

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. 210

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions) (No. 2)
(Amendment No. 7) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 8.00 p.m. on 30th September 2020</i>
<i>Laid before the Assembly</i>		<i>at 9.00 a.m. on 1st October 2020</i>
<i>Coming into operation</i>		<i>1st October 2020</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 No. 7) Regulations (Northern Ireland) 2020.

(2) These Regulations come into operation on 1st October 2020.

(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.

Amendment of regulation 1

3. At the appropriate place in regulation 1(2) insert —

““Intoxicating liquor” has the meaning given in section 2(2) of the Licensing (Northern Ireland) Order 1996⁽⁴⁾”.

Amendment of regulation 4B

4.—(1) In regulation 4B(1)(c) and in regulation 4B(4)(a) after the words “access toilet facilities” insert “, access a smoking area”;

(2) In regulation 4B(1)(c) and in regulation 4B(4)(a) for “visitors” substitute “persons visiting the premises to consume food or drink”.

(3) after regulation 4B(5) insert—

“(6) Nothing in this regulation shall prohibit

- (a) anything done for the purpose of enabling any person to avoid injury or illness or to escape a risk of harm, or to provide emergency or medical assistance to any person, or
- (b) a resident of a hotel or guesthouse from moving within a venue to access any services of the hotel or guesthouse.”

Restriction in relation to intoxicating liquor and to food and drink

5. After regulation 4C insert—

“Requirement in relation to intoxicating liquor and to food and drink

4D.—(1) A person must not, between the hours of 22:30 and 11:30, in a venue at which intoxicating liquor may be consumed—

- (a) himself or by his servant or agent sell or supply intoxicating liquor, or
- (b) permit the consumption of intoxicating liquor, or
- (c) purchase, obtain or consume intoxicating liquor.

(2) Subparagraph (1)(a) shall not prohibit or restrict, during the hours of 22.30 to 23.00, the consumption or permitting consumption of intoxicating liquor in the venue.

(3) Subparagraph (1)(a) shall not apply in relation to intoxicating liquor for consumption by a resident in a hotel or guesthouse, and not by any other person, in the accommodation provided for the private use of the resident, provided that the intoxicating liquor is not delivered to that accommodation in response to a request from the resident.

- (a) (4) A person must not, between the hours of 22:30 and 05:00, in a venue at which intoxicating liquor may be consumed—
 - (i) himself or by his servant or agent sell or supply food or drink, or
 - (ii) permit the consumption of food or drink, or

⁽³⁾ S.R. 2020 No.150 as amended by S.R. 2020 Nos. 170, 187, 195, 198, 202 and 204

⁽⁴⁾ S.I. 1996/3158 (N.I. 22)

- (iii) purchase, obtain or consume food or drink.
- (b) Subparagraph (a) shall not prohibit or restrict, during the hours of 22.30 to 23.00, the consumption or permitting consumption of the food or drink in the venue.
- (c) The requirements in subparagraph (a) shall not prohibit or restrict the sale, supply, purchase, obtaining, consumption or permitting consumption of food or drink at any time—
 - (i) in a guesthouse or hotel, in relation to a resident of the guesthouse or hotel, in the accommodation provided for the private use of the resident,
 - (ii) in a harbour terminal, airport or motorway service area, or
 - (iii) to or by employees or workers contracted to work in the venue.
- (a) (5) A person responsible for the organisation or operation of a venue at which intoxicating liquor may be consumed must ensure that visitors present in the venue at 23.00 leave the venue at that time and that no visitors are thereafter admitted to the venue until 05.00.
- (b) The requirement in subparagraph (a) shall not apply—
 - (i) in a guesthouse or hotel, in relation to a resident of the guesthouse or hotel, or
 - (ii) in a harbour terminal, airport or motorway service area.
- (6) This regulation shall not apply to a place of worship when used as such.
- (7) In this regulation—
 - (a) “drink” shall not include intoxicating liquor; and
 - (b) “guesthouse”, “harbour terminal”, “hotel” and “resident” have the meanings given to them in article 2(2) of the Licensing (Northern Ireland) Order 1996. ”.

Sealed with the Official Seal of the Department of Health at 8.00 pm on 30th September 2020

(L.S.)

Robin Swann
Minister of Health

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

This regulation amends the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020.

Regulation 3 inserts a definition of “intoxicating liquor”.

Regulation 4 amends the restrictions on movement within a venue at which intoxicating liquor may be consumed.

Regulation 5 adds regulation 4D which places restrictions on the opening hours of certain venues at which intoxicating liquor and food and drink may be obtained or consumed.

No impact assessment has been prepared for these Regulations.