

## COVID 19 – AREA RESTRICTIONS REGULATIONS TOOLKIT – PART 4 - TRAVEL RESTRICTIONS – MODEL PROVISIONS

This document is part of the “Covid 19 – Area Restrictions Regulations Toolkit” for provisions to be included in Regulations made under Part 2A of the Public Health (Control of Disease) Act 1984 in response to the threat posed by SARS-CoV-2 in a particular area or particular areas of England. It contains model provisions that could be used where restrictions on entry to or exit from the protected area, or travel within the protected area by conveyance, are needed.

This document is to be used with the “Covid 19 – Area Restrictions Regulations Toolkit – Core Provisions”.

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### PART 4

#### Restrictions on entering or leaving or travelling within the protected area

*[[Regulation 1 makes provision to restrict entry to or exit from the protected area]*

#### Restrictions on entering or leaving the protected area

- 1.—(1) During the emergency period, no person—
  - (a) may enter the protected area without reasonable excuse;
  - (b) may leave the protected area without reasonable excuse.
- (2) Paragraph (1) does not apply to a person who is making a transit journey.
- (3) For the purposes of paragraph (1), a reasonable excuse includes *[this is an indicative list - it must be reviewed before the Regulations are made]*—
  - (a) the need to obtain basic necessities, including food and medical supplies for those in the same household (including any pets or animals in the household) or for vulnerable persons and supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person, including from any business listed in Part 3 of Schedule **[BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1]**;
  - (b) the need to obtain money from or deposit money with any business listed in paragraph **[45 or 46]** of Schedule **[BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1]**;
  - (c) the need to collect goods which have been ordered from a business in any way permitted under regulation **[FURTHER RESTRICTIONS AND CLOSURES DURING THE EMERGENCY PERIOD][1(a)]**;
  - (d) the need to seek medical assistance, including to access any of the services referred to in paragraph **[49 or 50]** of Schedule **[BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1]**;
  - (e) the need to provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006(a), to a vulnerable person, or to provide emergency assistance;
  - (f) the need to donate blood;
  - (g) the need to work, or to provide voluntary or charitable services, where it is not reasonably possible for that person to work, or to provide those services, without entering or leaving the protected area;
  - (h) the need to attend a funeral of—

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(a) 2006 c. 47. Sub-paragraph (3B) was substituted, with sub-paragraphs (1), (3) and (3A) to (3E) for sub-paragraphs (1) to (3) by s. 66(2) of the Protection of Freedoms Act 2012 (c. 9).

## COVID 19 – AREA RESTRICTIONS REGULATIONS TOOLKIT – PART 4 - TRAVEL RESTRICTIONS – MODEL PROVISIONS

- (i) a member of the person’s household,
  - (ii) a close family member, or
  - (iii) if no-one within sub-paragraph (i) or (ii) is attending, a friend;
  - (i) the need to visit a burial ground or garden of remembrance, to pay respects, to a member of the person’s household, a family member or friend;
  - (j) the need to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
  - (k) the need to access, or to assist another person to access, critical public services, including—
    - (i) childcare;
    - (ii) education or training;
    - (iii) social services;
    - (iv) services provided by the Department for Work and Pensions;
    - (v) services provided to victims (such as victims of crime);
  - (l) in relation to children who do not live in the same household as their parents, or one of their parents, the need to continue existing arrangements for access to, and contact between, parents and children;
  - (m) in the case of a minister of religion or worship leader, the need to go to their place of worship;
  - (n) the need to undertake any of the following activities in connection with the purchase, sale, letting or rental of a residential property—
    - (i) visiting estate or letting agents, developer sales offices or show homes;
    - (ii) viewing residential properties to look for a property to buy or rent;
    - (iii) preparing a residential property to move in;
    - (iv) moving home;
    - (v) visiting a residential property to undertake any activities required for the rental or sale of that property;
  - (o) the need to avoid injury or illness or to escape a risk of harm;
  - (p) the need to use a waste or recycling centre;
  - (q) where the person concerned (“P”) is an elite sportsperson, a coach of an elite sportsperson, or (in the case of an elite sportsperson who is a child), a parent of the elite sportsperson, the need of P to attend training or competition;
- [[sub-paragraph (r) is needed only where provision is made for “support bubbles”]*
- (r) where the person concerned is visiting the place where a linked household lives;]
- [[sub-paragraph (s) should be used if there is also a restriction on gatherings in the Regulations **and** that provision permits gatherings equivalent to those mentioned in sub-paragraphs (t) to (v) below]*
- (s) the need to attend a birth or make a visit as permitted by regulation [**CROSS REFERENCE TO THE RELEVANT PROVISIONS OF THE RESTRICTION ON GATHERINGS**] – *[the provisions to be referred to are the ones equivalent sub-paragraphs (t), (u) and (v) below];]*
- [[sub-paragraphs (t) to (v) should be used if there is no restriction on gatherings in the Regulations but the express exceptions are wanted]*
- (t) where the person concerned is attending a person (“M”) giving birth, at M’s request;
  - (u) where the person concerned (“P”) is visiting a person P reasonably believes is dying (“D”) and P is—
    - (i) a member of D’s household,

## COVID 19 – AREA RESTRICTIONS REGULATIONS TOOLKIT – PART 4 - TRAVEL RESTRICTIONS – MODEL PROVISIONS

- (ii) a close family member of D, or
- (iii) where no-one falling within paragraph (i) or (ii) is visiting D, a friend of D;
- (v) where the person concerned (“P”) is visiting a person (“V”) receiving treatment in a hospital or staying in a hospice or care home, or is accompanying V to a medical appointment, and P is—
  - (i) a member of V’s household,
  - (ii) a close family member of V, or
  - (iii) a friend of V,and for these purposes, “care home” has the meaning given in section 3 of the Care Standards Act 2000(a);
- (w) the need to return from doing any of the things mentioned in sub-paragraphs (a) to [(v)];
- (x) where the person concerned (“P”) does not live within the protected area, the need of P to return to the place where they live;
- (y) where the person concerned (“P”) lives at a place within the protected area, the need of P to return to that place.]

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[[Regulation 2 makes provision to restrict journeys by conveyance within the protected area]

### Restrictions on travel by conveyance within the protected area

2.—(1) During the emergency period no person may make a journey within the protected area by means of any conveyance (other than an invalid carriage) without reasonable excuse.

(2) Paragraph (1) does not apply to a person who is making a transit journey.

(3) For the purposes of paragraph (1), a reasonable excuse includes where a person (“P”) needs to use a conveyance [*this list is indicative – it **must** be reviewed before the Regulations are made*]

- (a) to enable P to obtain basic necessities, including food and medical supplies for those in the same household (including any pets or animals in the household) or for vulnerable persons and supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person, including from any business listed in Part 3 of Schedule [**BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1**];
- (b) to enable P to obtain money from or deposit money with any business listed in paragraph [45 or 46] of Schedule [**BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1**];
- (c) to enable P to collect goods which have been ordered from a business in any way permitted under regulation [**FURTHER RESTRICTIONS AND CLOSURES DURING THE EMERGENCY PERIOD**][(1)(a)];
- (d) to enable P to seek medical assistance, including to access any of the services referred to in paragraph [49 or 50] of Schedule [**BUSINESS AND PREMISES CLOSURE SCHEDULE – VERSION 1**];
- (e) to enable P to provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006(b), to a vulnerable person, or to provide emergency assistance;

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(a) 2000 c. 14. Section 3 has been amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2008 (c. 14). There are other amendments to section 3 which are no relevant to these Regulations.

(b) 2006 c. 47. Sub-paragraph (3B) was substituted, with sub-paragraphs (1), (3) and (3A) to (3E) for sub-paragraphs (1) to (3) by s. 66(2) of the Protection of Freedoms Act 2012 (c. 9).

## COVID 19 – AREA RESTRICTIONS REGULATIONS TOOLKIT – PART 4 - TRAVEL RESTRICTIONS – MODEL PROVISIONS

- (f) to enable P to donate blood;
- (g) to enable P to work or to provide voluntary or charitable services, where it is not reasonably possible for P to work, or to provide those services, from the place where they are living or staying or without using a conveyance;
- (h) to enable P to attend a funeral of—
  - (i) a member of the person’s household,
  - (ii) a close family member, or
  - (iii) if no-one within sub-paragraph (i) or (ii) is attending, a friend;
- (i) to enable P to visit a burial ground or garden of remembrance, to pay respects to a member of P’s household, a family member or friend;
- (j) to enable P to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (k) to enable P to access, or to assist another person to access, critical public services, including—
  - (i) childcare;
  - (ii) education or training;
  - (iii) social services;
  - (iv) services provided by the Department for Work and Pensions;
  - (v) services provided to victims (such as victims of crime);
- (l) in relation to children who do not live in the same household as their parents, or one of their parents, to allow the continuation of existing arrangements for access to, and contact between, parents and children;
- (m) where P is a minister of religion or worship leader, to enable P to go to their place of worship;
- (n) to enable P to undertake any of the following activities in connection with the purchase, sale, letting or rental of a residential property—
  - (i) visiting estate or letting agents, developer sales offices or show homes;
  - (ii) viewing residential properties to look for a property to buy or rent;
  - (iii) preparing a residential property to move in;
  - (iv) moving home;
  - (v) visiting a residential property to undertake any activities required for the rental or sale of that property;
- (o) to enable P to avoid injury or illness or to escape a risk of harm;
- (p) to enable P to use a waste or recycling centre;
- (q) where P is an elite sportsperson, a coach of an elite sportsperson, or (in the case of an elite sportsperson who is under the age of 18), a parent of the elite sportsperson, for the purposes of attending training or any competition;  
[[*sub-paragraph (r) is only needed if provision is made for “support bubbles”*]]
- (r) to enable P to visit or stay at the place where a linked household lives;]
- (s) where P does not live within the protected area, to enable P to return to the place where they live;
- (t) where P lives within the protected area, to enable P to return to the place where they live;  
[[*sub-paragraph (u) should be used if there is also a restriction on gatherings in the Regulations and that provision permits gatherings equivalent to those mentioned in sub-paragraphs (v) to (x) below*]]
- (u) to enable P to attend a birth or make a visit as permitted by regulation [**CROSS REFERENCE TO THE RELEVANT PROVISIONS OF THE RESTRICTION ON**

## COVID 19 – AREA RESTRICTIONS REGULATIONS TOOLKIT – PART 4 - TRAVEL RESTRICTIONS – MODEL PROVISIONS

**GATHERINGS**] – [the provisions to be referred to are the ones equivalent sub-paragraphs (v), (w) and (x) below];]

[[sub-paragraphs (v) to (x) should be used if there is no restriction on gatherings in the Regulations but the express exceptions are wanted]

- (v) to enable P to attend a person (“M”) giving birth, at M’s request;
- (w) to enable P to visit a person P reasonably believes is dying (“D”) and P is—
  - (i) a member of D’s household,
  - (ii) a close family member of D,
  - (iii) where no-one falling within paragraph (i) or (ii) is visiting D, a friend of D;
- (x) to enable P to visit a person (“V”) receiving treatment in a hospital or staying in a hospice or care home, or to accompany V to a medical appointment, and P is—
  - (i) a member of V’s household,
  - (ii) a close family member of V, or
  - (iii) a friend of V,and for these purposes, “care home” has the meaning given in section 3 of the Care Standards Act 2000(a).]

(4) In this regulation “invalid carriage” has the meaning given in section 185(1) of the Road Traffic Act 1988(b).

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(a) 2000 c. 14. Section 3 has been amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2008 (c. 14). There are other amendments to section 3 which are no relevant to these Regulations.

(b) 1988 c. 52.