

Regulations made by the Department of Health and laid before the Assembly under section 25Q (Emergency procedure) of the Public Health Act (Northern Ireland) 1967, for approval of the Assembly before the expiration of 28 days beginning with the day on which they are made.

STATUTORY RULES OF NORTHERN IRELAND

2020 No. 170

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions) (No. 2)
(Amendment) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 5.00 p.m. on 7th August 2020</i>
<i>Laid before the Assembly</i>		<i>at 6.00 p.m. on 7th August 2020</i>
<i>Coming into operation in accordance with regulation 1</i>		

The Department of Health⁽¹⁾, makes the following Regulations in exercise of the powers conferred by sections 25C(1), (3)(c), (4)(d) and 25F(2) of the Public Health Act (Northern Ireland) 1967⁽²⁾.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Northern Ireland.

The Department of Health considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 25Q of that Act the Department of Health is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, the Assembly.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment) Regulations (Northern Ireland) 2020.

- (a) (2) (a) Regulation 4 shall come into operation at 11pm on 9th August 2020;
- (b) Regulation 5 shall come into operation at 11pm on 7th August 2020;
- (c) The other provisions of these regulations come into operation at the time these regulations are made.

(1) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)

(2) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)

Amendment of the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020

2. The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020(3) are amended in accordance with regulations 3, 4 and 5.

3. In regulation 2 (revocations and savings), in paragraph (4) for “issued under regulation 9(1) of the Principal Regulations and which refers to those Regulations,” substitute “which refers to the Principal Regulations”.

4. In regulation 5 (restrictions on gatherings), for paragraph (3) substitute—

“(3) Paragraph (1) shall not apply to—

(a) a gathering which is organised or operated for cultural, entertainment, recreational, outdoor sports, social, community, educational, work, legal, religious or political purposes; or

(b) a sports event or activity in an indoor arena not capable of seating or facilitating 5,000 or more spectators,

and which fulfils the conditions in paragraph (4).”.

5. In the Schedule, for paragraphs 2 and 3 substitute—

“2.—(1) Subject to sub-paragraph (2), a theatre or a concert hall.

(2) A person responsible for carrying on a business or providing a service or operating any premises identified in sub-paragraph (1) may do so if solely for the purpose of a rehearsal or of a live recording, in both cases without an audience.

3.—(1) Nightclubs.

(2) Conference halls and conference facilities, including those in hotels.

(3) Soft play areas.”.

Sealed with the Official Seal of the Department of Health at 5.00 pm on 7th August 2020

(L.S.)

Nigel McMahon
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020.

Regulation 3 is a technical amendment to ensure clarity on the use of fixed penalty notices.

Regulation 4 permits sports in indoor arenas not capable of seating 5,000 or more spectators.

Regulation 5 permits a theatre or a concert hall to be used but solely for a rehearsal or a live recording, in both cases without an audience.

No regulatory impact assessment has been prepared for these Regulations.