

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. 118

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions)
(Amendment No. 8) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 7.30 p.m. on 25th June 2020</i>
<i>Laid before the Assembly</i>		<i>at 9.00 a.m. on 26th June 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 and commencement

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 and shall come into operation in accordance with paragraphs (2) to (5).

(2) Regulations 1, 2(1), (4)(b), (5)(b) (insofar as it inserts regulation 5(2)(w)) and (7) and 3 shall come into operation at 11.00 pm on 25th June 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)

(3) Regulation 2(2), (3)(b), (c) and (f), (4)(d), (5)(a) and (6)(a) shall come into operation at 11.00 pm on 28th June 2020.

(4) Regulation 2(3)(a), (4)(c), (5)(b) (insofar as it inserts regulation 5(2)(x) and (y)), (6)(b), (8)(a) and (b)(i) and (iii) shall come into operation at 11.00 pm on 2nd July 2020.

(5) The remainder of the Regulations shall come into operation at 11.00 pm on 5th July 2020.

Amendment of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020

2.—(1) The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020(3) are amended as follows.

(2) In regulation 1(2)(c), after head (ii), insert—

“(iii) Northern Ireland at European and World Championships.”.

(3) In regulation 3—

(a) for paragraphs (1) to (3), substitute—

“(1) A person responsible for carrying on the business of a registered club, in accordance with the Registration of Clubs (Northern Ireland) Order 1996, must close any premises, or part of the premises, in which food or intoxicating liquor is sold for consumption on those premises and cease selling food or intoxicating liquor for consumption on its premises.

(2) Subject to paragraph (2A), a person responsible for carrying on a business which is listed in Part 1 of Schedule 2 must—

(a) during the emergency period—

(i) close any premises, or part of the premises, in which food or intoxicating liquor are sold for consumption on those premises, and

(ii) cease selling food or intoxicating liquor for consumption on its premises;
or

(b) if the business sells food or intoxicating liquor for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.

(a) (2A) A person responsible for carrying on a business which is listed in Part 1 of Schedule 2 may, during the emergency period, sell only food or both food and intoxicating liquor for consumption on those premises in the following circumstances—

(i) if the service takes place indoors, intoxicating liquor may only be served with food and the food must be a main table meal;

(ii) if the service takes place outdoors, intoxicating liquor may be served with or without food, but only to persons seated at a table and not at the bar.

(b) For the purposes of paragraph (a)(i), a “main table meal” means a meal which is in its entirety, or which includes, a main course and which is eaten by a person seated at—

(i) a table; or

(ii) a counter or other structure which serves the purpose of a table and which is not used wholly or mainly as a bar or for the service of refreshments for consumption by persons not seated at a table or that counter or structure.

- (a) (3) For the purposes of paragraph 2(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.
- (b) For the purposes of paragraph (2)(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.”;
- (b) in paragraph (4) at the beginning insert “Subject to paragraph (4A)”;
- (c) after paragraph (4), insert—
 - “(4A) A person responsible for carrying on a business which is listed in paragraph 14 of Part 2 of Schedule 2 may carry on their business for the purpose of making bookings in response to enquiries received—
 - (i) through a website or otherwise by on-line communication,
 - (ii) by telephone, including text message, or
 - (iii) by post.”;
- (d) in paragraph (4) omit “Subject to paragraph (4A)”;
- (e) omit paragraph (4A);
- (f) in paragraph (5), after sub-paragraph (c), insert—
 - “(d) premises which are used as indoor sports facilities, including those used for the businesses or services listed in paragraphs 17, 18 and 20 of that Part, for the purpose of training undertaken by elite athletes.”.
- (4) In regulation 4—
 - (a) in paragraph (2), omit “14”;
 - (b) in paragraph (3), omit the words “, holiday apartment, home, cottage or bungalow, campsite, caravan park”;
 - (c) omit paragraphs (3) and (4);
 - (d) in paragraph (6), after sub-paragraph (h), insert—
 - “(i) to hold religious services, (other than baptism ceremonies or, subject to sub-paragraphs (d) or (g), marriage ceremonies), and bible readings.”.
- (5) In regulation 5, in paragraph (2)—
 - (a) in sub-paragraph (n), at the end, add “or attend a religious service or bible reading”;
 - (b) after sub-paragraph (u), insert—
 - “(v) to visit a nail, beauty or hair salon, a barbers shop or a shop providing tanning, electrolysis or acupuncture services;
 - (w) to travel for the purpose of staying in holiday accommodation or a second home;
 - (x) to attend a visitor attraction;
 - (y) to visit a restaurant, café, public house or bar.”
- (6) In regulation 6—
 - (a) in paragraph (c), at the end, add “or a religious service or bible reading, in accordance with regulation 4(6)(i)”;
 - (b) after paragraph (g), insert—
 - “(h) to attend a visitor attraction;
 - (i) to visit a restaurant, café, public house or bar.”.

- (7) In regulation 7—
- (a) in paragraph (9A), for “Where a relevant person considers that seven or more people who are not members of the same household are gathered together in contravention of regulation 6A,” substitute “Where a relevant person considers that there is a gathering in contravention of regulation 6A,”
 - (b) In paragraph (9B), for “Where a relevant person considers that eleven or more people are gathered together in contravention of regulation 6B,” substitute “Where a relevant person considers that there is a gathering in contravention of regulation 6B,”.
- (8) In Schedule 2—
- (a) for Part 1, substitute—
 - “1. Bars, including bars in hotels.
 - 2. Public houses.”
 - (b) In Part 2—
 - (i) in paragraph 13, after “spas” insert “including those situated within hotels”;
 - (ii) omit paragraph 14;
 - (iii) after paragraph 20, insert—
 - “20A. Conference halls and conference facilities, including those in hotels.”.

Savings

3. Regulations 8 and 9 of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 continue to have effect in relation to any offence committed, or reasonably believed to have been committed, before these Regulations came into operation as if the amendments set out in regulation 2 had not been made.

Sealed with the Official Seal of the Department of Health at 7.30 pm on 25th June 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) Regulations (Northern Ireland) 2020.

Regulation 3 is amended to allow certain food and drink businesses and premises to open, subject to restrictions on service; and to allow premises used as indoor sports facilities to open for the purpose of training undertaken by elite athletes.

Regulation 4 is further amended to allow holiday accommodation to open and also places of worship to open for the purpose of holding religious services (other than baptism ceremonies and certain marriage ceremonies) and bible readings.

Regulations 5 and 6 and Parts 1 and 2 of Schedule 2 are amended, to make provision consequential on the amendments to regulations 3 and 4.

Regulation 7 is amended to reflect an earlier amendment to regulation 6A.

No impact assessment has been prepared for these Regulations.