

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

2021 No. 27

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions) (No. 2)
(Amendment No. 3) Regulations (Northern Ireland) 2021**

Made - - - - at 4.00 p.m. on 5th February 2021

Laid before the Assembly at 5.00 p.m. on 5th February 2021

Coming into operation in accordance with Regulation 1(2)

The Department of Health^(a), 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^(b).

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. 3) Regulations (Northern Ireland) 2021.

(2) These Regulations come into operation on 6th February 2021.

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

^(b) 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(a) are amended in accordance with regulation 3.

3.—(1) In Regulation 4B(1), for sub-paragraph (a) substitute—

“(a) cease to carry on that business or provide that service except—

- (i) by making deliveries in response to requests received by on-line communication, by telephone, by text message or by post (provided that no person attends the premises of the business to collect goods or avail of a service); or
- (ii) in the case of a car dealership which is a Motability dealer, by permitting a customer to collect a Motability vehicle following an on-line application (provided that no other person attends the premises to collect goods or avail of a service);”.

Sealed with the Official Seal of the Department of Health at 4.00 pm on 5th February 2021

(L.S.)

Dr. Michael McBride
A senior officer of the Department of Health

(a) S.R. 2020 No 150 as amended by S.R. 2020 Nos. 170, 187, 195, 198, 202, 204, 210, 213, 224, 225, 232, 239, 250, 255, 256, 274, 287, 290, 323, 335, 343, 346, 352, 356 and 358 and S.R. 2021 Nos. 3 and 18

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Regulation 3 substitutes sub-paragraph (a) of regulation 4B(1) of the principle regulations to provide exceptions to the restrictions on non-essential retail businesses which requires that they cease to carry on that business or provide that service except making deliveries in response to requests received by on-line communication, by telephone, by text message or by post or in the case of a car dealership which is a Motability dealer, by permitting a customer to collect a Motability vehicle following an online application.

No regulatory impact assessment has been prepared for these Regulations.

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