

*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.*

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STATUTORY RULES OF NORTHERN IRELAND

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**2021 No. 93**

**PUBLIC HEALTH**

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

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

The Department of Health<sup>(1)</sup>, 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<sup>(2)</sup>.

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.

**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.

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(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)

## (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<sup>(3)</sup>

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

“drink” unless otherwise stated does not include intoxicating liquor;

“elite athlete” means a person who—

- (i) derives all or the majority of their income from competing in sport,
- (ii) plays in a professional league or competition,
- (iii) is a senior representative nominated by a relevant sporting body, or
- (iv) is on an elite development pathway.

For the purposes of the definition of “elite athlete”—

- (a) “senior representative” means a person who is considered by a relevant sporting body to be a candidate to compete in a major competition;
- (b) “relevant sporting body” means—
  - (i) the recognised national governing body of a sport which may nominate athletes to compete in a major competition, or
  - (ii) the regional governing body of a sport which may nominate athletes to represent a county in Northern Ireland or the Republic of Ireland in an inter-county league or inter-county competition, where that league or competition is organised by the national governing body of the sport;
- (c) “elite development pathway” means a development pathway established by a relevant sporting body to prepare athletes to—
  - (i) derive a living from competing in that sport, or
  - (ii) compete in a major competition including the Olympic Games, Paralympic Games, Commonwealth Games, European Championships, World Championships or (in sports without international competition) inter-county competitions organised by the national governing body of the sport;

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

“harbour terminal”, “hotel” and “resident” have the meanings given to them in 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 section 2(2) of the Licensing (Northern Ireland) Order 1996<sup>(4)</sup>;

“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;

<sup>(3)</sup> S.I. 1992/235 (N.I. 3)  
<sup>(4)</sup> S.I. 1996/3158 (N.I. 22)

“sporting event” means a gathering for the purpose of exercise, competitive sport, recreational sport or sport training, and dance of any type shall be deemed to be a form of exercise or sport; “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.

- (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<sup>(5)</sup>, 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.

### **Review of the need for restrictions or requirements**

2. The Department of Health must review the need for restrictions and requirements imposed by these Regulations on or before each of 15 April, 13 May and 10 June 2021.

## **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 paragraph 1 of Schedule 1.

(2) Listed premises and listed businesses must close.

(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.

#### **Restrictions on non-essential retail businesses**

4.—(1) Paragraphs (2) and (3) apply to a retail business which—

- (a) offers goods for sale or hire or provides a service, and
- (b) is not wholly or mainly a retail business listed in paragraph 2 of Schedule 1 or a retail business referred to in paragraph (4).

(2) A retail business referred to in paragraph (1)—

- (a) must cease,
- (b) the premises from which the business is carried on must close, and

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(5) [S.R. 2007 No. 94](#)

- (c) no person must enter those premises.
- (3) But a retail business referred to in paragraph (1) may—
  - (a) deliver goods or services to a person who has made a prior request for, or ordered, them by on-line communication, telephone, text or electronic messaging or post;
  - (b) in the case of a car dealership which is a Motability dealer, permit a customer (and a carer who accompanies the customer) to collect a Motability vehicle following an on-line application;
  - (c) keep the premises necessary for the purposes referred to in sub-paragraphs (a) and (b) open (provided no customer enters any building).
- (4) A retail business selling baby equipment, clothing, footwear or electrical goods, or which is a garden centre or a plant nursery—
  - (a) must close, but
  - (b) may allow a customer to collect goods from its premises (provided no customer enters any building), where that customer has, in advance of their collection—
    - (i) requested or ordered the goods by on-line communication, telephone, text or electronic messaging or post and,
    - (ii) paid for them.

#### **Restrictions on licenced and unlicenced premises**

- 5.—(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—
- (a) must close the premises, or that part of them, in which that food or drink is consumed;
  - (b) must not sell or provide food or drink including intoxicating liquor for consumption on the premises;
  - (c) may sell or provide food or drink other than intoxicating liquor for consumption off the premises between the hours of 05.00a.m and 11.00pm; and
  - (d) must not make deliveries of food or drink between the hours of 11.00pm and 05.00a.m.
- (2) But a hotel or guesthouse may sell or provide—
- (a) food or drink for consumption on the premises to its residents; or
  - (b) intoxicating liquor for consumption on the premises by a resident (and not by any other person) in the accommodation provided for the private use of the resident, provided that the intoxicating liquor is not delivered to that accommodation in response to a request from the resident.
- (3) For the purposes of paragraph (1), food or drink (not including intoxicating liquor) is not to be treated as being sold for consumption, or as consumed, on the premises if sold or provided—
- (a) at a port, airport or motorway service station;
  - (b) on a ferry where the voyage to be undertaken by that vessel lasts or is expected to last in excess of 3 hours; or
  - (c) in a canteen in a workplace, school, prison, hospital, care home or military establishment.

#### **Restrictions on off-licence businesses**

- 6.—(1)** A person responsible for carrying on a business which sells or provides intoxicating liquor for consumption off the premises—

- (a) may continue to do so only from 08:00 on Monday to Saturday, and from 10.00a.m on Sunday, until 8.00p.m on any day, but
- (b) may not do so outside of those hours.
- (2) Paragraph (1) does not apply to an airport.
- (3) Intoxicating liquor sold or provided under this regulation must be sold in the manufacturer's original sealed packaging.

### **Restrictions on take-away food businesses**

7. A person responsible for carrying on a business which sells food or drink for consumption off the premises—
- (a) must not do so between the hours of 11 p.m. and 5 a.m.;
  - (b) may continue to do so outside of those hours; and
  - (c) must not make deliveries of food or drink between the hours of 11 p.m. and 5 a.m..

### **Restrictions on Libraries**

- 8.—(1) A person responsible for providing a library service must cease to do so.
- (2) But where the library service includes facilities for visitors to access the internet—
- (a) those facilities may continue to be provided; and
  - (b) a visitor may enter the premises from which the library service is being operated for that purpose.
- (3) Books, materials and other items ordinarily provided as part of the library service may be delivered to, or collected by, a person who has ordered or requested them in advance by way of an on-line order or request, telephone or text or electronic messaging.
- (4) For the purposes of paragraph (3), a visitor may enter the premises from which the library service is being operated for the purpose of collecting an item that person has previously ordered or requested.

## **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), a sporting event (see Regulation 11) or a gathering in a private dwelling (see Regulation 12).
- (2) A person may only organise, operate or participate in an indoor gathering of more than one household if it consists of no more than six persons and no more than two households.
- (3) A person may only organise, operate or participate in an outdoor gathering which consists of no more than ten persons and no more than two households.
- (4) Paragraphs (2) and (3) do not apply to a gathering which fulfils the conditions in paragraph (5) and which is one of the following—
- (a) a funeral, a service associated with a funeral or an act of worship or belief, in a place of worship, a place where beliefs are practised or a place where funerals take place;

- (b) a marriage ceremony or civil partnership ceremony (not including a reception) in a place of worship or a place where beliefs are practised or any other place where those ceremonies may lawfully take place;
  - (c) an educational activity in a school or institute of higher or further education;
  - (d) an educational activity not in a school or institute of higher or further education where it is essential that the activity takes place face to face;
  - (e) a gathering in a workplace, when it is not reasonably practicable for the duties of a person participating in the gathering to be carried out at that person's private dwelling;
  - (f) a blood donation session or a vaccination session.
- (5) The conditions referred to in paragraph (4) 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) and complying with relevant guidance issued by a Northern Ireland Department.
- (6) A person responsible for organising or operating a gathering referred to in paragraph (4) 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 the guidance on funerals issued by the Department of Health but failure to do so does not constitute an offence under regulation 22;
  - (b) a person responsible for organising or operating a funeral or a service associated with a funeral must take reasonable steps to—
    - (i) ensure that the number of attendees including the celebrant does not exceed 25; and
    - (ii) comply with the duty in Regulation 15 (Visitor and Attendee Information).
  - (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—
- (a) ensure that the number of attendees including the celebrant does not exceed 25; and
  - (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.

### **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**

- 11.**—(1) A person must not attend a sporting event as a spectator.
- (2) A person must not organise, operate or participate in an indoor sporting event unless—
- (a) all of the participating athletes are elite athletes; or
  - (b) the sporting event is for the purpose of physical education in or for a school or schools.
- (3) A person must not organise, operate or participate in an outdoor sporting event unless—
- (a) all of the participating athletes are elite athletes;
  - (b) the sporting event is for the purpose of physical education in or for a school or schools;
  - (c) the number of participants does not exceed ten persons from no more than two households; or
  - (d) all of the participants are members of one household or members of one household and its linked household.

### **Restriction on gatherings: private dwellings**

- 12.**—(1) A person may only participate in a gathering in a private dwelling—
- (a) indoors which consists of no more than one household; or
  - (b) outdoors which consists of no more than six persons and no more than two households.
- (2) Paragraph (1) does not apply to a gathering indoors or outdoors which consists of one household and its linked household, 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 the guidance on funerals 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).

## PART 4

### RESTRICTIONS ON MOVEMENT ETC.

#### Overnight stays

**13.**—(1) No person may stay overnight at a place other than the place where they or members of their linked household normally live.

(2) But a person may stay overnight in another place—

- (a) where the overnight stay is in a bed and breakfast establishment, hotel, bunkhouse, hostel, guest accommodation, self-catering establishment or guest house which is exempt from closure under paragraph 1(12) of Schedule 1;
- (b) where it is reasonably necessary to do so in order to—
  - (i) access medical or hospital services;
  - (ii) attend a funeral of a member of the person's household, a close family member or a friend;
  - (iii) fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
  - (iv) access critical public services, including social services, childcare or educational facilities (where these are available to a child in relation to whom that person is the parent, or has parental responsibility for, or care of the child);
  - (v) access services provided to victims (such as victims of crime);
  - (vi) in the case of a minister of religion or worship leader, to go to their place of worship;
  - (vii) move house;
  - (viii) avoid injury or illness or to escape a risk of harm;
  - (ix) (in the case of an elite athlete, or the parent of an elite athlete who is under the age of 18) attend or participate in a sporting event.
- (c) for the purposes of work or to provide voluntary or charitable services, where it is not reasonably possible for that person to do so from the place where they normally live; or



- (d) where they are unable to return to their private dwelling due to an emergency.

### **Restrictions on movement**

**14.**—(1) No person may leave or be away from the place where they normally live other than as permitted by the other provisions of these Regulations or paragraph (2) of this regulation.

(2) A person may leave or remain away from the place where they normally live for the purpose (where permitted by these Regulations) of—

- (a) obtaining goods or services;
- (b) obtaining or providing medical assistance, including to access dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, sports massage therapy and other medical or health services, including services relating to mental health;
- (c) accessing veterinary surgeons and pet shops;
- (d) obtaining or providing care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(6), to a vulnerable person, or to provide emergency assistance;
- (e) donating blood;
- (f) attending work or providing voluntary or charitable services, where it is not reasonably possible for that person to do so from the place where they or members of their linked household normally live;
- (g) attending a funeral;
- (h) visiting a burial ground to pay respects to a member of the person’s household, family member or friend;
- (i) fulfilling a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (j) providing or accessing critical public services including youth services, childcare, social care, services provided by the Department for Communities, services provided to victims (such as victims of crime) and services provided by a district council or other public body, including household waste or recycling centres;
- (k) in relation to children who do not live in the same household as both or one of their parents, continuing existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child;
- (l) in the case of a minister of religion or belief leader, going to their place of worship or place where they practice their beliefs;
- (m) moving house and undertaking associated activities for that purpose, including visiting estate agents, viewing properties and making arrangements for removals;
- (n) avoiding injury or illness or escaping a risk of harm;
- (o) attending a place of worship or place where they practice their beliefs;
- (p) taking part in an outdoor gathering or activity;
- (q) attending to the care or welfare of animals, including to access animal care or welfare services, including boarding, stabling, grooming, exercising, sitting or training animals;
- (r) attending or participating in a marriage ceremony or civil partnership ceremony;

- (s) in the case of an elite athlete, or the parent of an elite athlete who is under the age of 18, attending or participating in a sporting event;
  - (t) visiting another person's private dwelling, either alone or accompanied by others;
  - (u) obtaining basic necessities, including food and medical supplies for their household or their linked household;
  - (v) taking exercise;
  - (w) staying overnight as permitted by regulation 13;
  - (x) taking part in, or assisting with, a lawful sporting event in an indoor or outdoor sports facility; or
  - (y) accessing library services.
- (3) For the purposes of paragraph (1), the place where a person normally lives includes a garden, yard, passage, stair, garage, outhouse or other appurtenance of or at that place.
- (4) Paragraph (1) does not apply to a person who is homeless.
- (5) "Critical public services" includes—
- (a) youth services or educational facilities (where these are available to a child or young person in relation to whom that person is the parent of, or has parental responsibility for or care of, the child);
  - (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) social care services;
  - (d) services provided by the Department for Communities;
  - (e) services provided to victims (such as victims of crime);
  - (f) services provided by a district council or other public body, including household waste or recycling centres.

## PART 5

### REQUIREMENTS ETC.

#### **Visitor and Attendee Information**

- 15.**—(1) This regulation applies to a person—
- (a) providing close contact services (see regulation 16);
  - (b) carrying on a business of selling or providing food or drink (not including intoxicating liquor) for consumption on the premises—
    - (i) at a port;
    - (ii) at an airport;
    - (iii) at a motorway service station; or
    - (iv) on a ferry where the crossing to be undertaken by that vessel lasts or is expected to last in excess of 3 hours (see regulation 5); or
  - (c) responsible for organising or operating a gathering which is a marriage ceremony, civil partnership ceremony or a funeral (see regulation 9).
- (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.

#### **Restrictions on close contact services**

- 16.**—(1) A “close contact service” listed in Schedule 2 must not be provided.
- (2) But a close contact service may be provided where it is—
- (a) provided for the purpose of film or television production;
  - (b) sport massage therapy or ancillary to medical, health and social care services;
  - (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.
- (3) In a case to which paragraph (2)(a) or (b) applies a person providing a close contact service must comply with the duty in Regulation 15 (Visitor and Attendee Information).

#### **Requirement in relation to social distancing**

- 17.**—(1) A person responsible for the organisation or operation of a relevant place (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.
- (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, 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 distance of 2 metres from each other (unless members of the same or a linked household) by altering the layout of a relevant place 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 to another;
  - (c) that persons waiting to enter a relevant place maintain a distance of 2 metres from each other (unless members of the same or a linked household);
  - (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 of 2 metres 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.

### **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 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 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 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.

### **Linked Households**

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

(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.

## **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 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;

- (b) measures the enforcement officer requires P to take in order to ensure that P complies with the requirement; 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.
- (4) An enforcement officer must issue a notice terminating a prohibition notice (a “termination notice”) if satisfied that—
- (a) the measures specified in the prohibition notice have been taken; or
  - (b) other measures have been taken to ensure that the requirement is complied with.
- (5) A prohibition notice ceases to have effect upon the issue of a termination notice.
- (6) A prohibition notice or a termination notice 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(7)).
- (c) references to a requirement include references to a restriction.

### **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(8); 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.

### **Offences and Penalties**

**22.**—(1) A person who, without reasonable excuse, contravenes a requirement under regulations 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.

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(7) [S.I. 1995/ 755 \(N.I. 2\)](#)

(8) [S.I. 1981/ 1675 \(N.I. 26\)](#)

(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 3 to 9, 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<sup>(9)</sup> 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.

### **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 3 to 9, 10(1), 16 or 17;

<sup>(9)</sup> S.I. 1989/1341 (N.I. 12)



- (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.

## 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(10).

(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).

### **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(**11**);
- (b) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment) Regulations (Northern Ireland) 2020(**12**);

(11) S.R. 2020 No. 150

(12) S.R. 2020 No. 170

- (c) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 2) Regulations (Northern Ireland) 2020**(13)**;
- (d) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 3) Regulations (Northern Ireland) 2020**(14)**;
- (e) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 4) Regulations (Northern Ireland) 2020**(15)**;
- (f) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 5) Regulations (Northern Ireland) 2020**(16)**;
- (g) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 6) Regulations (Northern Ireland) 2020**(17)**;
- (h) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 7) Regulations (Northern Ireland) 2020**(18)**;
- (i) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 8) Regulations (Northern Ireland) 2020**(19)**;
- (j) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 9) Regulations (Northern Ireland) 2020**(20)**;
- (k) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 10) Regulations (Northern Ireland) 2020**(21)**;
- (l) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 11) Regulations (Northern Ireland) 2020**(22)**;
- (m) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 12) Regulations (Northern Ireland) 2020**(23)**;
- (n) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 13) Regulations (Northern Ireland) 2020**(24)**;
- (o) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 14) Regulations (Northern Ireland) 2020**(25)**;
- (p) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 15) Regulations (Northern Ireland) 2020**(26)**;
- (q) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 16) Regulations (Northern Ireland) 2020**(27)**;
- (r) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 17) Regulations (Northern Ireland) 2020**(28)**;

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**(13)** [S.R. 2020 No. 187](#)

**(14)** [S.R. 2020 No. 195](#)

**(15)** [S.R. 2020 No. 198](#)

**(16)** [S.R. 2020 No. 202](#)

**(17)** [S.R. 2020 No. 204](#)

**(18)** [S.R. 2020 No. 210](#)

**(19)** [S.R. 2020 No. 213](#)

**(20)** [S.R. 2020 No. 224](#)

**(21)** [S.R. 2020 No. 225](#)

**(22)** [S.R. 2020 No. 232](#)

**(23)** [S.R. 2020 No. 239](#)

**(24)** [S.R. 2020 No. 250](#)

**(25)** [S.R. 2020 No. 255](#)

**(26)** [S.R. 2020 No. 256](#)

**(27)** [S.R. 2020 No. 274](#)

**(28)** [S.R. 2020 No. 287](#)

- (s) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 18) Regulations (Northern Ireland) 2020**(29)**;
- (t) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 19) Regulations (Northern Ireland) 2020**(30)**;
- (u) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 20) Regulations (Northern Ireland) 2020**(31)**;
- (v) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 21) Regulations (Northern Ireland) 2020**(32)**;
- (w) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 22) Regulations (Northern Ireland) 2020**(33)**;
- (x) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 23) Regulations (Northern Ireland) 2020**(34)**;
- (y) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 24) Regulations (Northern Ireland) 2020**(35)**;
- (z) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No. 25) Regulations (Northern Ireland) 2020**(36)**;
- (aa) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment) Regulations (Northern Ireland) 2021**(37)**;
- (bb) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.2) Regulations (Northern Ireland) 2021**(38)**;
- (cc) (the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.3) Regulations (Northern Ireland) 2021**(39)**;
- (dd) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.4) Regulations (Northern Ireland) 2021**(40)**; and
- (ee) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.5) Regulations (Northern Ireland) 2021**(41)**;
- (ff) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.6) Regulations (Northern Ireland) 2021**(42)**;
- (gg) the Health Protection (Coronavirus, Restrictions) (No.2) (Amendment No.7) Regulations (Northern Ireland) 2021**(43)**.

## 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

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- (29) S.R. 2020 No. 290
  - (30) S.R. 2020 No. 323
  - (31) S.R. 2020 No. 335
  - (32) S.R. 2020 No. 343
  - (33) S.R. 2020 No. 346
  - (34) S.R. 2020 No. 352
  - (35) S.R. 2020 No. 356
  - (36) S.R. 2020 No. 358
  - (37) S.R. 2021 No. 3
  - (38) S.R. 2021 No. 18
  - (39) S.R. 2021 No. 27
  - (40) S.R. 2021 No. 29
  - (41) S.R. 2021 No. 46
  - (42) S.R. 2021 No. 71
  - (43) S.R. 2021 No. 91

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 the delivery of hearings of Courts, Tribunals, public inquiries held by a Department, Appeals Services, and for the administrative support of these services.

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

(4) Outdoor visitor attractions including funfairs, inflatable parks, amusements arcades and skating rinks, but not including play areas, public parks, forest and country parks, outdoor areas of stately and historic homes, outdoor areas of castles and outdoor areas of properties operated by the National Trust.

(5) Indoor visitor attractions including bingo halls, museums, galleries and cinemas.

(6) Campsites and caravan parks for touring caravans including motorhomes, except to provide facilities to a person in the event of an emergency.

(7) Indoor swimming and diving pools.

(a) (8) (a) Indoor sports and exercise facilities, including soft play areas, leisure centres, gyms, equestrian centres, venues relating to motor sport and activity centres, except as permitted by Regulation 11 (Sporting events); but

(b) indoor toilet facilities of a sports or exercise facility, and access thereto, may be opened for use by persons taking part in a lawful outdoor sporting event at an outdoor area of that sports or exercise facility.

(9) Outdoor sports and exercise facilities including outdoor swimming and diving pools, activity centres, equestrian centres, marinas and venues relating to motor sport and water sport, except as permitted by regulation 11 (Sporting events).

(10) Car washes except for the cleaning and disinfection of commercial vehicles for the purposes of food safety and controlling risks to human, animal or plant health.

(11) A business of providing facilities for persons to consume intoxicating liquor in or on a conveyance.

(12) A bed and breakfast establishment, hotel, bunkhouse, hostel, guest accommodation, self-catering establishment or guest house except—

(a) to host a marriage ceremony or civil partnership ceremony (but not a reception, and subject to regulation 9(4)(b)); or

(b) in relation to residents who are—

(i) already resident on the date this schedule comes into operation;

(ii) resident for work-related purposes;

(iii) vulnerable people;

(iv) unable to return to their private dwelling due to an emergency; or

(v) resident for the purposes of accessing medical or hospital services.

Regulation 4



## PART 2

### Essential retail business

- 2.—(1) Food retailers.
- (2) Supermarkets, convenience stores and corner shops.
- (3) Newsagents.
- (4) Off licences and licensed shops selling alcohol (including breweries).
- (5) Pharmacies (including non-dispensing pharmacies) and chemists.
- (6) Building supplies businesses and hardware stores.
- (7) Petrol stations.
- (8) Pet shops, agricultural supplies shops, livestock markets and veterinary surgeons.
- (9) Motor vehicle repair and MOT services.
- (10) Bicycle shops.
- (11) Taxi or vehicle hire businesses.
- (12) Banks, building societies, credit unions, short-term loan providers and cash points, savings clubs and undertakings which by way of business operate currency exchange offices, transmit money (or any representation of money) by any means, or cash cheques which are made payable to customers.
- (13) Post Offices.
- (14) Funeral directors.
- (15) Laundrettes and dry cleaners.
- (16) Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, and other medical or health services, including services relating to mental health.
- (17) Car parks.
- (18) Public toilets.
- (19) Storage and distribution facilities for delivery and drop off.
- (20) Professional services including solicitors.
- (21) Dog groomers.
- (22) Fuel suppliers.
- (23) Ports, airports, train stations, bus stations and other transport services.
- (24) Maintenance or repair services for telecommunications or information technology devices.

### 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;

**Status:** This is the original version (as it was originally made).

- (d) tanning;
- (e) services in spas;
- (f) sports and massage therapy;
- (g) well-being and holistic therapies;
- (h) dress fitting, tailoring and fashion design (unless social distancing is maintained);
- (i) body piercing;
- (j) electrolysis;
- (k) training in any of the services listed at (a) to (j) (unless social distancing is maintained);
- (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<sup>(44)</sup>.

2. In this schedule “social distancing” means a distance of 2 metres between persons (unless members of the same or a linked household).

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<sup>(44)</sup> S.I. 1981/154 (N.I. 1)

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.

**Status:** This is the original version (as it was originally made).

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## 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.