

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. 71

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions)
(Amendment) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 6.30 p.m. on 24th April 2020</i>
<i>Laid before the Assembly</i>		<i>at 7.30 p.m. on 24th April 2020</i>
<i>Coming into operation</i>		<i>at 11.00 p.m. on 24th April 2020</i>

The Department of Health⁽¹⁾, makes the following Regulations in exercise of the powers conferred by sections 25C(1), (3)(c), (4)(d) and 25F(2) of the Public Health Act (Northern Ireland) 1967⁽²⁾.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Northern Ireland.

The Department of Health considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 25Q of that Act the Department of Health is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, the Assembly.

Citation and commencement

1. These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation at 11.00 p.m. on 24th April 2020.

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

(2) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)

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

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

(2) In regulation 4(8) (further restrictions and closures during the emergency period), omit the words “or burial ground” in both places and “or burials”.

(3) After regulation 4, insert—

“Restriction applicable to burial grounds

4A. During the emergency period, a person who is responsible for a burial ground must take all reasonable measures to ensure that a distance of at least two metres is maintained between every person at the burial ground (except between members of the same household).”.

(4) In regulation 5 (restrictions on movement)—

(a) in paragraph (2), after sub-paragraph (g), insert—

“(ga) to visit a burial ground to pay respects to a member of the person’s household, family member or friend;”;

(b) after paragraph (4), insert—

“(5) A person who leaves the place where they are living does not do so with reasonable excuse under paragraph (2)(b) unless any associated travel that is not in itself exercise is reasonable, having regard to all the circumstances including the nature of the exercise to be taken.”.

Sealed with the Official Seal of the Department of Health at 6.30 p.m. on 24th April 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) Regulations (Northern Ireland) 2020. Regulation 4 is amended to remove the requirement to close burial grounds to members of the public. Regulation 4A is inserted to impose a duty on a person who is responsible for a burial ground to take all reasonable measures to ensure that a distance of at least two metres is maintained between every person at the burial ground, except between members of the same household. Regulation 5 is amended to include the need to visit a burial ground to pay respects to a member of the person's household, family member or friend as a reasonable excuse for a person to leave the place where they are living. Regulation 5 is also amended to clarify the circumstances in which a person may leave the place where they are living to take exercise.

No impact assessment has been prepared for these Regulations.