

SCHEDULES

SCHEDULE 22

Section 52

POWERS TO ISSUE DIRECTIONS RELATING TO EVENTS, GATHERINGS AND PREMISES

PART 1

GENERAL

Interpretation

1 (1) In this Schedule—

“Crown premises” means (subject to sub-paragraph (2)) any premises that are property—

- (a) belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster,
- (b) belonging to the Duchy of Cornwall,
- (c) belonging to a government department or held in trust for Her Majesty for the purposes of a government department, or
- (d) belonging to an office-holder in the Scottish Administration or held in trust for Her Majesty by an office-holder in the Scottish Administration for the purposes of the Scottish Administration;

“premises” includes any place and, in particular, includes—

- (a) any vehicle, train, vessel or aircraft,
- (b) any tent or movable structure, and
- (c) any offshore installation (within the meaning given by regulation 3 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 ([S.I. 1995/738](#))),

and references to premises include a part of premises;

“specified” means specified in a direction issued under this Schedule;

“vessel” has the same meaning as in the Public Health (Control of Disease) Act 1984 (see section 74 of that Act).

(2) For the purposes of sub-paragraph (1), “Crown premises” does not include any vessel—

- (a) belonging to Her Majesty, or
- (b) under the command or charge of an officer holding Her Majesty’s commission.

(3) This Schedule applies in relation to Crown premises as it applies in relation to any other premises.

Disapplication to the Parliamentary Estate

- 2 Nothing in this Schedule applies in relation to the Parliamentary Estate.

PART 2

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN ENGLAND

Declaration of threat to public health in England due to coronavirus

- 3 (1) If at any time the Secretary of State is of the view that—
- (a) the incidence or transmission of coronavirus constitutes a serious and imminent threat to public health in England, and
 - (b) the powers conferred by this Part of this Schedule will be an effective means of—
 - (i) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus in England, or
 - (ii) facilitating the most appropriate deployment of medical or emergency personnel and resources in England,
- the Secretary of State may make a declaration to that effect.
- (2) If, having made a declaration under this paragraph, the Secretary of State ceases to be of the view mentioned in sub-paragraph (1), the Secretary of State must revoke the declaration.
- (3) A declaration or the revocation of a declaration under this paragraph—
- (a) is to be made by being published online, and
 - (b) must, as soon as reasonably practicable after it is made, also be published in the London Gazette.
- (4) Before making or revoking a declaration under this paragraph, the Secretary of State must consult the Chief Medical Officer or any of the Deputy Chief Medical Officers of the Department of Health and Social Care.
- (5) The Secretary of State may make a declaration under this paragraph on more than one occasion.
- 4 In this Part of this Schedule, “public health response period” means a period which—
- (a) begins when the Secretary of State makes a declaration under paragraph 3(1), and
 - (b) ends when the Secretary of State revokes the declaration.

Power to prohibit or otherwise restrict events or gatherings in England

- 5 (1) The Secretary of State may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction prohibiting, or imposing requirements or restrictions in relation to, the holding of an event or gathering in England.

- (2) A direction under sub-paragraph (1) may be issued in relation to—
 - (a) a specified event or gathering, or
 - (b) events or gatherings of a specified description.
- (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
 - (a) the owner or occupier of premises for an event or gathering to which the direction relates;
 - (b) the organiser of such an event or gathering;
 - (c) any other person involved in holding such an event or gathering.
- (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
- (5) A direction under sub-paragraph (1) may, among other things, impose requirements about informing persons who may be planning to attend an event or gathering of its prohibition or any requirements or restrictions imposed in relation to the holding of it.
- (6) For the purposes of sub-paragraph (2), events or gatherings may be described—
 - (a) by reference to a number of people attending the event or gathering,
 - (b) by reference to a requirement for medical or emergency services to attend the event or gathering, or
 - (c) in any other way.
- (7) The reference in sub-paragraph (3)(c) to a person involved in the holding of an event or gathering does not include a person whose only involvement in the event or gathering is, or would be, by attendance at the event or gathering.

Power to close premises in England or impose restrictions on persons entering or remaining in them

- 6 (1) The Secretary of State may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction imposing prohibitions, requirements or restrictions in relation to the entry into, departure from, or location of persons in, premises in England.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
 - (a) specified premises, or
 - (b) premises of a specified description.
 - (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
 - (a) the owner or occupier of premises to which the direction relates;
 - (b) any other person involved in managing entry into, or departure from, such premises or the location of persons in them.
 - (4) A direction under sub-paragraph (1) may only be issued during a public health response period.

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- (5) A direction under sub-paragraph (1) may, among other things, impose requirements for the purpose of—
 - (a) closing the premises;
 - (b) restricting entry into the premises;
 - (c) securing restrictions in relation to the location of persons in the premises.
- (6) A direction under sub-paragraph (1) may impose prohibitions, requirements or restrictions by reference to (among other things)—
 - (a) the number of persons in the premises;
 - (b) the size of the premises;
 - (c) the purpose for which a person is in the premises;
 - (d) the facilities in the premises;
 - (e) a period of time.

Variations and revocations

- 7 The Secretary of State may vary or revoke to any extent a direction issued under this Part of this Schedule.

Procedure

- 8 (1) Before issuing a direction under this Part of this Schedule, the Secretary of State must have regard to any relevant advice given to the Secretary of State by the Chief Medical Officer or any of the Deputy Chief Medical Officers of the Department of Health and Social Care.
- (2) Where a direction imposes prohibitions, requirements or restrictions on a person specified by name, the direction—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Secretary of State considers appropriate to bring it to the attention of other persons who may be affected by it.
- (3) In any other case, the direction must be published in such manner as the Secretary of State considers appropriate to bring it to the attention of persons who may be affected by it.
- (4) Where the Secretary of State varies or revokes a direction which imposes prohibitions, requirements or restrictions on a person specified by name, notice of the variation or revocation—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Secretary of State considers appropriate to bring it to the attention of other persons who may be affected by it.
- (5) Where the Secretary of State varies or revokes any other direction, notice of the variation or revocation must be published in such manner as the Secretary of State considers appropriate to bring it to the attention of persons who may be affected by the variation or revocation.

Offences

- 9 (1) A person commits an offence if the person fails without reasonable excuse to comply with a prohibition, requirement or restriction imposed on the person by a direction issued under this Part of this Schedule.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine.
- 10 (1) If an offence under paragraph 9 committed by a body corporate is proved—
- (a) to have been committed with the consent or connivance of an officer of the body, or
 - (b) to be attributable to any neglect on the part of such an officer,
- the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.
- (2) In sub-paragraph (1), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Enforcement and prosecutions

- 11 (1) A person, or description of person, designated in writing for the purpose of this sub-paragraph by the Secretary of State may take such action as is necessary to enforce compliance with a direction issued under this Part of this Schedule.
- (2) Proceedings for an offence under this Part of this Schedule may be brought by a person, or description of person, designated in writing for the purpose of this sub-paragraph by the Secretary of State.
- (3) The powers conferred by or under this paragraph do not affect any other power to enforce compliance with a direction issued under this Part of this Schedule or to bring proceedings for an offence under this Part of this Schedule.

End of public health response period

- 12 When a public health response period comes to an end, a direction under this Part of this Schedule issued during that period ceases to have effect in respect of times after the end of the period.

PART 3**POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN SCOTLAND***Declaration of threat to public health in Scotland due to coronavirus*

- 13 (1) If at any time the Scottish Ministers are of the view that—
- (a) the incidence or transmission of coronavirus constitutes a serious and imminent threat to public health in Scotland, and
 - (b) the powers conferred by this Part of this Schedule will be an effective means of—
 - (i) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus in Scotland, or

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- (ii) facilitating the most appropriate deployment of medical or emergency personnel and resources in Scotland,
the Scottish Ministers may make a declaration to that effect.
 - (2) If, having made a declaration under this paragraph, the Scottish Ministers cease to be of the view mentioned in sub-paragraph (1), the Scottish Ministers must revoke the declaration.
 - (3) A declaration or the revocation of a declaration under this paragraph—
 - (a) is to be made by being published online, and
 - (b) must, as soon as reasonably practicable after it is made, also be published in the Edinburgh Gazette.
 - (4) Before making or revoking a declaration under this paragraph, the Scottish Ministers must consult the Chief Medical Officer of the Scottish Administration or such other person as may be designated for the purposes of this paragraph by the Scottish Ministers.
 - (5) The Scottish Ministers may make a declaration under this paragraph on more than one occasion.
- 14 In this Part of this Schedule, “public health response period” means a period which—
- (a) begins when the Scottish Ministers make a declaration under paragraph 13(1), and
 - (b) ends when the Scottish Ministers revoke the declaration.

Power to prohibit or otherwise restrict events or gatherings in Scotland

- 15 (1) The Scottish Ministers may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction prohibiting, or imposing requirements or restrictions in relation to, the holding of an event or gathering in Scotland.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
 - (a) a specified event or gathering, or
 - (b) events or gatherings of a specified description.
 - (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
 - (a) the owner or occupier of premises for an event or gathering to which the direction relates;
 - (b) the organiser of such an event or gathering;
 - (c) any other person involved in holding such an event or gathering.
 - (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
 - (5) A direction under sub-paragraph (1) may, among other things, impose requirements about informing persons who may be planning to attend an event or gathering of its prohibition or any requirements or restrictions imposed in relation to the holding of it.

- (6) For the purposes of sub-paragraph (2), events or gatherings may be described—
 - (a) by reference to a number of people attending the event or gathering,
 - (b) by reference to a requirement for medical or emergency services to attend the event or gathering, or
 - (c) in any other way.
- (7) The reference in sub-paragraph (3)(c) to a person involved in the holding of an event or gathering does not include a person whose only involvement in the event or gathering is, or would be, by attendance at the event or gathering.

Power to close premises in Scotland or impose restrictions on persons entering or remaining in them

- 16 (1) The Scottish Ministers may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction imposing prohibitions, requirements or restrictions in relation to the entry into, departure from, or location of persons in, premises in Scotland.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
 - (a) specified premises, or
 - (b) premises of a specified description.
 - (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
 - (a) the owner or occupier of premises to which the direction relates;
 - (b) any other person involved in managing entry into, or departure from, such premises or the location of persons in them.
 - (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
 - (5) A direction under sub-paragraph (1) may, among other things, impose requirements for the purpose of—
 - (a) closing the premises;
 - (b) restricting entry into the premises;
 - (c) securing restrictions in relation to the location of persons in the premises.
 - (6) A direction under sub-paragraph (1) may impose prohibitions, requirements or restrictions by reference to (among other things)—
 - (a) the number of persons in the premises;
 - (b) the size of the premises;
 - (c) the purpose for which a person is in the premises;
 - (d) the facilities in the premises;
 - (e) a period of time.

Variations and revocations

- 17 The Scottish Ministers may vary or revoke to any extent a direction issued under this Part of this Schedule.

Procedure

- 18 (1) Before issuing a direction under this Part of this Schedule, the Scottish Ministers must have regard to any relevant advice published by the Chief Medical Officer of the Scottish Administration or such other person as may be designated for the purposes of this paragraph by the Scottish Ministers.
- (2) Where a direction imposes prohibitions, requirements or restrictions on a person specified by name, the direction—
- (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Scottish Ministers consider appropriate to bring it to the attention of other persons who may be affected by it.
- (3) In any other case, the direction must be published in such manner as the Scottish Ministers consider appropriate to bring it to the attention of persons who may be affected by it.
- (4) Where the Scottish Ministers vary or revoke a direction which imposes prohibitions, requirements or restrictions on a person specified by name, notice of the variation or revocation—
- (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Scottish Ministers consider appropriate to bring it to the attention of other persons who may be affected by it.
- (5) Where the Scottish Ministers vary or revoke any other direction, notice of the variation or revocation must be published in such manner as the Scottish Ministers consider appropriate to bring it to the attention of persons who may be affected by the variation or revocation.

Enforcement

- 19 (1) Compliance with a direction issued under this Part of this Schedule may be enforced by—
- (a) a constable;
 - (b) any other person, or description of person, designated in writing for the purpose of this paragraph by the Scottish Ministers.
- (2) In exercising the power of enforcement conferred by sub-paragraph (1), a person may—
- (a) enter any premises;
 - (b) if necessary, use reasonable force.
- (3) The powers conferred by sub-paragraph (2) are exercisable in relation to Crown premises only with the consent of the appropriate authority.
- (4) In sub-paragraph (3), “appropriate authority”, in relation to any premises—

- (a) in the case of premises belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners,
 - (b) in the case of any other premises belonging to Her Majesty in right of the Crown, means the office-holder in the Scottish Administration or, as the case may be, government department having the management of the land or the relevant person, and
 - (c) in the case of premises belonging to an office-holder in the Scottish Administration or to a government department or held in trust for Her Majesty for the purposes of the Scottish Administration or a government department, means that office-holder or government department.
- (5) In sub-paragraph (4)(b), “relevant person”, in relation to any premises to which section 90B(5) of the Scotland Act 1998 applies, means the person who manages those premises.
- (6) It is for the Scottish Ministers to determine any question which arises as to who is the appropriate authority in relation to any premises, and their decision is final.

Constables

- 20 (1) The chief constable of the Police Service of Scotland may authorise a police custody and security officer (see section 28 of the Police and Fire Reform (Scotland) Act 2012 (asp 8)) to exercise the powers conferred on a constable by this Part of this Schedule.
- (2) Accordingly references to a constable in this Part of this Schedule include a police custody and security officer so authorised.

Offences

- 21 (1) A person commits an offence if the person fails without reasonable excuse to comply with a prohibition, requirement or restriction imposed on the person by a direction issued under this Part of this Schedule.
- (2) A person guilty of an offence under this paragraph is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
 - (b) on conviction on indictment, to a fine.
- 22 (1) Sub-paragraph (2) applies where—
- (a) an offence under paragraph 21 is committed by—
 - (i) a body corporate,
 - (ii) a Scottish partnership, or
 - (iii) an unincorporated association other than a Scottish partnership, and
 - (b) the commission of the offence involves the connivance or consent of, or is attributable to the neglect of—
 - (i) a relevant individual, or
 - (ii) an individual purporting to act in the capacity of a relevant individual.
- (2) The individual (as well as the body corporate, partnership or (as the case may be) association) commits the offence.
- (3) In sub-paragraph (1), “relevant individual” means—
- (a) in relation to a body corporate (other than a limited liability partnership)—

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- (i) a director, manager, secretary or other similar officer of the body, or
- (ii) where the affairs of the body are managed by its members, a member,
- (b) in relation to a limited liability partnership, a member,
- (c) in relation to a Scottish partnership, a partner,
- (d) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.

Compensation

- 23 (1) The Scottish Ministers may pay compensation in connection with the issuing of a direction under this Part of this Schedule.
- (2) The power conferred by sub-paragraph (1) does not affect any other power to pay compensation.

End of public health response period

- 24 When a public health response period comes to an end, a direction under this Part of this Schedule issued during that period ceases to have effect in respect of times after the end of the period.

Review

- 25 The Scottish Ministers must—
- (a) keep directions issued by them under this Part of this Schedule under review, and
 - (b) if they are of the view that a direction is no longer required for the purpose set out in paragraph 15(1) or, as the case may be, 16(1), they must revoke it.

PART 4

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN WALES

Declaration of threat to public health in Wales due to coronavirus

- 26 (1) If at any time the Welsh Ministers are of the view that—
- (a) the incidence or transmission of coronavirus constitutes a serious and imminent threat to public health in Wales, and
 - (b) the powers conferred by this Part of this Schedule will be an effective means of—
 - (i) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus in Wales, or
 - (ii) facilitating the most appropriate deployment of medical or emergency personnel and resources in Wales,
 the Welsh Ministers may make a declaration to that effect.
- (2) If, having made a declaration under this paragraph, the Welsh Ministers cease to be of the view mentioned in sub-paragraph (1), the Welsh Ministers must revoke the declaration.

- (3) A declaration or the revocation of a declaration under this paragraph—
 - (a) is to be made by being published online, and
 - (b) must, as soon as reasonably practicable after it is made, also be published in a newspaper in general circulation in Wales.
 - (4) Before making or revoking a declaration under this paragraph, the Welsh Ministers must consult the Chief Medical Officer or one of the Deputy Chief Medical Officers for Wales.
 - (5) The Welsh Ministers may make a declaration under this paragraph on more than one occasion.
- 27 In this Part of this Schedule, “public health response period” means a period which—
- (a) begins when the Welsh Ministers make a declaration under paragraph 26(1), and
 - (b) ends when the Welsh Ministers revoke the declaration.

Power to prohibit or otherwise restrict events or gatherings in Wales

- 28 (1) The Welsh Ministers may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction prohibiting, or imposing requirements or restrictions in relation to, the holding of an event or gathering in Wales.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
 - (a) a specified event or gathering, or
 - (b) events or gatherings or a specified description.
 - (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
 - (a) the owner or occupier of premises for an event or gathering to which the direction relates;
 - (b) the organiser of such an event or gathering;
 - (c) any other person involved in holding such an event or gathering.
 - (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
 - (5) A direction under sub-paragraph (1) may, among other things, impose requirements about informing persons who may be planning to attend an event or gathering of its prohibition or any requirements or restrictions imposed in relation to the holding of it.
 - (6) For the purposes of sub-paragraph (2), events or gatherings may be described—
 - (a) by reference to a number of people attending the event or gathering,
 - (b) by reference to a requirement for medical or emergency services to attend the event or gathering, or
 - (c) in any other way.

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- (7) The reference in sub-paragraph (3)(c) to a person involved in the holding of an event or gathering does not include a person whose only involvement in the event or gathering is, or would be, by attendance at the event or gathering.

Power to close premises in Wales or impose restrictions on persons entering or remaining in them

- 29 (1) The Welsh Ministers may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction imposing prohibitions, requirements or restrictions in relation to the entry into, departure from, or location of persons in, premises in Wales.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
- (a) specified premises, or
 - (b) premises of a specified description.
- (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
- (a) the owner or occupier of premises to which the direction relates;
 - (b) any other person involved in managing entry into, or departure from, such premises or the location of persons in them.
- (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
- (5) A direction under sub-paragraph (1) may, among other things, impose requirements for the purpose of—
- (a) closing the premises;
 - (b) restricting entry into the premises;
 - (c) securing restrictions in relation to the location of persons in the premises.
- (6) A direction under sub-paragraph (1) may impose prohibitions, requirements or restrictions by reference to (among other things)—
- (a) the number of persons in the premises;
 - (b) the size of the premises;
 - (c) the purpose for which a person is in the premises;
 - (d) the facilities in the premises;
 - (e) a period of time.

Variations and revocations

- 30 The Welsh Ministers may vary or revoke to any extent a direction issued under this Part of this Schedule.

Procedure

- 31 (1) Before issuing a direction under this Part of this Schedule, the Welsh Ministers must have regard to any relevant advice given to the Welsh Ministers by—

- (a) the Chief Medical Officer or one of the Deputy Chief Medical Officers for Wales, or
 - (b) a director of, or senior clinician working within, Public Health Wales.
- (2) Where a direction imposes prohibitions, requirements or restrictions on a person specified by name, the direction—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Welsh Ministers consider appropriate to bring it to the attention of other persons who may be affected by it.
- (3) In any other case, the direction must be published in such manner as the Welsh Ministers consider appropriate to bring it to the attention of persons who may be affected by it.
- (4) Where the Welsh Ministers vary or revoke a direction which imposes prohibitions, requirements or restrictions on a person specified by name, notice of the variation or revocation—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Welsh Ministers consider appropriate to bring it to the attention of other persons who may be affected by it.
- (5) Where the Welsh Ministers vary or revoke any other direction, notice of the variation or revocation must be published in such manner as the Welsh Ministers consider appropriate to bring it to the attention of persons who may be affected by the variation or revocation.
- (6) In this paragraph “Public Health Wales” means the Public Health Wales National Health Service Trust as established by the Public Health Wales National Health Service Trust (Establishment Order) 2009 ([S.I. 2009/2058 \(W.177\)](#)).

Offences

- 32 (1) A person commits an offence if the person fails without reasonable excuse to comply with a prohibition, requirement or restriction imposed on the person by a direction issued under this Part of this Schedule.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine.
- 33 (1) If an offence under paragraph 32 committed by a body corporate is proved—
 - (a) to have been committed with the consent or connivance of an officer of the body, or
 - (b) to be attributable to any neglect on the part of such an officer,
 the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.
- (2) In sub-paragraph (1), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Enforcement and prosecutions

- 34 (1) A person, or description of person, designated in writing for the purpose of this sub-paragraph by the Welsh Ministers may take such action as is necessary to enforce compliance with a direction issued under this Part of this Schedule.
- (2) Proceedings for an offence under this Part of this Schedule may be brought by a person, or description of person, designated in writing for the purpose of this sub-paragraph by the Welsh Ministers.
- (3) The powers conferred by or under this paragraph do not affect any other power to enforce compliance with a direction issued under this Part of this Schedule or to bring proceedings for an offence under this Part of this Schedule.

Compensation

- 35 (1) The Welsh Ministers may pay compensation in connection with the issuing of a direction under this Part of this Schedule.
- (2) The power conferred by sub-paragraph (1) does not affect any other power to pay compensation.

End of public health response period

- 36 When a public health response period comes to an end, a direction under this Part of this Schedule issued during that period ceases to have effect in respect of times after the end of the period.

PART 5

POWERS RELATING TO EVENTS, GATHERINGS AND PREMISES IN NORTHERN IRELAND

Declaration of threat to public health in Northern Ireland due to coronavirus

- 37 (1) If at any time the Executive Office is of the view that—
- (a) the incidence or transmission of coronavirus constitutes a serious and imminent threat to public health in Northern Ireland, and
 - (b) the powers conferred by this Part of this Schedule will be an effective means of—
 - (i) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus in Northern Ireland, or
 - (ii) facilitating the most appropriate deployment of medical or emergency personnel and resources in Northern Ireland,
- the Executive Office may make a declaration to that effect.
- (2) If, having made a declaration under this paragraph, the Executive Office ceases to be of the view mentioned in sub-paragraph (1), the Executive Office must revoke the declaration.
- (3) A declaration or the revocation of a declaration under this paragraph—
- (a) is to be made by being published online, and
 - (b) must, as soon as reasonably practicable after it is made, also be published in the Belfast Gazette.

- (4) Before making or revoking a declaration under this paragraph, the Executive Office must consult the Chief Medical Officer or any of the Deputy Chief Medical Officers of the Department of Health in Northern Ireland.
- (5) The Executive Office may make a declaration under this paragraph on more than one occasion.

38 In this Part of this Schedule—

“Executive Office” means the Executive Office in Northern Ireland;

“public health response period” means a period which—

- (a) begins when the Executive Office makes a declaration under paragraph 37(1), and
- (b) ends when the Executive Office revokes the declaration.

Power to prohibit or otherwise restrict events or gatherings in Northern Ireland

39 (1) The Executive Office may, for the purpose of—

- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
- (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,

issue a direction prohibiting, or imposing requirements or restrictions in relation to, the holding of an event or gathering in Northern Ireland.

(2) A direction under sub-paragraph (1) may be issued in relation to—

- (a) a specified event or gathering, or
- (b) events or gatherings of a specified description.

(3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—

- (a) the owner or occupier of premises for an event or gathering to which the direction relates;
- (b) the organiser of such an event or gathering;
- (c) any other person involved in holding such an event or gathering.

(4) A direction under sub-paragraph (1) may only be issued during a public health response period.

(5) A direction under sub-paragraph (1) may, among other things, impose requirements about informing persons who may be planning to attend an event or gathering of its prohibition or any requirements or restrictions imposed in relation to the holding of it.

(6) For the purposes of sub-paragraph (2), events or gatherings may be described—

- (a) by reference to a number of people attending the event or gathering,
- (b) by reference to a requirement for medical or emergency services to attend the event or gathering, or
- (c) in any other way.

(7) The reference in sub-paragraph (3)(c) to a person involved in the holding of an event or gathering does not include a person whose only involvement in the event or gathering is, or would be, by attendance at the event or gathering.

Status: This is the original version (as it was originally enacted).

Power to close premises in Northern Ireland or impose restrictions on persons entering or remaining in them

- 40 (1) The Executive Office may, for the purpose of—
- (a) preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus, or
 - (b) facilitating the most appropriate deployment of medical or emergency personnel and resources,
- issue a direction imposing prohibitions, requirements or restrictions in relation to the entry into, departure from, or location of persons in, premises in Northern Ireland.
- (2) A direction under sub-paragraph (1) may be issued in relation to—
- (a) specified premises, or
 - (b) premises of a specified description.
- (3) A direction under sub-paragraph (1) may only have the effect of imposing prohibitions, requirements or restrictions on—
- (a) the owner or occupier of premises to which the direction relates;
 - (b) any other person involved in managing entry into, or departure from, such premises or the location of persons in them.
- (4) A direction under sub-paragraph (1) may only be issued during a public health response period.
- (5) A direction under sub-paragraph (1) may, among other things, impose requirements for the purpose of—
- (a) closing the premises;
 - (b) restricting entry into the premises;
 - (c) securing restrictions in relation to the location of persons in the premises.
- (6) A direction under sub-paragraph (1) may impose prohibitions, requirements or restrictions by reference to (among other things)—
- (a) the number of persons in the premises;
 - (b) the size of the premises;
 - (c) the purpose for which a person is in the premises;
 - (d) the facilities in the premises;
 - (e) a period of time.

Variations and revocations

- 41 The Executive Office may vary or revoke to any extent a direction issued under this Part of this Schedule.

Procedure

- 42 (1) Before issuing a direction under this Part of this Schedule, the Executive Office must—
- (a) have regard to any relevant advice published by the Chief Medical Officer or any of the Deputy Chief Medical Officers of the Department of Health in Northern Ireland, and
 - (b) consult the Chief Medical Officer or any of the Deputy Chief Medical Officers.

- (2) Where a direction imposes prohibitions, requirements or restrictions on a person specified by name, the direction—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Executive Office considers appropriate to bring it to the attention of other persons who may be affected by it.
- (3) In any other case, the direction must be published in such manner as the Executive Office considers appropriate to bring it to the attention of persons who may be affected by it.
- (4) Where the Executive Office varies or revokes a direction which imposes prohibitions, requirements or restrictions on a person specified by name, notice of the variation or revocation—
 - (a) must be given in writing to that person, and
 - (b) may be published in such manner as the Executive Office considers appropriate to bring it to the attention of other persons who may be affected by it.
- (5) Where the Executive Office varies or revokes any other direction, notice of the variation or revocation must be published in such manner as the Executive Office considers appropriate to bring it to the attention of persons who may be affected by the variation or revocation.

Enforcement

- 43 (1) Compliance with a direction issued under this Part of this Schedule may be enforced by—
 - (a) a constable;
 - (b) any other person, or description of person, designated in writing for the purpose of this paragraph by the Executive Office.
- (2) In exercising the power of enforcement conferred by sub-paragraph (1), a person may—
 - (a) enter any premises;
 - (b) if necessary, use reasonable force.

Offences

- 44 (1) A person commits an offence if the person fails without reasonable excuse to comply with a prohibition, requirement or restriction imposed on the person by a direction issued under this Part of this Schedule.
- (2) A person guilty of an offence under this paragraph is liable—
 - (a) on summary conviction, to a fine not exceeding £100,000;
 - (b) on conviction on indictment, to a fine.
- 45 (1) If an offence under paragraph 44 committed by a body corporate is proved—
 - (a) to have been committed with the consent or connivance of an officer of the body, or
 - (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

- (2) In sub-paragraph (1), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Compensation

- 46 (1) The Executive Office may pay compensation in connection with the issuing of a direction under this Part of this Schedule.
- (2) The power conferred by sub-paragraph (1) does not affect any other power to pay compensation.

End of public health response period

- 47 When a public health response period comes to an end, a direction under this Part of this Schedule issued during that period ceases to have effect in respect of times after the end of the period.