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Corporate report

Two monthly report on the status on the non-devolved provisions of the Coronavirus Act 2020: July 2020

Published 31 July 2020

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Introduction

The current novel coronavirus (COVID-19) outbreak, which began in December 2019, presents a significant challenge for the entire world. All of the UK has been touched by the pandemic and the use of the provisions of the Coronavirus Act should be seen in the context of the extensive and ongoing mobilisation of the whole of society.

The development of an effective response to the pandemic required several actions. Some of these involved the use of new tools and powers that required new legislation. The UK government's coronavirus action plan (<https://www.gov.uk/government/publications/coronavirus-action-plan>), published on 3 March, set out measures to respond to the coronavirus pandemic that are reasonable, proportionate and based on the latest scientific evidence. The plan envisaged that changes to legislation might be necessary in order to give public bodies across the UK the tools and powers they need to carry out an effective response to this emergency. On 25 March, the Coronavirus Act 2020 received royal assent. The Coronavirus Act gives us the powers we need to take the right action at the right time to respond effectively to the impact of the pandemic and should be seen as part of a wide range of public health measures designed to tackle the pandemic during its life cycle.

The act enabled action in 5 key areas:

1. increasing the available health and social care workforce – for example, by removing barriers to allow suitably experienced people, such as recently retired NHS staff and social workers to return to work (and in Scotland, in addition to retired people, allowing those who are on a career break or who are social worker students to become temporary social workers)
2. easing and reacting to the burden on frontline staff – by reducing the number of administrative tasks they have to perform, enabling local authorities to prioritise care for people with the most pressing needs, allowing key workers to perform more tasks remotely and with less paperwork, and introducing a power to suspend individual port operations if necessary for the security of the border
3. containing and slowing the virus – provisions have been introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure that more people are able to access justice.
4. managing the deceased with respect and dignity – by enabling the death management system to deal with increased demand for its services
5. supporting people – for example, by allowing individuals to receive Statutory Sick Pay from day one, and supporting businesses, for example by providing powers that will ensure the governments of the UK are able to support the food industry to maintain supplies

The governments of the UK therefore resolved to review and where necessary amend existing legislation, to ensure that the UK's response is consistent and effective.

The worst-case scenario has not so far come to pass, but considerable risks remain, and significant challenges still lie ahead of us.

The COVID-19 outbreak has resulted in one of the largest ever shocks to the UK economy and public finances. The impact of the virus and the measures that have had to be put in place have been far reaching, affecting people's jobs, livelihoods and wellbeing. Despite the success in reducing the burden of the virus significantly from its peak in the spring, the coming winter will present further challenges. Coinfections between seasonal coronaviruses and other respiratory viruses are common. While interactions between COVID-19 and other viruses are not fully understood, they have the potential to be negative and are likely to be more common in winter. There are also secondary risks. The pressure on the NHS and other health infrastructure is already higher in winter due to other seasonal illnesses, such as flu.

As the world's scientific understanding is still developing, it is too early to say that we know for certain precisely how the pandemic will respond to our efforts to control it in the medium to long term. The UK's success in containing the virus so far has been hard fought and it is for that reason that we must therefore remain vigilant and cautious, but also flexible in the way we respond, and in the way we use the provisions of the Coronavirus Act to support that response and most importantly avoid undoing what we have achieved. In May 2020, the government published, 'Our Plan to Rebuild' which sets out the government's strategy for how and when the UK will adjust its response to the COVID-19 crisis and provides a roadmap to lift restrictions step by step (<https://www.gov.uk/government/publications/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy#the-current-situation>).

Mechanism to change the status of provisions

Part 2 of the Act sets out mechanisms for managing (and reporting on – see next section) the use of the act. Many of the provisions were designed to be used temporarily, and only when necessary. For this reason, there is a facility to enable Ministers to commence provisions when they are needed; but then also to suspend them when it makes sense to do so; and then, if circumstances warrant it, to revive those provisions again. There is also the option to 'sunset' (permanently repeal) provisions early, separately from the automatic sunset of the act that is due to occur 2 years after the act came into force.

Reporting and accountability arrangements

The act included (in part 2) a number of arrangements to facilitate accountability and transparency over the use of the substantive part 1 powers.

The Secretary of State for Health and Social Care is required to prepare and publish a report on the status of the main non-devolved provisions in the Act relating to every 2-month period during the operation of the act.

The report must set out for each of the provisions:

- (a) whether it is in force at the end of each 2-month period
- (b) whether ministers have, during that period, exercised powers under the act to change the status of any provisions. Each report must contain a statement that the Secretary of State is satisfied that the status of the non-devolved provisions is appropriate.

Each devolved administration has its own arrangements for reporting on these, and on other powers within their legislative competence, in tackling the pandemic.

No regulations so far have been made to change the expiry date under section 90 of the act.

A status table (<https://www.gov.uk/government/publications/coronavirus-act-2020-status>) has been published which provides up to date information on the status of all provisions, including devolved provisions, in the Coronavirus Act.

Appropriateness statement

The Secretary of State for Health and Social Care, Matt Hancock, has made the following statement regarding the status of provisions in Coronavirus Act 2020 in accordance with section 97(1)(b) of that act:

I am satisfied that the status of those provisions of Part 1 of the Coronavirus Act 2020 which are my responsibility (within the meaning of section 97(6) of that Act) is appropriate.

Progress to date

The provisions of part 2 the Coronavirus Act require the Secretary of State to provide an update to Parliament on the status of non-devolved provisions in part 1. The table below shows how each section has been used since royal assent:

- the first column refers to the section of the act
- the second column is a brief description of its scope
- the third column sets out the status of the provision. There are 3 elements to this: whether commenced, whether suspended/revived, whether the sunset date has changed. Currently no provisions have been suspended, revived and there have been no changes to sunset dates, so the column only includes the details of the commencement status
- the fourth column describes how the provision, once commenced, has been used

A more detailed account of the policy under each provision can be found in the explanatory notes and other supporting material published alongside the act.

The devolved administrations are responsible for their own reporting arrangements.

Status table

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
1	Meaning of 'coronavirus' and related terminology	Came into force on royal assent	No change in terminology
2, schedule 1	Emergency registration of nurses and other health and care professionals	Came into force on royal assent	The Secretary of State for Health and Social Care wrote letters to the Nursing and Midwifery Council (NMC) on the 26 March 2020 and to the Health and Care Professions Council (HCPC) on 25th March 2020 asking them to exercise the powers (as required by the provision) in relation to emergency registration, which became available when the Corona Bill received royal assent on 25th March 2020. The NMC established its emergency register on the on 27 March 2020 the powers granted in the Coronavirus Act to enable recent former registrants to return to practice. In England, a total 11,834 professionals (11,063 nurses and 651 midwives) joined the NMC's temporary register. The register remains in HCPC established COVID-19 emergency registers on 27th March 2020 to enable recent former registrants to return to practice and final year students to practise. In England, the HCPC registered 21,784 former registrants and students. figure includes 4,426 students and 17,358 former registrants (http://www.hcpc-uk.co.uk/about-us/insights-and-data/the-register/temporary-register-snapshot-1-jul-2020/). HCPC's emergency register remain in place.
6, schedule 5	Emergency registration of social workers: England and Wales	Came into force on royal assent	In England, Social Work England (SWE), has temporarily reinstated the professional registration of several thousand social workers. With the Department for Education and the Department of Health and Social Care, SWE has supported Local Government Association (LGA) to launch a website matching temporary registrants with employers. The Department for Education regularly discusses children's social care workforce pressures with local authorities, and adult social care pressures with the Department of Health and Social Care. Though the number of temporary registrants returning to the profession to date remains relatively low, local authorities are clear that pressures are increasing as a result of unmet response to these anticipated virus-related pressures in the coming months.
8, schedule 7	Emergency volunteering leave	Not yet in force	The provisions relating to Emergency Volunteering Leave and Emergency Volunteer Compensation were intended to be in force should the delivery of health services be at risk as a result of the pandemic. To date, there has not been a significant risk to health services and a surge in trained volunteers has not been required. As such, the provisions have not been triggered but remain as an option to use should this be necessary as part of the ongoing response to COVID-19. There are no plans to commence powers at the current time due to sufficient current supply of staff and volunteers in health and care system. We are monitoring the situation to assess if powers need to be triggered in the future.
9	Compensation for emergency volunteers	Not yet in force	As above (8, schedule 7)

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
10 and schedule 8	Temporary modification of mental health and mental capacity legislation	Not yet in force	To date, these provisions have not been needed in England. Mental health services have made arrangements to adapt service approaches, for example use of video for medical assessments, and overall the system has coped with staff shortages. Government has worked closely with NHSE/I to monitor service pressures and to create a direct route for local area requests for commencement to be considered.
11	Indemnity for health service activity: England and Wales	Came into force on royal assent	While the vast majority of health services in England continue to be covered by existing indemnity arrangements, Section 11 has been utilised to provide clinical negligence indemnity for a range of special/novel healthcare arrangements which have been put in place in response to the pandemic, where there are no existing indemnity or insurance arrangements in place. This has enabled new and additional services to be put in place rapidly to support the overall response. The section 11 powers have not been exercised by Welsh ministers yet.
14	NHS Continuing Healthcare assessments: England	Came into force on royal assent	This provision has allowed the discharge process to be expedited so that unnecessary delays are avoided for individuals who are ready to leave hospital. The provision has also enabled urgent care packages to be put in place or extended to prevent hospital admissions. This has significantly reduced the burden on the acute care sector and its front-line staff, allowing the NHS to make the best possible use of its staff and hospital space.
15, schedule 12	Local authority care and support	Section 15 (in relation to England) and Part 1 of Schedule 12 (powers and duties of local authorities in England) came into force on 31 March 2020	Since commencement, eight local authorities have operated under Care Act easements. All of these have now ceased. This has enabled the local authorities to prioritise assessments and streamline care and support to ensure the most urgent acute needs are met. This has meant that local authorities have been able to cope with increased demand for social care and reduced workforce availability throughout the COVID-19 response.
18, schedule 13	Registration of deaths and still-births etc	Came into force on 26 March 2020	This provision has enabled deaths to continue to be registered when face to face services have not been available. It helped to ensure deaths are quickly registered so that burials and cremations can take place. Feedback from the funeral sector regarding timely registration has been positive. The easements on the requirements of certifying practitioners have enabled the medical service to be more flexible and for doctors to work in support of each other removing any undue burden because of availability and preventing the coronial service from being overwhelmed with referrals.
19	Confirmatory medical certificate not required for cremations: England and Wales	Came into force on 26 March 2020	This provision has supported timely cremations during the excess deaths period supporting the management of mortuary capacity. This easement has reduced demand on medical practitioners at a time when they have been under additional burdens. Medical practitioners not involved in the care of the deceased would otherwise be required to attend the decedent and consult medical records. This has supported the COVID-19 response in enabling throughput in the death management process. We do not have central data on the timeliness between death and cremation however anecdotally the change has been welcomed across the sector and cremations have continued and increased demand has been managed.
22	Appointment of temporary Judicial Commissioners	Came into force on royal assent	The Investigatory Powers Commissioner immediately requested the regulations be made to bring the measure into force. He has subsequently appointed 10 temporary Judicial Commissioners (details can be found on the IPCO website). Not appointing these temporary Judicial Commissioners would have had a detrimental impact on the ability of our intelligence services and law enforcement agencies to protect national security and prevent serious crime.
23	Time limits in relation to urgent warrants etc under Investigatory Powers Act	Came into force on royal assent	The Investigatory Powers Commissioner immediately requested the regulations be made to bring the measure into force. The measure has been used when urgent warrants have been required. Urgent warrants can only be used when there is an imminent threat to life or serious harm, or an intelligence or investigative opportunity which is time limited. This measure has ensured that the intelligence services and law enforcement agencies have been able to protect national security and prevent serious crime during the pandemic.
24	Extension of time limits for retention of fingerprints and DNA profiles	Came into force on royal assent	This provision has successfully mitigated the risk of a critical national security capability from being compromised as a result of the effects of the pandemic, including risk of losing the biometrics of up to 150 individuals per month (many of whom could be subjects of national security interest). The power has only been applied where coronavirus restricts national security capabilities. It has supported the overall COVID-19 response by preventing police being unable to maintain business-as-usual in relation to the reviews of intelligence required to retain biometric data.

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
25	Power to require information relating to food supply chains	Not yet in force	Department for Environment, Food and Rural Affairs has agreed a Data Sharing Protocol with food retailers to gather information daily, on a voluntary basis, during a food supply disruption. These provisions are intended to back up this arrangement and will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
26	Authorities which may require information	Not yet in force	Related to the power at section 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
27	Restrictions on use and disclosure of information	Not yet in force	Related to the power at section 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
28, schedule 15	Enforcement of requirement to provide information	Not yet in force	Related to the power at section 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
29	Meaning of 'food supply chain' and related expressions	Not yet in force	Related to the power at section 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
30	Suspension of requirement to hold inquests with jury: England and Wales	Came into force on royal assent	These provisions allow the majority of inquests involving COVID-19 to take place without a jury. During the period of the pandemic coroners have been significantly impacted by the lockdown restrictions in the conduct of all inquests which be held in public, with many pending inquests as well as more recent inquests being put on hold. The Chief Coroner has recently issued Guidance No. 39 - Recovery from the COVID-19 Pandemic to all coroners regarding managing these inquests as restrictions are being lifted, noting that "returning to 'business as normal' will take some considerable time has particularly noted that going forward "Inquests with juries will pose particular challenges..." and these provisions will support efforts to recover the impact on coroner services. We do not hold statistics on the volume of deaths reported to coroner where the deceased had been diagnosed with COVID-19.
37, schedule 16	Temporary closure of educational institutions and childcare premises	Came into force on royal assent	The Secretary of State has the power to direct educational institutions and registered childcare providers to restrict access to premises, where tests in the Coronavirus Act 2020 are met. Local authorities can be authorised to issue directions in relation to registered childcare providers, schools and 16-19 Academies in their areas. The Office for Students can be authorised to issue directions in relation to registered higher education providers. The Secretary of State has not exercised these powers.
38, schedule 17	Temporary continuity: education, training and childcare	Came into force on royal assent	The Secretary of State has issued notices (applying in May, June and July) to disapply or modify statutory requirements relating to school attendance, pupil registration, and school inspection, facilitating the education and childcare sectors response to the coronavirus outbreak, and modified the duty to secure or arrange provision specified in Education, Health and Care plans to give local authorities, health commissioning bodies, education settings and other partners more flexibility in responding to the demands placed on them by the outbreak. The Secretary of State also has the power to direct educational institutions, local authorities, and registered childcare providers to take reasonable steps (which can be specified in the direction) in connection with the provision of education, training, childcare and other matters where the tests in the Coronavirus Act 2020 are met. Local authorities can be authorised to issue directions in relation to registered childcare providers, schools and 16-19 Academies in their areas. The Office for Students can be authorised to issue directions in relation to registered higher education providers. The Secretary of State has not (to date) used these powers. The Secretary of State announced in guidance for full opening: schools (https://www.gov.uk/government/publications/action-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools#res) that government is considering making a temporary continuity direction in the autumn term, to give additional clarity to schools, pupils and parents as to what education should be provided. DfE will engage with the sector before a final decision is made on this.
39	Statutory sick pay: funding of employers' liabilities	Came into force on royal assent	This power allows for payments to be made to employers to refund the costs of SSP paid to eligible employees for sick absences relating to coronavirus. The Coronavirus Statutory Sick Pay Rebate Scheme is now live.
40	Statutory sick pay: power to disapply waiting period limitation	Came into force on royal assent	Regulations have been made to suspend the waiting days rule in coronavirus cases. This means that SSP is payable day one, rather than day four, and thus provides additional support to employees who are unable to work because they are sick or self-isolating as a result of coronavirus.

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
41	Statutory sick pay: modification of regulation making powers	Came into force on royal assent	This allows for regulations which provide that employees are to be treated as incapable of work as a result of coronavirus and are therefore eligible for SSP, to refer to the latest guidance issued by the UK health authorities, as that guidance amended from time to time. It also allows such regulations to confer discretion on a person. This power was used in the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 to refer guidance issued by the Chief Medical Officers, as amended from time to time, so that the regulations continue to apply and when the guidance on symptoms is updated.
45	NHS pension schemes: suspension of restrictions on return to work: England and Wales	Came into force on royal assent	This provision suspended the 16-hour rule following retirement in the NHS Pension Scheme, as well as abatement for special class status holders and the requirement for draw down retirees to reduce their pensionable pay by 10%. The measures have removed barriers which previously prevented retired staff from returning to work or increasing their work commitments. Suspending these rules has allowed thousands of retired or formerly retired staff to increase their commitment to the NHS, providing vital frontline capacity. This has helped support the overall coronavirus response by supporting the goal of ensuring the NHS has the frontline staff it needs.
50, schedule 20	Power to suspend port operations	Came into force on royal assent	There have been no situations where the Secretary of State has needed to issue a direction under this Schedule. This provision will remain in force at the end of the two-month period in order to continue to provide for the scenario where, to coronavirus, there are insufficient officers to maintain adequate border security. The power to suspend port operations will only be used where the Secretary of State believes that it is necessary, proportionate, and there is a real and significant risk to border security.
51, schedule 21	Powers relating to potentially infectious persons	Came into force on royal assent	Under the Coronavirus Act, the powers under the schedule for potentially infectious persons are essential to controlling the virus in the long term. As of 30 June, 2020, PHO powers have been used less than 10 times. They continue to be part of a suite of powers to support a range of strategic responses throughout the lifecycle of the pandemic. As part of the wider public health response to the pandemic, the Coronavirus Act provides for police constables, to support public health officers exercising their powers under Schedule 21. As of 30 June 2020, police constables had been requested to support public health officers less than ten times. No directions have been issued by immigration officers to date.
52, schedule 22	Powers to issue directions relating to events, gatherings and premises	Came into force on royal assent	No reported use by Department of Digital, Culture, Media and Sport. The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (http://www.legislation.gov.uk/uksi/2020/350/contents/made) and The Health Protection (Coronavirus, Restrictions) (No2) (England) Regulations 2020 (https://www.legislation.gov.uk/uksi/2020/684/contents/made) – both made under the Public Health (Control of Disease) Act 1984 – have been used to restrict gatherings.
53, schedule 23	Expansion of availability of live links in criminal proceedings	Came into force on royal assent	Sections 53 to 56 have been introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure that more people are able to access justice. Despite the considerable challenges and restrictions in place during this time, these provisions have allowed thousands of hearings to take place since the passing of the Act. The take-up of remote technology has increased significantly with around 90% of hearings being done by audio/video. These sections have supported the overall COVID-19 response by helping to contain the virus, reduce the risk of it spreading and therefore easing the burden on frontline staff.
54, schedule 24	Expansion of availability of live links in other criminal hearings	Came into force on royal assent	As above (53, schedule 23)
55, schedule 25	Public participation in proceedings conducted by video or audio	Came into force on royal assent	As above (53, schedule 23)
56, schedule 26	Live links in magistrates' court appeals against requirements or restrictions imposed on a potentially infectious person	Came into force on royal assent	As above (53, schedule 23)

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
58, schedule 28	Powers in relation to transportation, storage and disposal of dead bodies etc	Came into force on royal assent	Work continues across government to help ensure death management during this pandemic continues to operate effectively and to identify and resolve any capacity issues. Government is working closely with the sector and with local partners to assist in contingency preparations and support local authorities to appropriately and safely manage the deceased during COVID-19. This includes ongoing sharing of information about capacity to manage the deceased through local resilience forums (LRFs), which help to identify any capacity issues. This information helps government to determine whether further action may be required to address these capacity issues (at a local, regional or national level) and whether the threshold for 'designating' a local authority has been met. Local authorities are also sharing information at a local or LRF-level. Information requiring provisions are available to local authorities under Part 1 of the Schedule, and government has issued a template for making information requests. Local authorities are not required to inform government if they used the Part 1 powers to obtain this information; however based on our engagement we believe most local areas were able to source data through working with local partners without using the powers. We are aware that local authorities in London have used the Part 1 powers. Responders in the London LRF also wrote to part of the local sector on behalf of boroughs to remind them of their responsibility to provide data citing Part 1 of Schedule 28 of the Coronavirus Act. This resulted in a significant improvement in those data returns from around 17% to around 68%. No local authority has been designated yet and therefore no local or national authority is able to make directions under Part 2 of the Schedule. The threshold for designation (in Paragraph 4(1)) has not yet been met. This is true for all UK nations. Statutory guidance has been published that advises local authorities how they should utilise these powers appropriately and proportionally, including how to ensure Part 4 is met. Local Resilience Forums (LRFs) have provided weekly reporting to the government on local capacity and usage in their death management system to inform the Government's policy and operational decisions around death management.
59	Elections and referendums due to be held in England in period after 15 March 2020	Came into force on royal assent	All scheduled Police and Crime Commissioner and local elections and other unscheduled local polls have been postponed until May 2021. It was not possible to hold local elections in May 2020 owing to the pandemic restrictions; postponement has enabled local authorities to concentrate on delivering their contribution to the pandemic response. Powers to postpone unscheduled local elections (such as by-elections) until May 2021 allow for some such local by-elections and other local polls to be held earlier than May 2021 if circumstances allow; this is kept under review.
60	Postponement of elections due to be held on 7 May 2020	Came into force on royal assent	As above (59)
61	Power to postpone certain other elections and referendums	Came into force on royal assent	As above (59)
62	Power to postpone a recall petition under the Recall of MPs Act 2015	Came into force on royal assent	No recall petitions have arisen thus far, and the power has not been required to be used.
63	Power to make supplementary etc provision	Came into force on royal assent	The Local Government and Police Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums (England and Wales) Regulations 2020 and came into force on 7th April 2020 and makes provisions for extension of term of councillors due to postponement of polls.
71	Signatures of Treasury Commissioners	Came into force on royal assent	The directions that have been made conferring functions on HMRC have been made pursuant to sections 71 and 76 of the Coronavirus Act 2020. This includes the directions made by the Chancellor in relation to Coronavirus Job Retention Scheme, Self-Employed Income Support Scheme and the Eat Out to Help Out Scheme (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/898933/EOTHODirectionLegislation.pdf). Take-up of SEISS and CJRS can be found on GOV.UK (https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics)
72	Power under section 143 of the Social Security Administration Act 1992	Came into force on royal assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power.
73	Power under the section 145 of the Social Security Administration Act 1992	Came into force on royal assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power.

Section (all part 1) and schedules	Provision	Status	Use of provision since royal assent to 25 July 2020
74	Power under section 5 of the National Insurance Contributions Act 2015	Came into force on royal assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power.
75	Disapplication of limit under section 8 of the Industrial Development Act 1982	Came into force on royal assent	The provision is in use to facilitate the provision of support to business. A separate requirement to report to Parliament in relation to the use of Section 75 is set out in that section and the next report to Parliament under this section will be submitted shortly.
76	HMRC functions	Came into force on royal assent	The government has used this power to direct HMRC to have new functions in respect of paying and managing grant to businesses and individuals under the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme. Take-up of SEISS and CJRS can be found publicly on GOV.UK (https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics). In March, the Government announced the unprecedented Coronavirus Job Retention Scheme to help firms keep millions of people in employment. For the first 5 months, all UK employers have been able to apply for a grant that covers 80% of furloughed employees' usual monthly wage costs, up to £2500 a month, plus the associated Employer National Insurance contributions and pension contributions. The online service opened on 20 April. Claims are paid 6 working days after they have been submitted. On the day the scheme opened, as of 16.30, 141,000 claims were made (relating to 1.01m jobs), of which the total value was £1.19bn. So far, the CJRS has helped 1.2 million employers across UK furlough 9.4 million jobs, protecting people's livelihoods (as at midnight 12 July 2020). The value of the scheme is £28.7bn. See the latest figures (https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics). The 'Eat out Help Out' scheme announced at the summer economic update also relied on this section of the Act.
77	Up-rating of working tax credit etc	Came into force on royal assent	The basic element of Working Tax Credit has been in payment at the increased rate (£3,040) since 6 April 2020. This supported some 1.6 million low income working households eligible for Working Tax Credit who have benefited by up to £1,045 extra per week. This equates to up to £1,045 extra per household for the 20/21 tax year.
78	Local authority meetings	Came into force on royal assent	Local authorities have been holding virtual meetings, accessible to members and public by video conferencing. This has enabled decision making at local level to continue to take place transparently, enabling responsive and accountable service delivery during the restrictions on gatherings.
79	Extension of Business Improvement Districts (BID) arrangements: England	Came into force on royal assent	This has led to BIDs in England due to ballot deadlines being delayed until later in the year, providing greater certainty for businesses and local authorities. This is also increasing capacity within local authorities to reprioritise the work to address the coronavirus crisis. We have also announced a £6.1m fund to support BIDs.
81, schedule 29	Residential tenancies in England and Wales: protection from eviction	Came into force on royal assent	These measures have delayed when residential landlords can progress evictions, by requiring them to provide three months' notice of their intention to seek possession of the property. It has applied to most tenants and landlords in the private and social rented sectors. This has enabled tenants to comply with public health requirements to stay in their homes during the period of lockdown. It has also provided additional protections during a difficult time and eased the burden on frontline staff, for example by reducing the incidence of homelessness.
82	Business tenancies in England and Wales: protection from forfeiture etc	Came into force on royal assent	This provision has ensured that business tenants that have been unable to trade since lockdown was enforced have not been evicted from properties due to the non-payment of rent. Following royal assent, business tenant representative groups reported that some landlords were pursuing unpaid rent through aggressive tactics, including Commercial Rent Arrears Recovery and winding-up petitions. Government has therefore laid secondary legislation to prevent the use of these tactics where the non-payment of rent is due to COVID-19. The measures are in force until 30 September. Data from Remit consulting on the Q3 rent payment date (24 June 2020) indicates that 35.8% of rent was collected on the due date. This compares to 49% collected on the March 2020 quarter day, and 79% on March quarter day 2019. This collection rate indicates that business tenants are not yet in a position to pay rent in full and on time, leaving them vulnerable to eviction. The government does not intervene to protect them.

Changes to status during the reporting period

Mental health and mental capacity

Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change

Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change
Section 10	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Section 10(1) came into force on 27 March 2020 in relation to Wales it is not yet in force in relation to England.	The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/336) (http://www.legislation.gov.uk/wsi/2020/366/introduction/made)
Section 10	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Section 10(3) and (4) came into force on 2 April 2020 in Northern Ireland.	The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58) (http://www.legislation.gov.uk/nisr/2020/58/contents/made)
Section 10	Temporary modification of mental health and mental capacity legislation	The Department of Health NI has decided to suspend the amendments relating to the Mental Health (NI) Order 1986 (section 10(3) and Schedule 10) with effect 10 August 2020.		
The amendments to the Mental Capacity Act (NI) 2016 in section 10(4) and Schedule 11 will be kept under review				
Schedule 8	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 8 (paragraphs 1 to 2 and paragraphs 11 to 13) came into force on 27 March 2020 in relation to Wales. Schedule 8 is not yet in force in relation to England.	The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/366) (http://www.legislation.gov.uk/wsi/2020/366/introduction/made)
Schedule 10	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 10 came into force on 2 April 2020 in Northern Ireland.	The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58) (http://www.legislation.gov.uk/nisr/2020/58/contents/made)
Schedule 10	Temporary modification of mental health and mental capacity legislation	Suspension under section 88(1) and (5)	Part 1(insofar as it relates to Part 2) and Part 2 of Schedule 10 are to be suspended with effect from 10 August 2020 in Northern Ireland.	The Coronavirus Act 2020 (Suspension)Order (Northern Ireland) 2020 (https://www.legislation.gov.uk/nisr/2020/141/contents/made)
Schedule 11	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 11 (paragraphs 1 to 10, 19, 20 (so far as it relates to paragraphs 5 and 9 only) and 22) came into force on 2 April 2020 in Northern Ireland.	The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58) (http://www.legislation.gov.uk/nisr/2020/58/contents/made)

NHS and local authority care and support

Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change
Section 15,	Local	Commencement	Section 15 (in relation to England) and	The Coronavirus Act 2020 (Commencement No. 2)

schedule 12	Authority care and support	under section 87(2)	Part 1 of Schedule 12 (powers and duties of local authorities in England) came into force on 31 March 2020	Regulations 2020 (SI 2020/388) (https://www.legislation.gov.uk/uksi/2020/388/contents/made)
Section 15, schedule 12	Local Authority care and support	Commencement under section 87(2)	Section 15 (in relation to Wales) and Part 2 of Schedule 12 (powers and duties of local authorities in Wales) came into force on 1 April 2020	The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/366) (http://www.legislation.gov.uk/wsi/2020/366/introduction/made)
Section 16	Duty of local authority to assess needs: Scotland	Commencement under section 87(2)	Came into force on 5 April 2020	The Coronavirus Act 2020 (Commencement No. 1) (Scotland) Regulations 2020 (SI 2020/121) (http://www.legislation.gov.uk/ssi/2020/121/made)
Section 17	Section 16: further provision	Commencement under section 87(2)	Came into force on 5 April 2020	The Coronavirus Act 2020 (Commencement No. 1) (Scotland) Regulations 2020 (SI 2020/121) (http://www.legislation.gov.uk/ssi/2020/121/made)

Registration of deaths and stillbirths

Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change
Section 18, Schedule 13	Registration of deaths and still-births etc	Commencement under section 87(2)	Came into force on 26 March 2020	The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361) (http://www.legislation.gov.uk/uksi/2020/361/regulation/2/made)
Section 19	Confirmatory medical certificate not required for cremations: England and Wales	Commencement under section 87(2)	Came into force on 26 March 2020	The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361) (http://www.legislation.gov.uk/uksi/2020/361/regulation/2/made)
Section 21	Modifications of requirements regarding medical certificates for cremations: Northern Ireland	Commencement under section 87(2)	Came into force on 26 March 2020	The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361) (http://www.legislation.gov.uk/uksi/2020/361/regulation/2/made)