) (19.3.2024) by [The Coronavirus Act 2020 \(Registration of Deaths and Still-Births\) \(Extension\) \(No.2\) Order \(Northern Ireland\) 2024 \(S.R. 2024/57\)](#), **art. 2(a)**

Commencement Information

I35 Sch. 13 para. 29 in force at 26.3.2020 by [S.I. 2020/361](#), **reg. 2(a)**

Transitional provision

30 Anything relating to the registration of a death or still-birth that, immediately before the end of any period for which any provision of this Part of this Schedule has

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effect, is in the process of being done in reliance on that provision may continue to be done after the end of that period in reliance on that provision.

Commencement Information

I36 Sch. 13 para. 30 in force at 26.3.2020 by S.I. 2020/361, reg. 2(a)

F28SCHEDULE 14

Section 20

Textual Amendments

F28 Sch. 14 expires (25.3.2022) by Coronavirus Act 2020 (c. 7), s. 89 (with s. 90)

PROSPECTIVE

F29SCHEDULE 15

Section 28

INFORMATION RELATING TO FOOD SUPPLY CHAINS: FINANCIAL PENALTIES

Textual Amendments

F29 Sch. 15 expires (17.7.2021) by The Coronavirus Act 2020 (Early Expiry) Regulations 2021 (S.I. 2021/856), reg. 2(1)(e)

Notice of intent

F29₁

Amount of penalty

F29₂

Right to make representations

F29₃

Final notice

F29₄

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Late payment

F29⁵

Withdrawal or amendment of notice

F29⁶

Appeals

F29⁷

Enforcement

F29⁸

SCHEDULE 16

Section 37

TEMPORARY CLOSURE OF EDUCATIONAL INSTITUTIONS AND CHILDCARE PREMISES

^{F30}**PART 1**

ENGLAND AND WALES

.....

Textual Amendments

F30 Sch. 16 Pt. 1 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

PART 2

SCOTLAND

Interpretation

F31⁶

Textual Amendments

F31 Sch. 16 para. 6 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Duty to have regard to public health advice

F32⁷

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Textual Amendments

F32 Sch. 16 para. 7 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

Closure of schools etc and further and higher education institutions

- 8 **F33**(1)
- F33**(2)
- F33**(3)
- F33**(4)
- F33**(5)
- F34**(6)
- F34**(7)
- F34**(8)
- F35**(9)

Textual Amendments

F33 Sch. 16 para. 8(1)-(5) expire (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)
F34 Sch. 16 para. 8(6)-(8) expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)
F35 Sch. 16 para. 8(9) expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

Effect of educational closure direction on other provisions

- F36**₉

Textual Amendments

F36 Sch. 16 para. 9 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

School boarding accommodation

- F37**₁₀

Textual Amendments

F37 Sch. 16 para. 10 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

Student accommodation

- F38**₁₁

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Textual Amendments

F38 Sch. 16 para. 11 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Compliance and enforcement

F39¹²

Textual Amendments

F39 Sch. 16 para. 12 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Publication and duration of directions

F40¹³

Textual Amendments

F40 Sch. 16 para. 13 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

PART 3

NORTHERN IRELAND

Schools

F41¹⁴

Textual Amendments

F41 Sch. 16 para. 14 expires (9.12.2021) by [The Coronavirus Act 2020 \(Early Expiry\) \(No. 2\) Regulations 2021 \(S.I. 2021/1399\)](#), regs. 1(2), **6**

Institutions of further and higher education

F42¹⁵

Textual Amendments

F42 Sch. 16 para. 15 expires (9.12.2021) by [The Coronavirus Act 2020 \(Early Expiry\) \(No. 2\) Regulations 2021 \(S.I. 2021/1399\)](#), regs. 1(2), **6**

Childcare providers

F43¹⁶

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Textual Amendments

F43 Sch. 16 para. 16 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

SCHEDULE 17

Section 38

TEMPORARY CONTINUITY DIRECTIONS ETC: EDUCATION, TRAINING AND CHILDCARE

PART 1

ENGLAND AND WALES

Temporary continuity directions: England

F44₁

Textual Amendments

F44 Sch. 17 para. 1 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Temporary continuity directions: Wales

F45₂

Textual Amendments

F45 Sch. 17 para. 2 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Temporary continuity directions: authorisations

F46₃

Textual Amendments

F46 Sch. 17 para. 3 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Publication, duration and guidance in relation to temporary continuity directions

F47₄

Textual Amendments

F47 Sch. 17 para. 4 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

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Notices temporarily removing or relaxing statutory provisions etc: England

F48⁵

Textual Amendments
F48 Sch. 17 para. 5 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

F49⁶

Textual Amendments
F49 Sch. 17 para. 6 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

Notices temporarily removing or relaxing statutory provisions: Wales

F50⁷

Textual Amendments
F50 Sch. 17 para. 7 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

F51⁸

Textual Amendments
F51 Sch. 17 para. 8 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

F52 **PART 2**

SCOTLAND

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Textual Amendments
F52 Sch. 17 Pt. 2 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

F53 **PART 3**

NORTHERN IRELAND

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Textual Amendments
F53 Sch. 17 Pt. 3 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

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^{F54}SCHEDULE 18

Section 48

POWERS TO ACT FOR THE PROTECTION OF PUBLIC HEALTH: NORTHERN IRELAND

Textual Amendments

F54 Sch. 18 expires (24.9.2023) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90) as continued by [The Coronavirus Act 2020 \(Extension of Powers to Act for the Protection of Public Health\) Order \(Northern Ireland\) 2023 \(S.R. 2023/50\), arts. 1, 2](#)

^{F54}

^{F55}SCHEDULE 19

Section 49

Textual Amendments

F55 Sch. 19 expires (25.9.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

^{F56}SCHEDULE 20

Section 50

Textual Amendments

F56 Sch. 20 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

^{F57}SCHEDULE 21

Section 51

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS

Textual Amendments

F57 Sch. 21 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

PART 1

OVERVIEW AND INTERPRETATION

.....

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PART 2

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS IN ENGLAND

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^{F57}**PART 3**

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS IN SCOTLAND

Declarations of risks of coronavirus in Scotland

.....

Powers to direct or remove persons to a place suitable for screening and assessment

.....

Powers exercisable at a screening and assessment place: public health officers

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Powers exercisable at a screening and assessment place: constables and immigration officers

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Powers exercisable after assessment

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Children

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Formalities

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Ancillary powers

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Guidance and advice

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End of transmission control period

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Offences

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^{F57}*Modifications of Public Health etc. (Scotland) Act 2008*

.....

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Constables

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PART 4

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS IN WALES

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PART 5

POWERS RELATING TO POTENTIALLY INFECTIOUS PERSONS IN NORTHERN IRELAND

.....

SCHEDULE 22

Section 52

POWERS TO ISSUE DIRECTIONS RELATING TO EVENTS, GATHERINGS AND PREMISES

^{F58}**PART 1**

GENERAL

.....

Textual Amendments

F58 Sch. 22 Pt. 1 expires (25.3.2022(25.3.2022)) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

^{F59}**PART 2**

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN ENGLAND

.....

Textual Amendments

F59 Sch. 22 Pt. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

^{F60}**PART 3**

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN SCOTLAND

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Textual Amendments

F60 Sch. 22 Pt. 3 expires (S.) (12.12.2021) by [The Coronavirus Act 2020 \(Early Expiry of Provisions\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/439\)](#), regs. 1(1), **2(b)**

^{F61}PART 4

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN WALES

.....

Textual Amendments

F61 Sch. 22 Pt. 4 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. **89** (with s. 90)

^{F62}PART 5

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN NORTHERN IRELAND

.....

Textual Amendments

F62 Sch. 22 Pt. 5 expires (N.I.) (9.12.2021) by [The Coronavirus Act 2020 \(Early Expiry\) \(No. 2\) Regulations 2021 \(S.I. 2021/1399\)](#), regs. 1(2), **6**

^{F63}SCHEDULE 23

Section 53

Textual Amendments

F63 Sch. 23 repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), ss. **201(1)**, **208(5)(z)**

^{F64}SCHEDULE 24

Section 54

Textual Amendments

F64 Sch. 24 repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), ss. **201(1)**, **208(5)(z)**

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F65F66 SCHEDULE 25

Section 55

Textual Amendments

F65 Sch. 25 repealed (28.6.2022 except for the purposes of S.I. 2020/415, S.I. 2020/416 and S.I. 2020/651) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 201\(2\)](#), 208(1); S.I. 2022/704, [reg. 2](#)

F66 Sch. 25 expires in so far as not already repealed (25.9.2022) by [Coronavirus Act 2020 \(c. 7\)](#), [s. 89](#) (with s. 90)

F67 SCHEDULE 26

Section 56

Textual Amendments

F67 Sch. 26 expires (9.12.2021) by [The Coronavirus Act 2020 \(Early Expiry\) \(No. 2\) Regulations 2021 \(S.I. 2021/1399\)](#), [regs. 1\(2\)](#), 4

SCHEDULE 27

Section 57

USE OF LIVE LINKS IN LEGAL PROCEEDINGS: NORTHERN IRELAND

PART 1

POWERS OF COURTS AND TRIBUNALS TO DIRECT USE OF LIVE LINKS

Modifications etc. (not altering text)

C18 Sch. 27 Pt. 1 continued until 24.9.2022 (27.1.2022) by [The Coronavirus Act 2020 \(Extension of Provisions Related to Courts, Tribunals and Inquests\) Order \(Northern Ireland\) 2022 \(S.R. 2022/24\)](#), [arts. 1](#), 3

C19 Sch. 27 Pt. 1 continued until 24.3.2023 (23.9.2022) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2022 \(S.R. 2022/227\)](#), [art. 2](#)

C20 Sch. 27 Pt. 1 continued until 24.9.2023 (21.3.2023) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2023 \(S.R. 2023/46\)](#), [art. 2](#)

C21 Sch. 27 Pt. 1 continued until 24.3.2024 (11.3.2024) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/138\)](#), [art. 2](#)

C22 Sch. 27 Pt. 1 continued until 24.9.2024 (21.3.2024) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2024 \(S.R. 2024/72\)](#), [art. 2](#)

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Proceedings to which this Part of this Schedule applies

- 1 (1) This Part of this Schedule applies to any proceedings in a court or statutory tribunal.
- (2) In this Part of this Schedule “court” means—
- (a) the Court of Appeal,
 - (b) the High Court,
 - (c) the Crown Court,
 - (d) a county court, or
 - (e) a magistrates' court.
- (3) In this Part of this Schedule “statutory tribunal” means a tribunal (however named or described, and including a coroner holding an inquest) established by or under a statutory provision, but does not include—
- (a) a court, or
 - (b) any tribunal established by or under a statutory provision that could not have been included in an Act of the Northern Ireland Assembly made without the Secretary of State's consent.
- (4) In this paragraph “statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

Power to give direction for participation by live link

- 2 (1) A person may, if a court or statutory tribunal so directs, participate in any proceedings in the court or tribunal through a live link.
- (2) A direction may not be given under this paragraph as respects a person's participation in proceedings as a member of a jury.
- (3) A direction may be given under this paragraph in respect of a person—
- (a) of the court or tribunal's own motion,
 - (b) on application by the person, or
 - (c) on application by a party to the proceedings.
- (4) A court or tribunal may not give a direction under this paragraph unless the court or tribunal is satisfied that it is in the interests of justice to do so.
- (5) In deciding whether to give a direction under this paragraph, the court or tribunal must consider all the circumstances of the case.
- (6) Those circumstances include (in particular)—
- (a) the views of the person;
 - (b) the views of the parties to the proceedings;
 - (c) public health interests.
- (7) Where a court or tribunal refuses an application for a direction under this paragraph, it must—
- (a) state openly its reasons for doing so, and
 - (b) if it is a magistrates' court, cause the reasons to be entered in the Order Book.
- (8) Power of a court or tribunal to give a direction under this paragraph is additional to, and does not limit, any other power of the court or tribunal.

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Effect, and rescission, of directions

- 3 (1) Where in any proceedings a court or tribunal—
- (a) has given a direction under paragraph 2 in respect of a person, and
 - (b) has not rescinded the direction,
- the person may not participate in the proceedings otherwise than through a live link.
- (2) A court or tribunal may rescind a direction under paragraph 2 if it appears to the court or tribunal to be in the interests of justice to do so.
- (3) Where it does so, the person concerned ceases to be able to participate in the proceedings through a live link, but this does not prevent a further direction under paragraph 2 being given in the proceedings in respect of the person.
- (4) A direction under paragraph 2 in respect of a person may be rescinded—
- (a) of the court or tribunal's own motion,
 - (b) on application by the person, or
 - (c) on application by a party to the proceedings.
- (5) An application may not be made under sub-paragraph (4)(b) or (c) unless there has been a material change of circumstances since the direction was given.
- (6) Where a court or tribunal rescinds a direction under paragraph 2, or refuses an application to rescind such a direction, it must—
- (a) state openly its reasons for rescinding the direction or refusing the application, and
 - (b) if it is a magistrates' court, cause the reasons to be entered in the Order Book.

Meaning of references to participation in proceedings

- 4 A reference in this Part of this Schedule to participating in any proceedings includes (in particular) participation—
- (a) as a party to the proceedings,
 - (b) as a witness,
 - (c) as a judge or other member of the court or tribunal,
 - (d) as a member of a jury,
 - (e) as a legal representative acting in the proceedings,
 - (f) as an interpreter or other person appointed by the court or tribunal to assist in the proceedings,
 - (g) as the clerk to the court or tribunal, or
 - (h) as a representative of the press.

Participation by persons outside the United Kingdom

- 5 (1) A direction under paragraph 2 may be given in respect of a person whether the person is in the United Kingdom or elsewhere.
- (2) A statement made on oath by a person outside the United Kingdom and given in evidence through a live link in accordance with a direction under paragraph 2 is to be treated for the purposes of Article 3 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I. 19)) as having been made in the proceedings in which it is given in evidence.

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Meaning of “live link”

- 6 (1) In this Part of this Schedule “live link” means a live video link or a live audio link.
- (2) A “live video link”, in relation to a person (“P”) participating in proceedings, is a live television link or other arrangement which—
- (a) enables P to see and hear all other persons participating in the proceedings who are not in the same location as P, and
 - (b) enables all other persons participating in the proceedings who are not in the same location as P to see and hear P.
- (3) A “live audio link”, in relation to a person (“P”) participating in proceedings, is a live telephone link or other arrangement which—
- (a) enables P to hear all other persons participating in the proceedings who are not in the same location as P, and
 - (b) enables all other persons participating in the proceedings who are not in the same location as P to hear P.
- (4) The extent (if any) to which a person is unable to hear or see by reason of any impairment of hearing or eyesight is to be disregarded for the purposes of subparagraphs (2) and (3).

Interpretation of this Part of this Schedule: general

- 7 The Interpretation Act (Northern Ireland) 1954 applies for the purposes of the preceding provisions of this Part of this Schedule as if those provisions were contained in an Act of the Northern Ireland Assembly.

PART 2

PUBLIC PARTICIPATION IN PROCEEDINGS WHERE LIVE LINKS USED

Modifications etc. (not altering text)

- C23** Sch. 27 Pt. 2 continued until 24.9.2022 (27.1.2022) by [The Coronavirus Act 2020 \(Extension of Provisions Related to Courts, Tribunals and Inquests\) Order \(Northern Ireland\) 2022 \(S.R. 2022/24\)](#), arts. 1, 3
- C24** Sch. 27 Pt. 2 continued until 24.3.2023 (23.9.2022) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2022 \(S.R. 2022/227\)](#), art. 2
- C25** Sch. 27 Pt. 2 continued until 24.9.2023 (21.3.2023) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2023 \(S.R. 2023/46\)](#), art. 2
- C26** Sch. 27 Pt. 2 continued until 24.3.2024 (11.3.2024) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) \(No.2\) Order \(Northern Ireland\) 2023 \(S.R. 2023/138\)](#), art. 2
- C27** Sch. 27 Pt. 2 continued until 24.9.2024 (21.3.2024) by [The Coronavirus Act 2020 \(Extension of Provisions Relating to Live Links for Courts and Tribunals\) Order \(Northern Ireland\) 2024 \(S.R. 2024/72\)](#), art. 2

- 8 The Judicature (Northern Ireland) Act 1978 has effect as if after section 102 there were inserted—

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“PART 9A

USE OF LIVE LINKS IN COURT OR TRIBUNAL PROCEEDINGS: PUBLIC PARTICIPATION & OFFENCES OF RECORDING ETC

102A Enabling the public to see and hear proceedings

- (1) If proceedings in a court or statutory tribunal are to be conducted wholly as video proceedings, whether or not as a result of directions given by the court or tribunal, the court or tribunal—
 - (a) may direct that the proceedings are to be broadcast (in the manner specified in the direction) for the purpose of enabling members of the public to see and hear the proceedings;
 - (b) may direct that a recording of the proceedings is to be made (in the manner specified in the direction) for the purpose of enabling the court or tribunal to keep an audio-visual record of the proceedings.
- (2) If proceedings in a court or statutory tribunal are to be conducted wholly as audio proceedings, whether or not as a result of directions given by the court or tribunal, the court or tribunal—
 - (a) may direct that the proceedings are to be broadcast (in the manner specified in the direction) for the purpose of enabling members of the public to hear the proceedings;
 - (b) may direct that a recording of the proceedings is to be made (in the manner specified in the direction) for the purpose of enabling the court or tribunal to keep an audio record of the proceedings.
- (3) A direction under this section may relate to the whole, or to part, of the proceedings concerned.

102B Offences of recording or transmission in relation to broadcasting

- (1) It is an offence for a person to make—
 - (a) an unauthorised recording, or
 - (b) an unauthorised transmission,of an image or sound which is being broadcast in accordance with a direction under section 102A.
- (2) It is an offence for a person to make—
 - (a) an unauthorised recording, or
 - (b) an unauthorised transmission,of an image of, or sound made by, another person while the other person is viewing or listening to a broadcast made in accordance with a direction under section 102A.
- (3) It is a defence for a person charged with an offence under subsection (1) or (2) to prove that, at the time of the recording or transmission of the image or sound concerned, the person—
 - (a) was not in designated live-streaming premises, and

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- (b) did not know, and could not reasonably have known, that the image or sound was—
 - (i) being broadcast in accordance with a direction under section 102A (in the case of an offence under subsection (1)), or
 - (ii) an image of, or sound made by, another person while viewing or listening to a broadcast made in accordance with a direction under section 102A (in the case of an offence under subsection (2)).
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) For the purposes of this section it does not matter whether a person making a recording or transmission intends the recording or transmission, or anything comprised in it, to be seen or heard by any other person.
- (6) For the purposes of this section, a recording or transmission is “unauthorised” unless it is—
 - (a) authorised by a direction under section 102A,
 - (b) otherwise authorised (generally or specifically) by the court or tribunal in which the proceedings concerned are conducted, or
 - (c) authorised (generally or specifically) by the Department.

102C Offences of recording or transmitting participation through live link

- (1) It is an offence for a person to make—
 - (a) an unauthorised recording, or
 - (b) an unauthorised transmission,
 of an image or sound which is being transmitted through a live video link or transmitted through a live audio link.
- (2) It is an offence for a person (“P”) to make—
 - (a) an unauthorised recording, or
 - (b) an unauthorised transmission,
 of an image of, or sound made by, any person (whether P or another person) while that person is participating in court or tribunal proceedings through a live video link or live audio link.
- (3) It is a defence for a person charged with an offence under subsection (1) or (2) to prove that, at the time of the recording or transmission, the person did not know, and could not reasonably have known, that the image or sound concerned—
 - (a) was being transmitted through a live video link or through a live audio link (in the case of an offence under subsection (1)), or
 - (b) was an image of, or sound made by, a person while that person was participating in court or tribunal proceedings through a live video link or live audio link (in the case of an offence under subsection (2)).
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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- (5) For the purposes of this section it does not matter whether a person making a recording or transmission intends the recording or transmission, or anything comprised in it, to be seen or heard by any other person.
- (6) For the purposes of this section, a recording or transmission is “unauthorised” unless it is—
 - (a) authorised (generally or specifically) by the court or tribunal in which the proceedings are conducted, or
 - (b) authorised (generally or specifically) by the Department.

102D Interpretation of Part 9A

- (1) This section applies for the purposes of this Part.
- (2) The following expressions have the meanings given—
 - “court” means—
 - (a) the Court of Appeal,
 - (b) the High Court,
 - (c) the Crown Court,
 - (d) a county court, or
 - (e) a magistrates' court;
 - “court or tribunal proceedings” means any proceedings in any court or statutory tribunal;
 - “the Department”—
 - (a) in relation to a court, means the Department of Justice, and
 - (b) in relation to a statutory tribunal, means a Northern Ireland department;
 - “designated live-streaming premises” means premises that are designated by the Department for the purposes of this section as premises provided by the Department for the purpose of enabling members of the public to see and hear, or hear, proceedings that are broadcast in accordance with directions under section 102A;
 - “recording” means a recording on any medium—
 - (a) of a single image, a moving image or any sound, or
 - (b) from which a single image, a moving image or any sound may be produced or reproduced;
 - “statutory tribunal” means a tribunal (however named or described, and including a coroner holding an inquest) established by or under a statutory provision, but does not include—
 - (a) a court, or
 - (b) any tribunal established by or under a statutory provision that could not have been included in an Act of the Northern Ireland Assembly made without the Secretary of State's consent;
 - “transmission” means any transmission by electronic means of a single image, a moving image or any sound.
- (3) A “live video link”, in relation to a person (“P”) taking part in proceedings, is a live television link or other arrangement which—
 - (a) enables P to see and hear all other persons taking part in the proceedings who are not in the same location as P, and

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- (b) enables all other persons taking part in the proceedings who are not in the same location as P to see and hear P.
- (4) Proceedings are conducted wholly as video proceedings if—
- (a) directions have been given, whether under paragraph 2 of Schedule 27 to the Coronavirus Act 2020 or any other power, for all the persons taking part in the proceedings to do so through a live video link, and
 - (b) all those persons take part in the proceedings in accordance with those directions.
- (5) A “live audio link”, in relation to a person (“P”) taking part in proceedings, is a live telephone link or other arrangement which—
- (a) enables P to hear all other persons taking part in the proceedings who are not in the same location as P, and
 - (b) enables all other persons taking part in the proceedings who are not in the same location as P to hear P.
- (6) Proceedings are conducted wholly as audio proceedings if—
- (a) directions have been given, whether under paragraph 2 of Schedule 27 to the Coronavirus Act 2020 or any other power, for all the persons taking part in the proceedings to do so through a live audio link, and
 - (b) all those persons take part in the proceedings in accordance with those directions.
- (7) An image or sound—
- (a) is transmitted through a live video link if it is transmitted as part of a person's participation in court or tribunal proceedings through a live video link;
 - (b) is transmitted through a live audio link if it is transmitted as part of a person's participation in court or tribunal proceedings through a live audio link.
- (8) The extent (if any) to which a person is unable to hear or see by reason of any impairment of hearing or eyesight is to be disregarded for the purposes of subsections (3) and (5).”

F68 **PART 3**

AVAILABILITY OF LIVE LINKS IN CERTAIN MAGISTRATES' COURT PROCEEDINGS IN NORTHERN IRELAND

Textual Amendments

F68 Sch. 27 Pt. 3 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)

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F69 SCHEDULE 28

Section 58

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Textual Amendments

F69 Sch. 28 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

F70 SCHEDULE 29

Section 81

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Textual Amendments

F70 Sch. 29 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), **s. 89** (with s. 90)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 14(8) omitted by [2022 c. 31 s. 91\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 14 has already expired (25.3.2022) by virtue of 2020 c. 7, s. 89 (with s. 90))
- s. 18(3) continued in part until 24/9/2024 by [S.R. 2024/57 reg. 2\(c\)](#)
- Sch. 7 para. 4(5)(b) omitted by [2022 c. 3 \(N.I.\) Sch. 1 para. 257](#) (This amendment not applied to legislation.gov.uk. Sch. 7 has already expired (17.7.2021) by virtue of S.I. 2021/856, reg. 2(1)(a) (see 2020 c. 7, s. 89(2)(n)))
- Sch. 13 para. 17 continued in part until 24/9/2024 by [S.R. 2024/57 reg. 2\(b\)](#)
- Sch. 13 para. 18-22 continued until 24/9/2024 by [S.R. 2024/57 reg. 2\(a\)](#)
- Sch. 13 para. 27-29 continued until 24/9/2024 by [S.R. 2024/57 reg. 2\(a\)](#)