



Department for Transport

The Rt Hon. Huw Merriman MP
Chair of the Transport Select Committee
House of Commons
London
SW1A 0AA

From the Secretary of State
The Rt. Hon. Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000

Web site: www.gov.uk/dft

15th June 2020

Dear Huw,

Today, my Department has laid a Statutory Instrument in both Houses of Parliament to mandate the wearing of face coverings on public transport (including aircraft and ferries) in England under the Public Health (Control of Disease) Act 1984 (PHA). This policy was announced on 4 June and the Regulations have now come into effect. This letter explains why these regulations came into force before they were laid.

Mandating the use of face coverings is a reasonable protective measure to reduce the risk of infection when used alongside other measures, and scientific advice recommends their use in situations where social distancing can be difficult, such as on public transport. During the pandemic, use of public transport has been down by 80 – 95% and social distancing has been possible for those key workers who have been travelling. As more people return to public transport, however, we must take every measure to keep the virus in check.

The Regulations came into force under the PHA and were made using the emergency procedure due to the necessity of government to act quickly to ensure the continued reduction of transmission of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). The Regulations have been prepared urgently in order to come into force on 15 June alongside the reopening of all remaining non-essential retail. As passenger numbers continue to increase across public transport services, it is vital that we take every measure to protect against the spread of the virus.

The Regulations gives new powers to transport operators to deny access to a service, and to direct someone to leave a service, if they are not wearing a face covering without a legitimate reason. If passengers fail to comply, the Police and Transport for London authorised personnel will have a power to

remove passengers from a service (using reasonable force if necessary), and issue a Fixed Penalty Notice of £100, reducing to £50 if paid in under 14 days.

Exemptions from this requirement have been made for children under 11, those whose health conditions make a face covering difficult to put on or wear, and for people who need to communicate with someone who relies on lip-reading or facial expressions. This policy will also only apply to passengers, not transport workers. It is at operators' discretion to determine which roles require protective equipment such as face coverings.

To support the introduction of this Regulation, my Department published updated guidance for operators and passengers on travelling safely during the outbreak (www.gov.uk/guidance/coronavirus-covid-19-safer-travel-guidance-for-passengers#face-coverings).

I hope you understand our reasoning for taking this approach and would be happy to discuss this if useful.

Yours ever,

A handwritten signature in black ink, appearing to read 'Grant Shapps', written in a cursive style.

Rt Hon Grant Shapps MP

SECRETARY OF STATE FOR TRANSPORT