

# HOUSE OF LORDS

## Secondary Legislation Scrutiny Committee

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### 38th Report of Session 2019–21

#### **Correspondence: Sunset provisions in statutory instruments dealing with COVID-19**

#### **Includes information paragraphs on:**

6 instruments relating to COVID-19  
Greenhouse Gas Emissions Trading  
Scheme (Withdrawal Agreement) (EU Exit)  
Regulations 2020

Direct Payments to Farmers and Cross-  
Compliance (Simplifications) (England)  
(Amendment) Regulations 2020

Channel Tunnel (Customs and Excise)  
(Amendment) (EU Exit) Order 2020

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### *Secondary Legislation Scrutiny Committee*

The Committee's terms of reference, as amended on 11 July 2018, are set out on the website but are, broadly:

To report on draft instruments and memoranda laid before Parliament under sections 8, 9 and 23(1) of the European Union (Withdrawal) Act 2018.

And, to scrutinise –

(a) every instrument (whether or not a statutory instrument), or draft of an instrument, which is laid before each House of Parliament and upon which proceedings may be, or might have been, taken in either House of Parliament under an Act of Parliament;

(b) every proposal which is in the form of a draft of such an instrument and is laid before each House of Parliament under an Act of Parliament,

with a view to determining whether or not the special attention of the House should be drawn to it on any of the grounds specified in the terms of reference.

The Committee may also consider such other general matters relating to the effective scrutiny of secondary legislation as the Committee considers appropriate, except matters within the orders of reference of the Joint Committee on Statutory Instruments.

### *Members*

<a href="#"><u>Baroness Bakewell of Hardington Mandeville</u></a>	<a href="#"><u>Viscount Hanworth</u></a>	<a href="#"><u>The Earl of Lindsay</u></a>
<a href="#"><u>Rt Hon. Lord Chartres</u></a>	<a href="#"><u>Lord Hodgson of Astley Abbotts</u></a>	<a href="#"><u>Lord Lisvane</u></a>
<a href="#"><u>Rt Hon. Lord Cunningham of Felling</u></a>	(Chair)	<a href="#"><u>Lord Sherbourne of Didsbury</u></a>
<a href="#"><u>Lord German</u></a>	<a href="#"><u>Lord Liddle</u></a>	<a href="#"><u>Baroness Watkins of Tavistock</u></a>

### *Registered interests*

Information about interests of Committee Members can be found in the last Appendix to this report.

### *Publications*

The Committee's Reports are published on the internet at <https://committees.parliament.uk/committee/255/secondary-legislation-scrutiny-committee/publications/>

### *Committee Staff*

The staff of the Committee are Christine Salmon Percival (Clerk), Philipp Mende (Adviser), Jane White (Adviser) and Ben Dunleavy (Committee Assistant).

### *Further Information*

Further information about the Committee is available at <https://committees.parliament.uk/committee/255/secondary-legislation-scrutiny-committee/>

The progress of statutory instruments can be followed at <https://statutoryinstruments.parliament.uk/>

The National Archives publish statutory instruments with a plain English explanatory memorandum on the internet at <http://www.legislation.gov.uk/uksi>

### *Contacts*

Any query about the Committee or its work, or opinions on any new item of secondary legislation, should be directed to the Clerk to the Secondary Legislation Scrutiny Committee, Legislation Office, House of Lords, London SW1A 0PW. The telephone number is 020 7219 8821 and the email address is [hlseclegscrutiny@parliament.uk](mailto:hlseclegscrutiny@parliament.uk).

# Thirty Eighth Report

## CORRESPONDENCE

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### Sunset provisions in statutory instruments dealing with COVID-19

1. We have noted in previous reports<sup>1</sup> that many statutory instruments that relate to the Coronavirus pandemic included sunset provisions. To assist the House in scrutinising the legislation, we asked the Leader of the House of Commons to send us monthly updates so that they could be properly monitored. A further update has been received, which is published in Appendix 1 of this report.

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<sup>1</sup> For example, our [25th Report](#), (Session 2019–21, HL Paper 123).

## INSTRUMENTS RELATING TO COVID-19

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### Travel

#### *Draft Airports Slot Allocation (Amendment) (EU Exit) Regulations 2021*

2. An airport ‘slot’ is a permission to use all necessary airport infrastructure to operate an aircraft at a specified date and time for take-off or landing, and is a valuable commercial asset to an airline. Slot administration normally operates a “use-it-or-lose-it” rule, which gives an airline that has used its slots at least 80% of the time in the winter or summer season an entitlement to the same slots in the upcoming equivalent season.
3. However, in March 2020, in response to the effects of the COVID-19 outbreak on the aviation industry, the EU Commission waived this rule under Regulation 95/93 for the summer 2020 season. Due to the continued decline of passenger numbers, in October 2020, the EU Commission extended the waiver to cover the winter season, which will run until 27 March 2021. In the interim the Transition Period will end, so this instrument will enable the Transport Secretary to consider a further extension to the existing slot waiver, if evidence shows this is warranted.

#### *Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 28) Regulations 2020 (SI 2020/1424)*

4. This instrument amends the International Travel Regulations<sup>2</sup> to add new exemptions to the requirement to self-isolate for 14 days after arriving from listed countries for persons engaged in television production, accredited journalists, performing arts professionals and senior business directors (when negotiating contracts for goods and services that will bring significant benefits to the UK: defined as worth 50 jobs or more than £100 million). The exemption for elite sportspersons is also amended to allow new signings to enter a club’s “bubble” and be exempt from self-isolation when they are participating in elite competitions or training for them.

### Public Services

#### *Parish and Community Meetings (Coronavirus) (Polls) (Amendment) (England) Rules 2020 (SI 2020/1355)*

5. This instrument ensures that any parish poll<sup>3</sup> which is scheduled to be held before 6 May 2021 will instead take place between 6 May and 11 June 2021. The Ministry of Housing, Communities and Local Government (MHCLG) explains that this brings parish polls broadly into line with other types of local poll which were postponed to 6 May 2021 by an earlier instrument<sup>4</sup> as part of the Government’s response to the coronavirus pandemic. MHCLG says that the earlier legislation intended to cover all local polling activity but, because

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2 Health Protection (Coronavirus, International Travel) (England) Regulations 2020 ([SI 2020/568](#)).

3 A parish poll allows for a ballot of local government electors in the parish to be called on any question arising at a parish meeting.

4 Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 ([SI 2020/395](#)).

the legislation was delivered at pace, parish polls were “inadvertently omitted from the provision”. The omission did not come to light until October 2020.

*Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations 2020 (SI 2020/1398)*

6. This instrument extends a number of temporary measures which were introduced by earlier instruments<sup>5</sup> to help planning authorities deal with the impact of the coronavirus pandemic and which would otherwise expire at the end of this year. For example, the instrument extends until the end of 31 December 2021 the temporary suspension of the requirement on local planning authorities, the Mayor of London and mayoral combined authorities to make certain documents in relation to local planning and spatial development strategies physically available for inspection and to provide hard copies on request. The documents must, instead, be made available for inspection online during this period.
7. The instrument makes similar changes in relation to development management and listed building consent: the temporary suspension of the requirement for local planning authorities, the Secretary of State, an inspector dealing with an application or appeal, or applicants or appellants for development requiring an Environmental Impact Assessment to provide a physical address in the locality where documents can be inspected or copies obtained is extended until 31 December 2021. Relevant documents must be made available on a website instead. In addition, the temporary suspension in relation to publicity (that is site notices, the sending of notices to individuals and local newspaper notices) is extended until 30 June 2021 where it is not possible to comply with the usual requirements to publicise information. Instead, alternative methods, such as social media or publication on a website, may be used.
8. According to the Ministry of Housing, Communities and Local Government (MHCLG), the extensions are necessary as the effects of the pandemic continue to make the physical inspection of documents difficult. MHCLG says that the Local Government Association’s Planning Advisory Service and the Planning Officers’ Society support the extensions and have not heard of any issues or concerns about the current measures.

*Vaccine Damage Payments (Specified Disease) Order 2020 (SI 2020/1411)*

9. The Vaccine Damage Payment scheme was created over 40 years ago, under the Vaccine Damage Payment Act 1979 (“the Act”). It provides for a one-off, tax-free, lump sum payment of £120,000 to help individuals who are disabled as a result of a serious adverse reaction to a vaccine. (That sum has been increased on five occasions, from an original £10,000.) The Act is primarily focused on diseases preventable through vaccination that are part of the routine childhood immunisation programmes. It applies to a range of diseases including diphtheria, measles, whooping cough, polio, German measles and tetanus; over the years, more diseases – such as mumps and meningitis C – have been added to the list and swine flu was added for the period October 2009 to August 2010 (see paragraph 7.2 of the Explanatory

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<sup>5</sup> Town and Country Planning (Spatial Development Strategy) (Coronavirus) (Amendment) Regulations 2020 ([SI 2020/765](#)) and Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 ([SI 2020/731](#)).

Memorandum). This instrument extends it to COVID-19 vaccines. Usually only those under 18 at the time of receiving a vaccine can claim, but the age criterion has previously been disapplied for some diseases, such as polio, where a large portion of the vaccines are administered to adults.<sup>6</sup> Because COVID-19 requires a mass vaccination programme, this instrument also disapplies the age qualification. Payment under the scheme does not prejudice a claimant’s right also to pursue litigation if they so choose.

**National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) (No. 3) Regulations 2020 (SI 2020/1415)**

10. These Regulations make **a permanent change** to require GPs surgeries in England to record patient ethnicity data where provided (or, where the patient or his or her representative choose not to disclose, to record that this is the case) . They follow up and expand on earlier guidance: ‘Implementing phase 3 of the NHS response to the COVID-19 pandemic’ in which National Health England set out eight urgent actions for the sector, including “... ensure datasets are complete and timely, to underpin an understanding of and response to inequalities. All NHS organisations should proactively review and ensure the completeness of patient ethnicity data by no later than 31 December, with general practice prioritising those groups at significant risk of COVID-19 from 1 September”. The objective is to improve screening and diagnosis for more vulnerable groups.

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<sup>6</sup> See DHSC, Press Release: *Government to add COVID-19 to Vaccine Damage Payments Scheme - GOV. UK* on 3 December 2020: <https://www.gov.uk/government/news/government-to-add-covid-19-to-vaccine-damage-payments-scheme> [accessed 16 December 2020] for other examples.

## INSTRUMENTS OF INTEREST

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### Greenhouse Gas Emissions Trading Scheme (Withdrawal Agreement) (EU Exit) Regulations 2020 (SI 2020/1369)

11. This instrument makes changes to prepare for the end of the Transition Period (TP) in relation to emissions trading. The instrument implements the Northern Ireland (NI) Protocol by providing a basis for emissions from electricity generation in NI to remain in the EU Emissions Trading System (EU ETS). The Department for Business, Energy and Industrial Strategy (BEIS) says that this will ensure that the Single Electricity Market (SEM) across Ireland and NI is not impacted by the UK's withdrawal from the EU. The instrument also provides a legislative basis for UK operators to meet their compliance obligations in respect of the EU ETS 2020 scheme year, which fall due in spring 2021, in line with the UK's commitment under the Withdrawal Agreement.
12. BEIS says that the current EU ETS covers around 1,000 power stations and industrial plants in the UK and that after leaving the EU ETS at the end of the TP, the UK will establish its own alternative carbon pricing policy, either a stand-alone domestic ETS<sup>7</sup> or a carbon emissions tax. **With the end of the TP approaching, businesses have limited time to prepare for any new arrangements**, so we asked the Department when the Government will announce the new carbon pricing policy. BEIS told us that:

“It is right that as we leave the EU ETS we take this opportunity to properly consider what our long-term carbon pricing policy should be, and what will best support UK businesses in decarbonisation and to plan to have a robust carbon pricing policy in place in all scenarios.

Having two fallback options — a standalone UK ETS and a carbon emission tax — on the table gives confidence and certainty that, under any scenario, the UK will have a strong carbon pricing policy in place from January 2021. We are aware that businesses are preparing for the end of the transition period and are keen to know the carbon pricing policy which will apply from 1st January 2021 and we will announce the outcome as soon as possible to allow participants to prepare. As we reach the endgame of negotiations, it will become clearer what the best approach for UK business, and UK climate policy will be.”

13. **We note that the UK's future carbon pricing policy is an important aspect of any potential arrangements for a level playing field with the EU. We are concerned that the time for clarification of the UK's future policy in this area is diminishing rapidly.**

### Direct Payments to Farmers and Cross-Compliance (Simplifications) (England) (Amendment) Regulations 2020 (SI 2020/1387)

14. This instrument simplifies the Direct Payment schemes for farmers in England as well as the arrangements for the inspection and enforcement of Cross Compliance in England.<sup>8</sup> Amongst other changes, the instrument:

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7 [Draft](#) Greenhouse Gas Emissions Trading Scheme Order 2020, see: [24th Report](#), Session 2019-21 (HL Paper 116).

8 Cross Compliance is the set of rules on the environment and plant and animal health and welfare that farmers and land managers must comply with to receive Direct Payments and other farm payments.

- Proposes to simplify the processing of applications of cross-border farmers who have land in England and other parts of the UK, so that applications for Direct Payments to each part of the UK where they have land do not have to be treated as a single application, making it easier and quicker for such applications to be processed. The Department for Environment, Food and Rural Affairs (Defra) told us that it has worked closely with the Devolved Administrations, and that they are planning equivalent changes, so that in future each Administration will process the applications submitted to them only in relation to land in that nation.
  - Removes the ‘entitlement usage rule’. Entitlements are used by farmers to claim payments under the Basic Payment Scheme and the entitlements usage rule requires farmers to use all their entitlements to claim payment at least once every two years to prevent them being taken away. This instrument ensures that farmers will not have entitlements taken away if they do not claim payment on them.
  - Removes the greening rules which are considered to have delivered little environmental benefit, while causing unnecessary administration. Defra says that this will not impact on the overall payments that farmers receive, as the budget for greening payments will be absorbed into the Direct Payments’ budget.
  - Makes it easier for farmers to apply for Direct Payments, including by extending the time allowed to change applications or send supporting documents after the application deadline without being penalised.
  - Removes the requirement to inspect eligibility for Direct Payments at a minimum level and instead enables the Rural Payments Agency to carry out inspections reflecting the risk of non-compliance.
  - Changes the inspection and enforcement of Cross Compliance, for example by making penalties more proportionate.
15. We received a short submission from Wildlife and Countryside Link which raised a concern about a potential weakening of compliance with environmental standards and asked about the rationale for removing the use of monitoring to check on land managers. We put these issues to Defra, which explained that the new arrangements aim to better target inspections of compliance where there is a potential for significant environmental harm, and that removing the use of monitoring will not have any impact as monitoring has not been used in England. We are publishing the submission and Defra’s response on our website.<sup>9</sup>

**Channel Tunnel (Customs and Excise) (Amendment) (EU Exit) Order 2020 (SI 2020/1417)**

16. This instrument ensures that only one set of duty-free allowances applies when travellers import goods when entering the UK on Eurotunnel shuttle trains. HM Revenue and Customs (HMRC) explains that a duty-free shop is currently placed outside the so-called ‘control zone’ at the Eurotunnel site in France which is a part of the territory of France agreed between the French and UK governments within which Border Force officers are

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9 SLSC scrutiny evidence page: <https://committees.parliament.uk/committee/255/secondary-legislation-scrutiny-committee/publications/8/scrutiny-evidence/>.

empowered to carry out customs controls. This means that after the end of the Transition Period, travellers would be able to enter the control zone, and then subsequently exit and re-enter it, having made further duty-free purchases, before boarding a shuttle train. HMRC says that this would mean that the same traveller could import goods, including alcohol and tobacco, more than once, and therefore benefit from duty-free limits more than once.

17. This instrument ensures that when a traveller enters the control zone more than once, any previous importation of goods before boarding the train is disregarded, so that the traveller only benefits from one duty-free allowance for the imported goods. The instrument also ensures that this disregard is without prejudice to any potential enforcement action, for example a penalty for not correctly declaring goods, that is applied to the goods that were brought into the control zone on that first entry. HMRC says that this is a temporary measure and that Eurotunnel intends to reconfigure the site in France to ensure that it is not possible to exit and re-enter the control zone. Additional legislation will be introduced shortly to require travellers entering the UK on shuttle trains to make advance declarations for the goods they are importing.

## **INSTRUMENTS NOT DRAWN TO THE SPECIAL ATTENTION OF THE HOUSE**

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### **Draft instruments subject to affirmative approval**

Airports Slot Allocation (Amendment) (EU Exit) Regulations 2021

### **Made instruments subject to affirmative approval**

SI 2020/1468 Misappropriation (Sanctions) (EU Exit) Regulations 2020

### **Draft instruments subject to annulment**

Reading (Electoral Changes) Order 2021

### **Instruments subject to annulment**

- SI 2020/1355 Parish and Community Meetings (Coronavirus) (Polls) (Amendment) (England) Rules 2020
- SI 2020/1361 Road Vehicles (Registration and Licensing) (Amendment) (EU Exit) Regulations 2020
- SI 2020/1363 Road Vehicles (Display of Registration Marks) (Amendment) (EU Exit) (No. 2) Regulations 2020
- SI 2020/1369 Greenhouse Gas Emissions Trading Scheme (Withdrawal Agreement) (EU Exit) Regulations 2020
- SI 2020/1370 Public Lending Right Scheme 1982 (Commencement of Variation) (No. 2) Order 2020
- SI 2020/1372 Immigration (Citizens' Rights etc.) (EU Exit) Regulations 2020
- SI 2020/1387 Direct Payments to Farmers and Cross-Compliance (Simplifications) (England) (Amendment) Regulations 2020
- SI 2020/1388 Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020
- SI 2020/1391 State Pension Debits and Credits (Revaluation) (No. 2) Order 2020
- SI 2020/1392 State Pension Revaluation for Transitional Pensions (No. 2) Order 2020
- SI 2020/1398 Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations 2020
- SI 2020/1401 Electricity and Gas (Internal Markets) (No. 2) Regulations 2020
- SI 2020/1403 Non-Domestic Rating (Compilation and Alteration of Lists) (England) Regulations 2020
- SI 2020/1410 Food and Feed Hygiene and Safety (Miscellaneous Amendments) (England) Regulations 2020

- SI 2020/1411 Vaccine Damage Payments (Specified Disease) Order 2020
- SI 2020/1415 National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) (No. 3) Regulations 2020
- SI 2020/1417 Channel Tunnel (Customs and Excise) (Amendment) (EU Exit) Order 2020
- SI 2020/1422 Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2020
- SI 2020/1424 Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 28) Regulations 2020
- SI 2020/1464 European Institutions and Consular Protection (Amendment etc.) (EU Exit) (Amendment) Regulations 2020

## APPENDIX 1: CORRESPONDENCE: SUNSET PROVISIONS IN STATUTORY INSTRUMENTS DEALING WITH COVID-19

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### Letter from the Rt Hon. Jacob Rees-Mogg MP, Lord President of the Council and Leader of the House of Commons, to Lord Hodgson of Astley Abbotts, Chair of the Secondary Legislation Scrutiny Committee

In my letter of 9 July 2020 I committed to provide a regular monthly update of sunset provisions in statutory instruments (SIs) made in response to the coronavirus pandemic.

As of 1 December 2020, the Government has laid 262 SIs that fall into this category, of which 73 include a specific sunset provision.

Annex A sets out the SIs that have been laid in response to the pandemic which include a specific sunset provision, along with the timing of that provision. This information is also included in the Explanatory Notes to each SI. The inclusion of a sunset provision is always carefully considered. An additional four SIs (also listed in Annex A) do not include specific sunset provisions themselves, but cease to have effect after 28 days, as dictated by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.

I hope that this information is helpful to the Committee and I will continue to provide an updated list every month.

This letter has been copied to the Leader of the House of Lords and the Chairman of the Joint Committee on Statutory Instruments.

**6 December 2020**

### *Annex A*

**Table 1: COVID-19 SIs with specific sunset provisions**

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
1	DHSC	Health Protection (Coronavirus) Regulations 2020	10/02/2022
2	DHSC	The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020	23/09/2020 — This SI was revoked by the below SI.
3	DHSC	Health Protection (Coronavirus, Restrictions) (England) Regulations 2020	26/09/2020 — Now revoked by Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
4	DHSC	The Safeguarding Vulnerable Groups Act 2006 (Regulated Activities) (Coronavirus) Order 2020	17/10/2021

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
5	HO	Investigatory Powers (Temporary Judicial Commissioners and Modification of Time Limits) Regulations 2020	27/03/2021
6	MHCLG	Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020	31/12/2020
7	DWP	Universal Credit and Employment Support Allowance Amendment Regulations 2020	12/11/2020 — These provisions have been extended to 12/05/2021
8	DWP	Northern Ireland equivalent to above	12/11/2020 — These provisions have been extended to 12/05/2021
9	DWP	Social Security (Coronavirus) (Further Measures) Regulations 2020	12/11/2020 — These provisions have been extended to 12/05/2021. Regulation 2 in the provisions have been extended to 30/04/2021
10	DWP	Social Security (Coronavirus) (Further Measures) Northern Ireland Regulations 2020	12/11/2020 — These provisions have been extended to 12/05/2021
11	DWP	The Social Security (Coronavirus) (Prisoners) Regulations 2020	12/11/2020 — These provisions have been extended to 12/05/2021
12	DWP	The Social Security (Coronavirus) (Prisoners) Regulations 2020 Northern Ireland	12/11/2020 — These provisions have been extended to 12/05/2021
13	DfE	The School Admissions (Appeals Arrangements) (England) (Amendment) (Coronavirus) Regulations 2020	31/01/2021
14	DfE	The Adoption and Children (Coronavirus) (Amendment) Regulations 2020	This has been partially extended. Some of the provisions of these regs were extended through The Adoption and Children (Coronavirus) (Amendment) (No. 2) Regulations 2020, but the majority expired.

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
15	DfT	The Motor Vehicles (Tests) (Amendment) Regulations 2020	01/02/2021 — This has been further amended by the Motor Vehicles (Tests) (Amendment) (Coronavirus) (No.2) Regulations.
16	DfE	The Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020	These expired with no extension necessary.
17	DfE	The Education (School Teachers' Qualifications and induction Arrangements) (England) (Coronavirus) (Amendment) Regulations 2020	01/09/2021 — These were extended through The Education (Induction Arrangements for School Teachers) (England) (Coronavirus) (Amendment) Regulations.
18	BEIS	Competition Act 1998 (Dairy Produce) (Coronavirus) (Public Policy Exclusion) Order 2020	01/08/2020 — No SI was laid to extend these provisions, the sunset provision has come into effect and therefore the SI is no longer in force.
19	DHSC	Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 2) Regulations 2020	26/09/2020 — Now revoked by Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
20	MHCLG	The Town and Country Planning (Development Management Procedure) (England) (Coronavirus) (Amendment) Order 2020	31/12/2020
21	MoJ	Prison and Young Offender Institution (Coronavirus) (Amendment) (No. 2) Rules 2020	25/03/2022
22	MoJ	The Civil Legal Aid (Remuneration) (Amendment) (Coronavirus) Regulations 2020	08/06/2021
23	DfT	The Traffic Order Procedure (England) (Coronavirus) (Amendment) Regulations 2020	30/04/2021
24	DfE	School Forums (Coronavirus) SI	01/04/2021

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
25	DHSC	Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 3) Regulations 2020	26/09/2020 — now revoked by Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
26	DHSC	Health Protection (Coronavirus, International Travel) (England) Regulations 2020	08/06/2021
27	DIT	The Health Protection (Coronavirus, Public Health Advice for Passengers) (England) Regulations 2020	08/06/21- Updated by regulations laid on 6 July.
28	DIT/ DHS C	The Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020 (S.I., 2020, No. 592)	15/06/21
29	DHSC	Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020	26/08/2020 — now revoked by Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
30	MoJ	Competition Appeals Tribunal	25/03/2022
31	BEIS	The Companies etc. (Filing Requirements) (Temporary Modifications) Regulations 2020	05/04/2021
32	BEIS	Patents, Trade Marks and Registered Designs (Fees) (Coronavirus) (Amendment) Rules 2020	31/03/2021
33	MOJ	The Secure Training Centre (Amendment) (Coronavirus) Rules 2020	25/03/2022
34	DHSC	Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020	04/01/2021 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
35	DHSC	Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020	04/01/2021 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020
3'6	DHSC	The Health Protection (Coronavirus, International Travel and Public Health Information) (England) (Amendment) Regulations 2020	08/06/2021
37	HMRC	The Value Added Tax (Zero Rate for Personal Protective Equipment) (Extension) (Coronavirus) Order 2020	These regulations have expired.
38	HMRC	Value Added Tax (Reduced Rate) (Hospitality and Tourism) (Coronavirus) Order 2020	12/01/2021
39	MHCLG	Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020	31/12/2020
40	MHCLG	Town and Country Planning (Spatial Development Strategy) (Coronavirus) (Amendment) Regulations 2020	31/12/2020
41	MHCLG	Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020	31/12/20
42	MoJ	Civil Procedure (Amendment No. 4) (Coronavirus) Rules 2020	28/03/21
43	DHSC	Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020	17/01/21
44	DHSC	Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020	24/07/21

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
45	DHSC	Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Luton) Regulations 2020	25/01/21 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020
46	DHSC	The Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) Regulations 2020	04/02/2021 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020
47	DHSC	Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) (Amendment) Regulations 2020	04/02/2021 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020
48	DHSC	The Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) (Amendment) (No. 2) Regulations 2020	04/02/2021 — these regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020
49	DHSC	National Health Service (Coronavirus) (Charges and Further Amendments Relating to the Provision of Primary Care Services During a Pandemic etc.) Regulations 2020	01/04/2021
50	DHSC	The Health Protection (Coronavirus) (Restrictions on Holding of Gatherings and Amendment) (England) Regulations 2020	04/12/2020
51	DHSC	The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport) (England) (Amendment) Regulations 2020	27/08/2021

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
52	BEIS	Feed-in Tariffs (Amendment) (Coronavirus) (No. 2) Order 2020	The regulations contain multiple sunset provisions depending which elements they apply to: Hydro installations — 31/03/22 Community hydro Installations — 30/09/22 Anaerobic Digestion and wind installations — 31/03/21 Community anaerobic digestion and wind installations — 30/09 /21 Community solar installations — 31/03/21
53	BEIS	The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020	18/09/2021
54	DfE	Adoption and Children (Coronavirus) (Amendment) (No. 2) Regulations 2020	31/03/2021
55	DfE	Early Years Foundation Stage (Learning and Development and Welfare Requirements) (Coronavirus) (Amendment) (No. 2) Regulations 2020	31/08/2021
56	DHSC	Health Protection (Coronavirus, Restrictions) (Greencore) Regulations 2020	These regulations have expired.
57	DHSC	Health Protection (Coronavirus, Restrictions) (Bolton) Regulations 2020	10/03/21 — these regulations have been revoked by The Health Protection (Coronavirus, Restrictions) (North of England and North East and North West of England etc) (Amendment) Regulations 2020
58	DHSC	Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020	15/03/2021 — These regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
59	DHSC	The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020	18/09/2021
60	DHSC	The Health Protection (Coronavirus, Restrictions) (North East England) Regulations	18/03/2021 — These regulations have been revoked by The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020
61	HO	Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No. 2) Regulations 2020	01/04/2021
62	MoJ	Wills Act 1837 (Electronic Communications) (Amendment) (Coronavirus) Order 2020	31/01/2022
63	MoJ	Prosecution of Offences (Custody Time Limits) (Coronavirus) (Amendment) Regulations 2020	28/06/2021
64	DWP	Employment and Support Allowance and Universal Credit (Coronavirus Disease) (Amendment) Regulations 2020	12/05/2021
65	MoJ	Prison and Young Offender Institution (Coronavirus, etc.) (Amendment) (No. 3) Rules 2020	25/03/2022
66	DHSC	The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020	14/04/2021

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
67	DHSC	Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) (Amendment) Regulations 2020	Regulations that placed an area into tier 3 didn't explicitly have sunset provisions. However, the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 dictated that regulations which placed an area into tier 3 ceased to have effect on 14/11/2020
68	DHSC	Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) Regulations 2020	Regulations that placed an area into tier 3 didn't explicitly have sunset provisions. However, the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 dictated that regulations which placed an area into tier 3 ceased to have effect on 21/11/2020
69	DHSC	Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 2) Regulations 2020	Regulations that placed an area into tier 3 didn't explicitly have sunset provisions. However, the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 dictated that regulations which placed an area into tier 3 ceased to have effect on 24/11/20

	<b>Dept</b>	<b>Title</b>	<b>Sunset Provision</b>
70	DHSC	Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium, High and Very High) (England) (Amendment) (No. 3) Regulations 2020	Regulations that placed an area into tier 3 didn't explicitly have sunset provisions. However, the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 dictated that regulations which placed an area into tier 3 ceased to have effect on 27/11/20.
71	DHSC	The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020	14/04/2021
72	DHSC	The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations	14/04/2021
73	DHSC	Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020	02/12/2020
74	DWP	Social Security (Coronavirus) (Further Measures) (Amendment) and Miscellaneous Amendment Regulations 2020	12/05/2021
75	MoJ	Public Health (Coronavirus) (Protection from Eviction and Taking Control of Goods) (England) Regulations 2020	11/01/2021
76	DHSC	The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020	02/02/2021
77	DHSC	The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020	06/06/2021

Source: Leader of the House of Commons

## **APPENDIX 2: INTERESTS AND ATTENDANCE**

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Committee Members' registered interests may be examined in the online Register of Lords' Interests at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests>. The Register may also be inspected in the Parliamentary Archives.

For the business taken at the meeting on 15 December 2020, Members declared the following interests:

### **Public Lending Right Scheme 1982 (Commencement of Variation) (No. 2) Order 2020 (SI 2020/1370)**

Lord Lisvane

*Occasional income from scheme*

### **Direct Payments to Farmers and Cross-Compliance (Simplifications) (England) (Amendment) Regulations 2020 (SI 2020/1387)**

Lord Hodgson of Astley Abbotts

*Receives small amount of money from Direct Payment schemes*

### **Attendance:**

The meeting was attended by Baroness Bakewell of Hardington Mandeville, Lord Chartres, Lord Cunningham of Felling, Lord German, Viscount Hanworth, Lord Hodgson of Astley Abbotts, Lord Liddle, the Earl of Lindsay, Lord Lisvane, Lord Sherbourne of Didsbury and Baroness Watkins of Tavistock.