

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. 187

PUBLIC HEALTH

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

<i>Made</i>	- - - -	<i>at 5.45 p.m. on 25th August 2020</i>
<i>Laid before the Assembly</i>		<i>at 9.00 a.m. on 26th 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 No. 2) Regulations (Northern Ireland) 2020.

(2) 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 and 4.

3. In regulation 5 (restrictions on gatherings)—

- (a) in paragraph 5(1) for “paragraphs (2) to (5)” substitute “paragraphs (2) to (7)” and for “thirty” substitute “fifteen”;
- (b) in paragraph 5(2), after “private dwelling” insert “or to a funeral”;
- (c) after paragraph 5(5) insert—

“(6) A person attending a funeral or responsible for organising or operating a funeral shall comply with the guidance on funerals issued by the Department of Health.

(7) Regulation 8 (offences and penalties) does not apply to a contravention of the requirement in paragraph (6).”

4. In regulation 6 (restrictions on gatherings: private dwellings)—

- (a) in paragraph 6(1) for “A person” substitute “Subject to paragraph (6) a person” and for “thirty” substitute “fifteen”;
- (b) in paragraph 6(2) for “paragraphs (3) and (4)” substitute “paragraphs (3), to (6)”;
- (c) in paragraphs 6(2) and 6(3) for “ten” substitute “six” at each place where it appears and for “four” substitute “two”;
- (d) after paragraph 6(4), insert—

(a) “(5) Paragraph (2) does not apply where the gathering is for the purpose of a marriage or a civil partnership where a party to the marriage or civil partnership is seriously ill and death in consequence of that illness can reasonably be expected within six months of the date of the ceremony;

(b) in a case referred to in subparagraph 5(a) an indoor gathering in a private dwelling may consist of up to ten persons including the participants and officiant;

(a) (6) Paragraphs (1) and (2) do not apply where the gathering is for the purpose of a funeral or an event associated with a funeral;

(b) in a case referred to in subparagraph 6(a) a person attending, or a person responsible for organising or operating, the funeral or event associated with a funeral shall comply with the guidance on funerals issued by the Department of Health;

(c) Regulation 8 (offences and penalties) does not apply to a contravention of the requirement in subparagraph (6)(b).”

Sealed with the Official Seal of the Department of Health at 5.45 pm on 25th August 2020

(L.S.)

Robin Swann
Minister 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 reduces the maximum number who can participate in an outdoor or indoor gathering not at a private dwelling from thirty people to fifteen people (subject to exemption). It also provides that the restriction on gatherings shall not apply to a funeral, but that those involved in a funeral shall comply with the Departmental guidance.

Regulation 4 reduces the maximum number who can participate in an outdoor gathering at a private dwelling from thirty people to fifteen people and in an indoor gathering in a private dwelling from ten people in four households to six people in two households. It provides also that up to ten people may attend a wedding or civil partnership ceremony indoors at a private dwelling where one of the participants is terminally ill; and that the restrictions in relation to private dwellings do not apply to funerals or wakes but that those involved must comply with Departmental guidance.

No regulatory impact assessment has been prepared for these Regulations.