STATUTORY RULES OF NORTHERN IRELAND

2021 No. 93

PUBLIC HEALTH

The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021

Made - - - -	*at 8.00 p.m. on 7th April 2021*
Laid before the Assembly	*at 9.00 a.m. on 8th April 2021*
Coming into operation	*on 9th April 2021*

The Department of Health [M1], 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 [M2].

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.

Marginal Citations

M1 Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), **s. 1(5)**

M2 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)

PART 1

INTRODUCTORY

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 and shall come into operation on 9th April 2021.

(2) In these Regulations—

"active period" means the period during which these Regulations are in operation;

"bed and breakfast accommodation", "bunkhouse", "guest accommodation", "guesthouse", "hostel" and "self-catering establishment" shall mean the premises of any establishment allocated a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 [M3]

[[F1]"bubble" has the meaning given in regulation 19(1A)**]**

[[F1]"close contact service" means a service listed in Schedule 2**]**

"coronavirus" means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

"drink" unless otherwise stated does not include intoxicating liquor;

[[F2]"educational activity" means education—

(a) in a pre-school setting participating in the Pre-School Education Programme;

(b) in a school;

(c) in an EOTAS ("Education Other Than At School") Centre;

(d) in an Institute of Higher or Further Education;

(e) provided by a provider delivering targeted Early Years provision funded by the Department of Education; or

(f) **[**[F3]a provider in receipt of grant funding from the Education Authority to deliver youth activities for persons aged 4 to 25 years in an informal setting;**]]**

[F4]…

[F5]…

"enforcement officer" means a person designated by a district council under Regulation 18(1) for the purposes of these Regulations;

[F6]…

"harbour terminal", "hotel" and "resident" have the meanings given to them in **[**[F7]Article**]** 2(2) of the Licensing (Northern Ireland) Order 1996;

"household" means one person living alone or two or more persons (whether or not related) living together at the same address and a person (P) who is a member of one household may not, at any time, be a member of any other household except where P's membership of that other household is in connection with P's attendance at an educational institution;

"intoxicating liquor" has the meaning given in **[**[F8]Article**]** 2(2) of the Licensing (Northern Ireland) Order 1996 [M4];

"private dwelling" is a dwelling occupied by a person as their only or main residence and includes any garden, yard, passage, stair, outhouse or other appurtenance of the dwelling;

"relevant officer" means a constable or an enforcement officer;

[[F9]"shop" means any building, room or other indoor establishment which is open to the public in whole or in part and is used wholly or mainly for the purposes of retail sale or hire of goods or services;**]**

[F10]…

"table" includes a counter or other structure which serves the purpose of a table and which is not used wholly or partly as a bar for the service of food or drink.

[[F11]"tourist accommodation" means a bed and breakfast establishment, hotel, bunkhouse, hostel, guest accommodation, self-catering establishment or guest house.**]**

(3) For the purposes of these Regulations—

(a) a "person responsible" for carrying on a business or providing a service or operating any premises includes the owner, proprietor and manager of that business or service or those premises;

(b) there is a gathering when two or more persons are present together in the same place in order to engage in any form of social interaction with each other, or to undertake any other activity with each other;

(c) a place is indoor if it would be considered to be enclosed or substantially enclosed for the purposes of regulation 2 of the Smoke-free (Premises, Vehicle Operators and Penalty Notices) Regulations (Northern Ireland) 2007 [M5], and otherwise a place is outdoor;

(d) in relation to any premises of a business or members' club selling or supplying food and drink or intoxicating liquor, an area adjacent to the premises where seating, tables or other facilities are made available for customers of the business or members' club (whether or not by the business or members' club) is to be treated as part of the premises.

Textual Amendments

F1 Words in reg. 1(2) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **3**

F2 Words in reg. 1(2) inserted (12.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **3(1)**

F3 Words in reg. 1(2) substituted (30.4.2021 at 6.00 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 3) Regulations (Northern Ireland) 2021 (S.R. 2021/117), regs. 1(2), **2(a)**

F4 Words in reg. 1(2) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **3(a)**

F5 Words in reg. 1(2) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **3(b)**

F6 Words in reg. 1(2) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **5(1)**

F7 Word in reg. 1(2) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **4**

F8 Word in reg. 1(2) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **5**

F9 Words in reg. 1(2) inserted (28.5.2021 at 1.30 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 5) Regulations (Northern Ireland) 2021 (S.R. 2021/141), regs. 1(2), **3**

F10 Words in reg. 1(2) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **3(c)**

F11 Words in reg. 1(2) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **5(2)**

Marginal Citations

M3 S.I. 1992/235 (N.I. 3)
M4 S.I. 1996/3158 (N.I. 22)
M5 S.R. 2007 No. 94

Review of the need for restrictions or requirements

[F12]**2.** . . . . . .

Textual Amendments

F12 Reg. 2 omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **4**

PART 2

RESTRICTIONS RELATING TO PREMISES ETC.

Requirement to close premises

3.—(1) For the purposes of this regulation, "listed premises" and "listed businesses" means the premises and businesses listed in **[**[F13]part 1**]** of Schedule 1.

[[F14](2) A person responsible for listed premises or a listed business must close those premises or that business.**]**

(3) Where listed premises or a listed business form part of larger premises or business, the person responsible for those larger premises or business complies with paragraph (1) by closing the listed premises or listed business.

Textual Amendments

F13 Words in reg. 3(1) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **6**
F14 Reg. 3(2) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **6**

Restrictions on non-essential retail businesses

[F15]**4.** . . . . . .

Textual Amendments

F15 Reg. 4 omitted (30.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **36**

Restrictions on licenced and unlicenced premises

5.—**[**[F16](1) A person responsible for carrying on a business or a members' club which sells or provides food or drink (whether or not including intoxicating liquor) for consumption on the premises **[**[F17](other than premises to which paragraph (3) applies)**]**—

[F18](a) . . . . . .

[F18](b) . . . . . .

[F18](c) . . . . . .

[[F19](d) at an event to celebrate a marriage or civil partnership—

(i) must take reasonable steps to ensure that the number of persons (not including children aged 12 or under) seated at any one table is no more than ten; but

(ii) no limit shall apply to the number who may be seated at the table at which the married couple or civil partners are seated;

(da) other than in relation to an event to celebrate a marriage or civil partnership, must take reasonable steps to ensure that the number of persons (not including children aged 12 or under) seated at any one table is no more than—

(i) six if those persons are from more than one household, or

(ii) ten if those persons are from one household or one bubble.**]**

(e) must comply with the duty in regulation 15 (Visitor and Attendee Information) and the duty in regulation 17 (Requirement in relation to social distancing);

(f) must not permit on the premises—

(i) dancing; or

(ii) the provision of music, whether live or recorded, for dancing; or

[F20](iii) . . . . . .

[[F21](fa) subparagraphs (f)(i) and (ii) shall not apply to a single dance by the married couple or civil partners at an event to celebrate their marriage or civil partnership, provided that the music [F22]... is played at a volume which enables others to conduct conversation at normal loudness of speech;**]**

[F23](g) . . . . . .

(h) must carry out a risk assessment which complies with the requirements of regulation 9(5)(a) and which determines—

(i) the maximum number of persons who may be seated in each part of the premises; and

(ii) the volume at which any [F24]... music will be played so as to enable visitors to conduct conversation at normal loudness of speech;

(i) must retain the risk assessment referred to in subparagraph (h) on the premises and make it available immediately for inspection by visitors to the premises or to a relevant person on request;

(j) must take all reasonable measures to limit the risk of transmission of the coronavirus in accordance with regulation 9(5)(b);

(k) must display prominently, at each part of the premises, the maximum number of persons who may be seated in that part of the premises;

(l) **[**[F25]in a venue where intoxicating liquor is sold or provided,**]** must permit orders for food or drink (including intoxicating liquor) to be placed only by persons seated at a table;

(m) must not permit the consumption of food or drink (including intoxicating liquor) **[**[F26]by visitors to the premises**]** on the premises other than by a person seated at a table; and

[[F27](n) must not permit a customer to move within the premises other than to

(i) enter or exit the premises, access a table, make a payment, access a buffet or carvery, or access and use toilet, baby changing or breast feeding facilities or a smoking area, or

(ii) visit a place where a marriage ceremony or civil partnership ceremony may lawfully take place, for the purposes of viewing the facilities, provided that the gathering includes no more than four visitors and one member of staff of the place and that there is no more than one such visit at any one time.**]]**

[[F28](2) Sub-paragraph (1)(l) shall not apply in relation to food ordered by visitors selecting their food from a buffet or carvery.**]**

(a) **[**[F29](3) (a) This paragraph applies to premises which are specified in an occasional licence granted under article 30 of the Licensing (Northern Ireland) Order 1996 and which are wholly or mainly outdoors.

(b) A person responsible for carrying on a business or a members' club at premises to which this paragraph applies must –

(i) carry out a risk assessment which complies with the requirements of regulation 9(5)(a);

(ii) retain the risk assessment referred to in head (i) on the premises and make it available immediately for inspection by visitors to the premises or to a relevant person on request; and

(iii) take all reasonable measures to limit the risk of transmission of the coronavirus in accordance with regulation 9(5)(b).**]**

Textual Amendments

F16 Reg. 5(1) substituted (30.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **37**

F17 Words in reg. 5(1) inserted (5.7.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(a)**

F18 Reg. 5(1)(a)(b)(c) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **7**

F19 Reg. 5(1)(d)(da) substituted for reg. 5(1)(d) (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **8**

F20 Reg. 5(1)(f)(iii) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(b)**

F21 Reg. 5(1)(fa) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **9**

F22 Words in reg. 5(1)(fa) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(c)**

F23 Reg. 5(1)(g) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(d)**

F24 Words in reg. 5(1)(h)(ii) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(e)**

F25 Words in reg. 5(1)(l) inserted (4.6.2021 at 12.30 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 6) Regulations (Northern Ireland) 2021 (S.R. 2021/151), regs. 1(2), **3**

F26 Words in reg. 5(1)(m) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **10**

F27 Reg. 5(1)(n) substituted (5.7.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **5(f)**

F28 Reg. 5(2) re-inserted (4.6.2021 at 12.30 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 6) Regulations (Northern Ireland) 2021 (S.R. 2021/151), regs. 1(2), **5**

F29 Reg. 5(3) re-inserted (5.7.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **6**

[[F30]Restrictions on tourist accommodation

6. A person responsible for carrying on the business of, providing the service of, or operating any tourist accommodation must take reasonable steps to—

(a) comply with the duty in regulation 15 (Visitor and Attendee Information); and

(b) ensure that guests in each separate accommodation unit comply with the duty in regulation 12(1) (Restriction on gatherings: private dwellings).**]**

Textual Amendments

F30 Reg. 6 substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **12**

Restrictions on take-away food businesses

[F31]**7.** . . . . . .

Textual Amendments

F31 Reg. 7 omitted (30.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **41**

Restrictions on Libraries

[F32]**8.** . . . . . .

Textual Amendments

F32 Reg. 8 omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **13**

PART 3

RESTRICTIONS RELATING TO GATHERINGS AND EVENTS

Restrictions on gatherings

9.—(1) This Regulation does not apply to a gathering which is a rave or a large house party (see Regulation 10) [F33]... or a gathering in a private dwelling (see Regulation 12).

[[F34](2) A person responsible for organising or operating an indoor gathering must, if the event consists or is expected to consist of more than 15 persons, fulfil the conditions in paragraph (5).**]**

[[F35](3) —

(a) A person responsible for organising or operating an outdoor gathering must, if the event consists or is expected to consist of more than 30 persons, fulfil the conditions in paragraph (5).

[F36](b) . . . . . .**]**

[F37](3A) . . . . . .

[F38](4) . . . . . .

(5) The conditions **[**[F39]which must be fulfilled by a person to whom this paragraph applies**]** are that the person responsible for organising or operating the gathering—

(a) has carried out an appropriate risk assessment (see paragraph 10); and

(b) takes all reasonable measures to limit the risk of transmission of the coronavirus, including implementing the preventive and protective measures identified in the appropriate risk assessment undertaken under sub-paragraph (a) [F40]... .

(6) **[**[F41]A person who is required to comply with the conditions in paragraph (5)**]** must, if requested to do so by a relevant officer, give that relevant officer a copy of the appropriate risk assessment referred to in paragraph (5)(a) and an account of the measures referred to in paragraph (5)(b) as soon as reasonably practicable and, in any event, within twenty-four hours of the request.

(7) In addition to the other requirements of this Regulation—

(a) a person attending, or responsible for organising or operating, a funeral or a service associated with a funeral must comply with **[**[F42]"Guidance for handling the infection risks when caring for the deceased and managing funerals"**]**[F43] issued by the Department of Health but failure to do so does not constitute an offence under regulation 22;

[F44](b) . . . . . .

(c) The person responsible for organising or operating a funeral or a service associated with a funeral includes the person operating the place where it takes place and the funeral director making the funeral arrangements.

(8) In addition to the other requirements of this Regulation, a person responsible for organising or operating a marriage ceremony or civil partnership ceremony must take reasonable steps to—

[F45](a) . . . . . .

(b) comply with the duty in Regulation 15 (Visitor and Attendee Information).

(9) This Regulation does not apply to a gathering which arises for the purpose of enabling a person to avoid injury or illness or to escape a risk of harm, or to provide emergency or medical assistance to a person.

(10) An appropriate risk assessment is an assessment carried out by the person responsible for organising or operating a gathering for the purpose of identifying and evaluating—

(a) the nature and magnitude of the risk of infection, contamination and transmission of coronavirus arising in the course, or as a result, of the organisation or operation of the gathering; and

(b) measures which are reasonably practicable to take to avoid, mitigate or eliminate those risks including—

(i) those which prioritise the greatest communal protection;

(ii) those designed to replace practices with less hazardous ones; and

(iii) the use of clear and concise verbal and written instructions.

Textual Amendments

F33 Words in reg. 9(1) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **7**

F34 Reg. 9(2) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **14**

F35 Reg. 9(3) substituted (2.7.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 8) Regulations (Northern Ireland) 2021 (S.R. 2021/197), regs. 1(2), **3**

F36 Reg. 9(3)(b) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **8**

F37 Reg. 9(3A) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **16**

F38 Reg. 9(4) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **8**

F39 Words in reg. 9(5) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **20**

F40 Words in reg. 9(5)(b) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **12(b)**

F41 Words in reg. 9(6) substituted (21.6.2021 at 5.10 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 7) Regulations (Northern Ireland) 2021 (S.R. 2021/172), regs. 1(2), **3**

F42 Words in reg. 9(7)(a) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **14**

F43 https://www.health-ni.gov.uk/sites/default/files/publications/health/interim-guidance-for-funeral-directors.pdf

F44 Reg. 9(7)(b) omitted (12.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **8**

F45 Reg. 9(8)(a) omitted (12.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **9**

Restrictions on raves and large house parties

10.—(1) A person must not organise or operate a rave or a large house party.

(2) No person may participate in a gathering prohibited under paragraph (1).

(a) (3) (a) "Large house party" means an indoor or outdoor gathering of more than 30 persons at a private dwelling;

(b) "Rave" means a private indoor or outdoor gathering of 30 or more persons (whether or not at a private dwelling) at which amplified music is played during the night with or without intermission which is likely to cause serious distress to inhabitants of the locality by reason of its loudness, duration and the time at which it is played.

(4) "Amplified music" includes sounds wholly or predominantly characterised by the emission of a succession of repetitive beats.

Restrictions on sporting events

[F46]**11.** . . . . . .

Textual Amendments

F46 Reg. 11 omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **9**

Restriction on gatherings: private dwellings

12.—**[**[F47](1) A person may only participate in a gathering in a private dwelling or in tourist accommodation—

(a) indoors which consists of—

(i) one household;

(ii) no more than six persons (not including children aged 12 or under) and no more than two households; or

(iii) one household of 6 or more persons and one other household up to a maximum of 10 persons (not including children aged 12 or under).

(b) outdoors which consists of no more than fifteen persons and no more than **[**[F48]five**]** households.**]**

(2) Paragraph (1) does not apply to a gathering indoors [F49]... which consists of one **[**[F50]bubble**]**, provided that such a gathering does not consist of more than 10 persons.

(3) Paragraph (1) does not apply where the gathering is for the purpose of—

(a) the provision of care or assistance, including social services, to a vulnerable person;

(b) childcare provided by a person registered under the Children (Northern Ireland) Order 1995 or childcare provided free of charge or for less than two hours per day;

(c) building or maintenance works or the provision of the services of a trade or profession at the private dwelling;

(d) giving or receiving legal advice or assistance or fulfilling a legal obligation;

(e) moving house or undertaking associated activities including viewing properties and making arrangements for removals;

(f) the provision of emergency or medical assistance to a person;

(g) the removal of the remains of a deceased person to or from the private dwelling.

(4) Paragraph (1) does not apply to an indoor gathering for the purpose of a marriage ceremony or a civil partnership ceremony 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.

(5) In a case referred to in paragraph (4) which takes place in a private dwelling, that gathering may consist of no more than 10 persons including the participants and officiant.

(6) A person attending, or a person responsible for organising or operating, a gathering for the purpose of a funeral or an event associated with a funeral must comply with **[**[F51]"Guidance for handling the infection risks when caring for the deceased and managing funerals[F52]"**]** issued by the Department of Health but failure to do so does not constitute an offence under regulation 22.

(7) Paragraph (1) does not apply to a gathering which is a rave or a large house party (see regulation 10).

Textual Amendments

F47 Reg. 12(1) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **24**

F48 Word in reg. 12(1)(b) substituted (5.7.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **10**

F49 Words in reg. 12(2) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **25**

F50 Word in reg. 12(2) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **17**

F51 Words in reg. 12(6) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **18**

F52 https://www.health-ni.gov.uk/sites/default/files/publications/health/interim-guidance-for-funeral-directors.pdf

PART 4

RESTRICTIONS ON MOVEMENT ETC.

Overnight stays

[F53]**13.** . . . . . .

Textual Amendments

F53 Reg. 13 omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **26**

Restrictions on movement

[F54]**14.** . . . . . .

Textual Amendments

F54 Reg. 14 omitted (12.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **13**

PART 5

REQUIREMENTS ETC.

Visitor and Attendee Information

15.—(1) This regulation applies to a person—

(a) providing close contact services (see regulation 16);

[[F55](b) carrying on a business of selling or providing food or drink (including intoxicating liquor) for consumption on the premises (see regulation 5);**]**

[[F56](ba) responsible for an indoor attraction including an amusement arcade, a bingo hall, a museum, a gallery or a cinema;

(bb) responsible for an indoor swimming or diving pool;

(bc) responsible for an indoor sports or exercise facility including a soft play area, a leisure centre, a gym, an equestrian centre, a venue relating to motor sport or an activity centre;

(bd) responsible for carrying on the business of, providing the service of, or operating any tourist accommodation;**]**

(c) responsible for organising or operating a gathering which is a marriage ceremony **[**[F57]or a civil partnership ceremony**]** (see regulation 9); **[**[F58]or**]**

[F59](d) . . . . . .

(2) A person to whom this regulation applies must—

(a) where visitor or attendee information is not provided in advance, obtain that information at the time of the visit or attendance;

(b) record that information in a filing system (which may be an electronic system) suitable for recording, storing and retrieving the information;

(c) retain that information for a period of 21 days beginning with the date on which the visit or attendance took place; and

(d) destroy that information as soon as reasonably practicable after the expiry of that period unless there is some other lawful basis for its retention.

(3) A person to whom this regulation applies must provide visitor and attendee information to a relevant officer as soon as reasonably practicable and, in any event, within 24 hours of a relevant officer requesting it for the purpose of—

(a) preventing a threat to public health resulting from the spread of infection or contamination with coronavirus; and

(b) monitoring its spread and incidence.

(4) "Visitor and attendee information" means—

(a) the name and telephone number of each visitor and attendee over the age of 16; and

(b) the date of their visit or attendance and the time of their arrival.

Textual Amendments

F55 Reg. 15(1)(b) substituted (30.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **45**

F56 Reg. 15(1)(ba)-(bd) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **27**

F57 Words in reg. 15(1)(c) substituted (12.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **14**

F58 Word in reg. 15(1)(c) inserted (30.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **46**

F59 Reg. 15(1)(d) omitted (5.7.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021 (S.R. 2021/199), regs. 1(2), **11**

Restrictions on close contact services

[F60 16.—(1) A person must not provide a close contact service unless an appointment to provide the service has been booked in advance by on-line communication, telephone, text or electronic messaging.

(2) A person providing a close contact service must comply with the duty in Regulation 15 (Visitor and Attendee Information).

(3) Paragraphs (1) and (2) do not apply to a close contact service where it is—

(a) provided for the purpose of film or television production;

(b) ancillary to medical, health and social care services; or

(c) driving instruction for the test of competence to drive a vehicle provided by, or on behalf of, the Police Service of Northern Ireland, the Northern Ireland Ambulance Service Health and Social Care Trust, or the Northern Ireland Fire and Rescue Board.**]**

Textual Amendments

F60 Reg. 16 substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **20**

Requirement in relation to social distancing

17.—(1) A person responsible for the organisation or operation of a relevant place **[**[F61]or a relevant hospitality venue**]** (P) must take reasonable measures to ensure that P's servants and agents, and visitors to the place, comply with social distancing measures at all times.

(2) "Relevant place" means—

(a) a shop;

(b) an enclosed shopping centre and for these purposes premises are "enclosed" if they would be considered enclosed or substantially enclosed for the purposes of regulation 2 of the Smoke-free (Premises, Vehicle Operators and Penalty Notices) Regulations (Northern Ireland) 2007.

[F62](c) . . . . . .

[[F63](2A) "Relevant hospitality venue" means—

(a) the premises of a business or a members' club which sells or provides food or drink (whether or not including intoxicating liquor) for consumption on the premises and which is permitted to operate in accordance with regulation 5 (Restrictions on licenced and unlicenced premises); or

(b) an indoor attraction including an amusement arcade, a bingo hall, a museum, a gallery or a cinema.

(2B) "Social distance" means one metre in a relevant hospitality venue and two metres in a relevant place.**]**

(3) "Social distancing measures" means measures for the purpose of minimising the risk of exposure to, or spread of, coronavirus and includes ensuring—

(a) that P's servants and agents, and visitors to a relevant place **[**[F64]or a relevant hospitality venue,**]** are provided with information on how to minimise the risk of exposure to and the spread of coronavirus;

(b) that the persons referred to in paragraph (a) maintain a **[**[F65]social distance**]** from each other (unless members of the same **[**[F66]household, a bubble or a party seated at the same table in accordance with regulation 5(1)(d)**]**) by altering the layout of a relevant place **[**[F67]or a relevant hospitality venue**]** including those parts to which visitors do not customarily have access, managing and controlling the use of points of access and egress, shared facilities (such as toilets) and managing and controlling the means of moving from one part of a relevant place **[**[F67]or a relevant hospitality venue**]** to another;

(c) that persons waiting to enter a relevant place **[**[F68]or a relevant hospitality venue**]** maintain a **[**[F69]social distance**]** from each other (unless members of the same **[**[F70]household or a bubble**]**);

(d) that a relevant place is regularly cleaned, hygiene is maintained and in particular points or places which are likely to be used frequently by servants, agents and visitors (such as entry barriers and gates and card terminals) are regularly sanitised.

(4) Where it is not reasonably practicable for a social distance [F71]... to be maintained, P must take reasonable steps to ensure that—

(a) close face to face contact between persons is limited;

(b) barriers or screens are installed and maintained; and

(c) personal protective equipment is used where appropriate and is made readily available.

Textual Amendments

F61 Words in reg. 17(1) inserted (28.5.2021 at 1.30 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 5) Regulations (Northern Ireland) 2021 (S.R. 2021/141), regs. 1(2), **8**

F62 Reg. 17(2)(c) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **28**

F63 Reg. 17(2A)(2B) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **29**

F64 Words in reg. 17(3)(a) inserted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **30**

F65 Words in reg. 17(3)(b) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **31**

F66 Words in reg. 17(3)(b) substituted (30.4.2021 at 6.00 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 3) Regulations (Northern Ireland) 2021 (S.R. 2021/117), regs. 1(2), **2(c)**

F67 Words in reg. 17(3)(b) inserted (28.5.2021 at 1.30 p.m.) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 5) Regulations (Northern Ireland) 2021 (S.R. 2021/141), regs. 1(2), **9**

F68 Words in reg. 17(3)(c) inserted (28.5.2021 at 1.30 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 5) Regulations (Northern Ireland) 2021 (S.R. 2021/141), regs. 1(2), **10**

F69 Words in reg. 17(3)(c) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **31**

F70 Words in reg. 17(3)(c) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **21**

F71 Words in reg. 17(4) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **32**

Enforcement Officers and Premises Improvement Notices

18.—(1) A district council may designate a person as an enforcement officer for the purposes of these Regulations.

(2) An enforcement officer may exercise the powers of a constable in relation to regulations 3 to 8 and 15 to 17.

(3) An enforcement officer may issue a notice (a "premises improvement notice") to a person (P) responsible for carrying on a business at, or providing services from, the premises to which the notice relates if the enforcement officer considers that—

(a) P is not complying with a requirement imposed on P under regulations 3 to 8 and 15 to 17; and

(b) the measures specified in the notice are **[**[F72]reasonably**]** necessary and proportionate in order to ensure that P does so comply.

(4) A premises improvement notice must specify the—

(a) premises to which it relates;

(b) measures the enforcement officer **[**[F73]reasonably**]** requires P to take in order to ensure that P complies with a requirement under regulations 3 to 8 and 15 to 17; and

(c) time limit, which must not be less than 48 hours beginning with the time the notice is issued, within which the measures must be taken.

(5) An enforcement officer must issue a notice terminating a premises improvement notice (a "termination notice") if satisfied that—

(a) the measures specified in the premises improvement notice have been taken; or

(b) other measures have been taken to **[**[F74]reasonably**]** ensure that regulations 3 to 8 and 15 to 17 are complied with.

(6) A premises improvement notice ceases to have effect upon the issue of a termination notice.

(7) A premises improvement notice or a termination notice is issued by giving P a written copy of it.

(8) Where P is not on the premises to which a notice relates when it is to be issued, the notice is to be treated as having been issued to P—

(a) if a written copy of it is given to another person on the premises who appears to be involved in the business or service in question; or

(b) if there is no such person on the premises at that time, a written copy of the notice is placed in a conspicuous position on or at the premises.

(9) As soon as reasonably practicable after issuing a premises improvement notice, the enforcement officer must—

(a) display a copy of the notice, and a sign in the form set out in Schedule 3, in a prominent place near every entrance to the premises; and

(b) arrange for the notice to be published on the website of the district council for the local government district in which the premises are located.

(10) A notice or sign referred to in sub-paragraph (9)(a) must be at least A4 size.

(11) A person must not remove a notice or sign required to be displayed under paragraph (9)(a) for as long as it has effect.

Textual Amendments

F72 Word in reg. 18(3)(b) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **22**

F73 Word in reg. 18(4)(b) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **23**

F74 Word in reg. 18(5)(b) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **24**

Linked Households

19.—(1) No more than two households may be linked households for the purposes of these Regulations.

[[F75](1A) Two households that are linked in accordance with this regulation are a "bubble".**]**

(2) A household may choose to be linked with one other household for the purpose of the members of either linked household providing care or welfare support to members of the other linked household provided that—

(a) neither the first household nor the second household are linked with another household for the purpose of these Regulations; and

(b) all the adult members of each household agree.

(3) Households cease to be linked where the members of one, or both, cease to provide care or welfare support to the members of the other.

(4) Where households cease to be linked, neither household may be linked with another household unless—

(a) it is reasonable to do so for caring or welfare purposes; and

(b) at least ten days has expired since that cessation.

Textual Amendments

F75 Reg. 19(1A) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **25**

PART 6

ENFORCEMENT

Enforcement of requirement

20.—(1) A relevant officer may take any action necessary to establish whether a breach of these Regulations has occurred or to enforce a requirement imposed under these Regulations.

(2) A relevant officer may give a prohibition notice to a person (P) if the relevant officer reasonably believes that—

(a) P is contravening a requirement under these Regulations; and

(b) it is **[**[F76]reasonably**]** necessary and proportionate to give the prohibition notice for the purpose of preventing P from continuing to contravene the requirement.

(3) A prohibition notice must specify the—

(a) contravention to which it relates; **[**[F77]and**]**

(b) measures the enforcement officer **[**[F78]reasonably**]** requires P to take in order to ensure that P **[**[F79]complies with the requirement.**]**

[F80](c) . . . . . .

[F81](4) . . . . . .

[F82](5) . . . . . .

(6) A prohibition notice [F83]... is issued by giving P a written copy of it, but where P is not on premises to which a notice relates when it is to be issued, the notice is to be treated as having been issued to P—

(a) if a written copy of it is given to another person on the premises who appears to be involved in the business or service in question; or

(b) if there is no such person on the premises at that time, a written copy of the notice is placed in a conspicuous position on or at the premises.

(7) A relevant officer may direct a person (P) to return to the place where P normally lives where—

(a) the relevant officer considers that P is outside of the place where P normally lives; and

(b) that P is engaged in, or is intending to engage in, activity prohibited by these Regulations.

(8) Where a relevant officer considers that there is a gathering in contravention of Part 3, the relevant officer may—

(a) direct the gathering to disperse;

(b) direct a person at the gathering to return to the place where they normally live; or

(c) remove a person from the gathering and in doing so use reasonable force.

(9) Where a person who is in a gathering in contravention of Part 3, is a child accompanied by an individual who has responsibility for the child—

(a) the relevant officer may direct that individual to take the child to the place where the child normally lives; and

(b) that individual must, so far as reasonably practicable, ensure that the child complies with a direction or instruction given by the relevant officer to the child.

(10) Where a relevant officer has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction under Part 3, the relevant officer may direct an individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.

(11) A relevant officer may only exercise the power under this regulation if the relevant officer considers that it is a necessary and proportionate means of ensuring compliance with any restriction or requirement in these Regulations.

(12) A relevant officer exercising a power under this regulation may give the person concerned any reasonable instruction the relevant officer considers to be necessary.

(13) For the purposes of this regulation—

(a) "child" means a person under the age of 18;

(b) an individual has responsibility for a child if the individual—

(i) has custody or charge of the child for the time being; or

(ii) has parental responsibility for the child (within the meaning of the Children (Northern Ireland) Order 1995 [M6]).

(c) references to a requirement include references to a restriction.

Textual Amendments

F76 Word in reg. 20(2)(b) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **26**

F77 Word in reg. 20(3)(a) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **27**

F78 Word in reg. 20(3)(b) inserted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **28(a)**

F79 Words in reg. 20(3)(b) substituted (23.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **28(b)**

F80 Reg. 20(3)(c) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **29**

F81 Reg. 20(4) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **30**

F82 Reg. 20(5) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **31**

F83 Words in reg. 20(6) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **32**

Marginal Citations

M6 S.I. 1995/ 755 (N.I. 2)

Appeals against notices

21.—(1) A person to whom a premises improvement notice or a prohibition notice (a "notice") is issued may appeal to a court of summary jurisdiction against the notice if it contains a requirement or restriction to which this regulation applies and to which a person would not be subject but for the notice.

(2) This regulation applies to a requirement or restriction in a notice that a person—

(a) wear protective clothing;

(b) close premises or part of premises;

(c) provide information or answer questions about the person's health or other circumstances;

(d) attend training or advice sessions on how to reduce the risk of infecting or contaminating others;

(e) disinfect or decontaminate premises or a part of premises or a thing;

(f) abstain from working or trading.

(3) An appeal must be made—

(a) to a court of summary jurisdiction in accordance with Article 76 of the Magistrates' Courts (Northern Ireland) Order 1981 [M7]; and

(b) within a period of 7 days beginning with the day the notice is issued.

(4) A court of summary jurisdiction may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (3)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period and for any delay in applying for permission to appeal out of time.

(5) A court of summary jurisdiction may suspend the effect of a notice pending the determination of an appeal.

(6) On an appeal against a notice, a court of summary jurisdiction may—

(a) confirm the decision to issue the notice;

(b) direct that the notice is to cease to have effect;

(c) modify the notice; or

(d) make any other order it considers appropriate.

(7) An appeal by either party against the decision of a court of summary jurisdiction under this regulation may be made under Article 143(3)(c) of the Magistrates' Courts (Northern Ireland) Order 1981 to the county court which may confirm, vary or reverse the decision of the court of summary jurisdiction.

Marginal Citations

M7 S.I. 1981/ 1675 (N.I. 26)

Offences and Penalties

22.—(1) A person who, without reasonable excuse, contravenes a requirement under [F84]... these Regulations, commits an offence.

(2) A person who, without reasonable excuse, obstructs a person carrying out a function under these Regulations commits an offence.

(3) A person who, without reasonable excuse, contravenes a direction or fails to comply with a reasonable instruction, or fails to comply with an improvement notice given by an enforcement officer under regulation 18 or a prohibition notice given by a relevant officer under regulation 20, commits an offence.

(4) An offence—

(a) under regulation **[**[F85]3 to 8**]**, 10(1), 16 or 17 is punishable on summary conviction by a fine not exceeding £10,000;

(b) under any other provision referred to in this regulation, is punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

(5) Article 26 of the Police and Criminal Evidence (Northern Ireland) Order 1989 [M8] applies in relation to an offence under this regulation as if the reasons in paragraph (5) of that Article included—

(a) to maintain public health;

(b) to maintain public order.

(6) For the purposes of this regulation, references to a requirement include references to a restriction.

Textual Amendments

F84 Word in reg. 22(1) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **33**

F85 Words in reg. 22(4)(a) substituted (12.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **16**

Marginal Citations

M8 S.I. 1989/1341 (N.I. 12)

Fixed Penalty Notices

23.—(1) A relevant officer may issue a fixed penalty notice to anyone that the constable reasonably believes has committed an offence under these Regulations and is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging a liability to conviction for the offence by payment of a fixed penalty to the authority specified in the notice.

(3) The authority specified in the notice must be—

(a) in the case of a notice issued by an enforcement officer, the district council in whose area the offence is alleged to have been committed; or

(b) in the case of a notice issued by a constable, the clerk of petty sessions.

(4) Where a person is issued with a notice under this regulation for an offence—

(a) no proceedings may be taken for the offence before the end of the period of 28 days beginning with the day immediately following the date of the notice;

(b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(5) A fixed penalty notice must—

(a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;

(b) state the period during which (because of paragraph (4)(a)) proceedings will not be taken for the offence;

(c) specify the amount of the fixed penalty;

(d) state the name and address of the person to whom the fixed penalty must be paid;

(e) specify permissible methods of payment;

(f) inform the person to whom it is given of the right to ask to be tried for the offence.

(6) In the case of an offence consisting of—

(a) a breach of regulation **[**[F86]3 to 8**]**, 10(1), 16 or 17;

(b) obstruction referred to in regulation 22(2) which is committed in connection with the breach referred to in paragraph (a);

(c) contravention or non-compliance referred to in regulation 22(3) which is committed in connection with the breach referred to in paragraph (a), the amount specified under paragraph (5)(c) must be—

(i) £1,000 if a fixed penalty notice is the first one issued to a person for such a breach;

(ii) £2,000 if a fixed penalty notice is the second one issued to a person for such a breach;

(iii) £4,000 if a fixed penalty notice is the third one issued to a person for such a breach;

(iv) £10,000 if a fixed penalty notice is the fourth one, or a subsequent one, issued to a person for such a breach.

(d) For the purposes of paragraph (c) a breach of a requirement of the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 may be treated as a breach of the same requirement of these regulations.

(7) In the case of an offence consisting of—

(a) a breach of any other provision of these Regulations;

(b) obstruction referred to in regulation 22(2) which is committed in connection with the breach referred to in paragraph (a);

(c) contravention or non-compliance referred to in regulation 22(3) which is committed in connection with the breach referred to in paragraph (a), the notice must specify that the amount of the fixed penalty is—

(i) £200; or

(ii) £100 if that amount is paid before the end of the period of 14 days following the date of the notice.

(8) A person who has previously been issued with a fixed penalty notice for an offence referred to in paragraph (7) ("offence A")—

(a) shall not be issued with a fixed penalty notice for a further offence committed in connection with, offence A; but

(b) may be issued with a fixed penalty notice for a different offence under that paragraph (offence B) which is unconnected with offence A.

(9) Despite a fixed penalty notice specifying some other method of payment under paragraph (5)(e), payment of a fixed penalty may be effected by posting to the person whose name is stated under paragraph (5)(d), at the stated address, a pre-paid letter containing the amount of the penalty (in cash or otherwise).

(10) Where a letter is sent as mentioned in paragraph (9), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(11) In the case of a notice issued by an enforcement officer, the payment received by a district council under this regulation accrues to that council.

(12) In any proceedings, a certificate—

(a) that purports to be signed by or on behalf of the authority specified in the notice; and

(b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate;

is evidence of the facts stated.

Textual Amendments

F86 Words in reg. 23(6)(a) substituted (12.4.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **17**

PART 7

REGISTRATION CERTIFICATES ETC.

Effect of fixed penalty notice

24.—(1) This regulation applies if a fixed penalty notice is issued to a person under regulation 23.

(2) If the person asks to be tried for the alleged offence, proceedings may be brought against the person.

(3) If after the end of the period of 28 days referred to in regulation 23(4)(a)—

(a) the penalty has not been paid; and

(b) the person has not made a request to be tried for the alleged offence;

a sum equal to one and a half times the amount of the penalty ("default amount") may be registered under regulation 26 for enforcement against the person ("the defaulter") as a fine.

(4) Paragraph (3) does not apply to a fixed penalty under these Regulations of £1,000 or more.

Registration certificates

25.—(1) This regulation applies where a default amount under regulation 24 may be registered under regulation 26 for enforcement against a defaulter as a fine.

(2) The Chief Constable or an enforcement officer—

(a) may, in the case of a default amount, issue a certificate (a "registration certificate") stating that it is registrable under regulation 26 for enforcement against the defaulter as a fine; and

(b) must cause a certificate so issued to be sent to the clerk of petty sessions.

(3) The Chief Constable may authorise a person to carry out the functions of the Chief Constable under paragraph (2).

(4) A registration certificate must—

(a) give particulars of the offence to which the penalty notice relates, and

(b) state the name and last known address of the defaulter and the default amount.

Registration of penalty

26.—(1) Where the clerk of petty sessions receives a registration certificate in respect of a default amount, the clerk must register that amount for enforcement as a fine by entering it in the Order Book of a court of summary jurisdiction.

(2) On registering an amount under this regulation, the clerk of petty sessions must give to the defaulter notice of registration—

(a) specifying the default amount and requiring its payment of it by a date, not less than 28 days from the date of registration, as may be specified in the notice, and

(b) giving the information about the offence included in the registration certificate under regulation 25(4)(a).

(3) On the registration of a default amount in the Order Book, a statutory provision referring (in whatever terms) to a fine imposed or a sum adjudged to be paid by a conviction of the court shall have effect in the case in question as if the amount so registered were a fine imposed by that court on the conviction of the defaulter on the date of the registration.

(4) The clerk of petty sessions must refer the case to a district judge (magistrates' courts) for the judge to consider whether to make a collection order under section 3 of the Justice Act (Northern Ireland) 2016 [M9].

(5) An order under paragraph (4) may be made without a court hearing.

(6) Where a collection order is made, the date specified in the order as the date by which the default amount must be paid must, unless the court directs otherwise, be the same as the date specified in the notice of registration under paragraph (2)(a).

Marginal Citations

M9 2016 c.21

Challenge to notice

27.—(1) This regulation applies where—

(a) a person (P) who has received notice of the registration of a default amount under regulation 26 makes a statutory declaration to the effect mentioned in paragraph (2); and

(b) that declaration is served on the clerk of petty sessions within 21 days of the date on which P received notice of the registration.

(2) The statutory declaration must state—

(a) that P was not the person to whom the relevant fixed penalty notice was given; or

(b) that P gave notice requesting to be tried for the alleged offence as permitted by the fixed penalty notice before the end of the period of 28 days specified in that fixed penalty notice.

(3) Where paragraph (2)(a) applies the following shall be void –

(a) the relevant fixed penalty notice;

(b) the registration of the default amount under regulation 26; and

(c) any proceedings taken for its enforcement prior to P's statutory declaration being served.

(4) Where paragraph (2)(b)applies—

(a) the following shall be void—

(i) the registration of the default amount under regulation 26; and

(ii) any proceedings taken for its enforcement prior to P's statutory declaration being served; and

(b) P shall be treated, after P's statutory declaration is served, as if P had given notice requesting to be tried for the alleged offence referred to in P's declaration.

(5) In a case within paragraph (2)(b), Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 (limitation of time) shall have effect as if for the reference to the time when the offence was committed there were substituted a reference to the date of the statutory declaration made for the purposes of paragraph (1).

(6) Paragraph (7) applies where, on the application of P, it appears to a court of summary jurisdiction that it was not reasonable to expect P to serve, within 21 days of the date on which P received the notice referred to in paragraph (1)(a) a statutory declaration to the effect mentioned in paragraph (2).

(7) The court may accept service of a declaration by P after that period has expired and a statutory declaration so accepted shall be taken to have been served as required by paragraph (1)(b).

(8) In this regulation references to proceedings for enforcing payment of the default amount are references to a process issued or other proceedings taken for or in connection with enforcing payment of that amount (including the making of a collection order).

(9) For the purposes of this regulation, P shall be taken to receive notice referred to in paragraph (1) when P receives notice either of registration under regulation 26 or of proceedings for enforcing payment of the registered default amount.

(10) Nothing in this regulation prejudices a right a person may otherwise have in the case of an action purportedly taken under these Regulations which is not in fact authorised by them.

(11) Accordingly, references in this regulation to the registration of a default amount or to any other action taken under these Regulations are not to be read as implying that the registration or action was validly made or taken.

Setting aside of sum enforceable under regulation 26

28.—(1) A court of summary jurisdiction may, in the interests of justice, set aside a default amount enforceable as a fine under regulation 26.

(2) Where a court sets aside a default amount, it must give a direction that either—

(a) no further action is to be taken for the alleged offence that gave rise to the fixed penalty notice concerned; or

(b) that the case is to be treated as if the person concerned had given notice requesting to be tried for that offence.

(3) Where a court gives a direction under paragraph (2)(a), the following shall be void—

(a) the fixed penalty notice concerned;

(b) the registration of the default amount under regulation 26; and

(c) any proceedings taken for enforcing its payment.

(4) Where a court gives a direction under paragraph (2)(b)—

(a) the following shall be void—

(i) the registration of the default amount under regulation 26; and

(ii) any proceedings taken for enforcing its payment; and

(b) Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 (limitation of time) shall have effect as if for the reference to the time when the offence was committed there were substituted a reference to the date of the setting aside.

(5) In this regulation references to proceedings for enforcing payment of the default amount are references to any process issued or other proceedings taken for or in connection with enforcing payment of that amount (including the making of a collection order).

PART 8

REVOCATIONS, SAVINGS AND EXPIRY

Revocations

29. The following Regulations are revoked—

(a) the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 [M10];

(b) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment) Regulations (Northern Ireland) 2020 [M11];

(c) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 2) Regulations (Northern Ireland) 2020 [M12];

(d) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 3) Regulations (Northern Ireland) 2020 [M13];

(e) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 4) Regulations (Northern Ireland) 2020 [M14];

(f) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 5) Regulations (Northern Ireland) 2020 [M15]

(g) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 6) Regulations (Northern Ireland) 2020 [M16]

(h) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 7) Regulations (Northern Ireland) 2020 [M17]

(i) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 8) Regulations (Northern Ireland) 2020 [M18]

(j) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 9) Regulations (Northern Ireland) 2020 [M19];

(k) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 10) Regulations (Northern Ireland) 2020 [M20];

(l) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 11) Regulations (Northern Ireland) 2020 [M21];

(m) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 12) Regulations (Northern Ireland) 2020 [M22];

(n) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 13) Regulations (Northern Ireland) 2020 [M23];

(o) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 14) Regulations (Northern Ireland) 2020 [M24];

(p) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 15) Regulations (Northern Ireland) 2020 [M25];

(q) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 16) Regulations (Northern Ireland) 2020 [M26];

(r) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 17) Regulations (Northern Ireland) 2020 [M27];

(s) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 18) Regulations (Northern Ireland) 2020 [M28];

(t) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 19) Regulations (Northern Ireland) 2020 [M29];

(u) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 20) Regulations (Northern Ireland) 2020 [M30];

(v) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 21) Regulations (Northern Ireland) 2020 [M31];

(w) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 22) Regulations (Northern Ireland) 2020 [M32];

(x) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 23) Regulations (Northern Ireland) 2020 [M33];

(y) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 24) Regulations (Northern Ireland) 2020 [M34];

(z) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 25) Regulations (Northern Ireland) 2020 [M35];

(aa) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment) Regulations (Northern Ireland) 2021 [M36];

(bb) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.2) Regulations (Northern Ireland) 2021 [M37];

(cc) (the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.3) Regulations (Northern Ireland) 2021 [M38];

(dd) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.4) Regulations (Northern Ireland) 2021 [M39]; and

(ee) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.5) Regulations (Northern Ireland) 2021 [M40];

(ff) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.6) Regulations (Northern Ireland) 2021 [M41];

(gg) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.7) Regulations (Northern Ireland) 2021 [M42].

Marginal Citations

M10 S.R. 2020 No. 150
M11 S.R. 2020 No. 170
M12 S.R. 2020 No. 187
M13 S.R. 2020 No. 195
M14 S.R. 2020 No. 198
M15 S.R. 2020 No. 202
M16 S.R. 2020 No. 204
M17 S.R. 2020 No. 210
M18 S.R. 2020 No. 213
M19 S.R. 2020 No. 224
M20 S.R. 2020 No. 225
M21 S.R. 2020 No. 232
M22 S.R. 2020 No. 239
M23 S.R. 2020 No. 250
M24 S.R. 2020 No. 255
M25 S.R. 2020 No. 256
M26 S.R. 2020 No. 274
M27 S.R. 2020 No. 287
M28 S.R. 2020 No. 290
M29 S.R. 2020 No. 323
M30 S.R. 2020 No. 335
M31 S.R. 2020 No. 343
M32 S.R. 2020 No. 346
M33 S.R. 2020 No. 352
M34 S.R. 2020 No. 356
M35 S.R. 2020 No. 358
M36 S.R. 2021 No. 3
M37 S.R. 2021 No. 18
M38 S.R. 2021 No. 27
M39 S.R. 2021 No. 29
M40 S.R. 2021 No. 46
M41 S.R 2021 No. 71

M42 S.R 2021 No. 91

Savings

30.—(1) Where, under the Health Protection (Coronavirus, Restrictions) (No.2) Regulations 2020 (the "No.2 Regulations"), an offence has been committed but not disposed of before these Regulations come into operation, the No.2 Regulations continue in operation (as they were immediately before these Regulations come into operation) for the purpose of disposing of that offence.

(2) Where—

(a) by virtue of regulation 2 of the Health Protection (Coronavirus, Restrictions) (No.2) Regulations 2020 (the "No.2 Regulations"), the Health Protection (Coronavirus, Restrictions) Regulations 2020 remained in operation for the purpose of disposing of an offence committed under them but not so disposed of before the No.2 Regulations came into operation; and

(b) that offence remains to be disposed of immediately before these Regulations come into operation;

the Health Protection (Coronavirus, Restrictions) Regulations 2020 (and regulation 2 of the No.2 Regulations) shall remain in operation for the purpose of disposing of that offence.

Expiry

31.—(1) These Regulations expire on 12 October 2021.

(2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Sealed with the Official Seal of the Department of Health at 8.00 pm on 7th April 2021

L.S.

Elizabeth Redmond
A senior officer of the
Department of Health

SCHEDULE 1 Regulation 3

PART 1

Businesses, service providers and premises subject to closure

1.—(1) Nightclubs.

(2) Conference halls and conference facilities, including those in hotels, except when used for **[**[F87]a purpose other than a conference**]**.

(3) Theatres and Concert Halls except for the purpose of a rehearsal or of a live recording, in both cases without an audience.

[F88](4) . . . . . .

[F89](5) . . . . . .

[F90](6) . . . . . .

[F91](7) . . . . . .

[F92](8) . . . . . .

[F93](9) . . . . . .

[F94](10) . . . . . .

[F95](11) . . . . . .

[F96](12) . . . . . .

Textual Amendments

F87 Words in Sch. 1 para. 1(2) substituted (24.5.2021) by The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(a)**

F88 Sch. 1 para. 1(4) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **33(a)**

F89 Sch. 1 para. 1(5) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

F90 Sch. 1 para. 1(6) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

F91 Sch. 1 para. 1(7) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

F92 Sch. 1 para. 1(8) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

F93 Sch. 1 para. 1(9) omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **33(f)**

F94 Sch. 1 para. 1(10) omitted (12.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/97), regs. 1(2), **18**

F95 Sch. 1 para. 1(11) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

F96 Sch. 1 para. 1(12) omitted (24.5.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021 (S.R. 2021/130), regs. 1(2), **34(b)**

Regulation 4

[F97]PART 2

Essential retail business

Textual Amendments

F97 Sch. 1 Pt. 2 omitted (30.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(3), **53**

2. . . . . .

SCHEDULE 2

Regulation 16

Close contact services

1. "Close contact service" means—
   (a) hairdressing or barbering;
   (b) provision of beauty or aesthetics treatments including treatments in relation to nails or makeup;
   (c) tattooing;
   (d) tanning;
   (e) services in spas;
   (f) sports and massage therapy;
   (g) well-being and holistic therapies;
   (h) dress fitting, tailoring and fashion design [F98]...;
   (i) body piercing;
   (j) electrolysis;
   (k) training in any of the services listed at (a) to (j) [F98]...;
   (l) driving instruction for the test of competence to drive a vehicle other than a motorcycle established by Article 5 of the Road Traffic (Northern Ireland) Order 1981 [M43].

Textual Amendments

F98 Words in Sch. 2 para. 1 omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **34(a)**

Marginal Citations

M43 S.I. 1981/154 (N.I. 1)

F99 2. . . . . .

Textual Amendments

F99 Sch. 2 para. 2 omitted (23.4.2021) by virtue of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 2) Regulations (Northern Ireland) 2021 (S.R. 2021/109), regs. 1(2), **34(b)**

SCHEDULE 3

Regulation 18

Sign to be displayed with premises improvement notice

[District council name and logo]

CORONAVIRUS -

PUBLIC HEALTH

PREMISES REQUIRE IMPROVEMENT

A Premises Improvement Notice has been served in respect of these premises, requiring measures to be taken to ensure compliance with Coronavirus legislation.

The measures to be taken are set out in the Notice displayed with this sign.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020, with savings. They require the closure of certain businesses, services and premises listed in the Schedule, to protect against the risks to public health arising from coronavirus, except for limited permitted uses. They impose restrictions on gatherings, both indoor and outdoor, unless for certain purposes and the organiser or operator of a gathering may

be required to undertake a risk assessment and comply with relevant guidance. They also impose restrictions on gatherings in private dwellings, subject to exceptions.
The need for the restrictions must be reviewed by the Department of Health, with the first review taking place by 15 April 2021.
No regulatory impact assessment has been prepared for these Regulations.

Status:
Point in time view as at 05/07/2021.

Changes to legislation:
There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021.