

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 expiration of 28 days beginning with the day on which they are made.

STATUTORY RULES OF NORTHERN IRELAND

2022 No. 16

PUBLIC HEALTH

The Health Protection (Coronavirus, Restrictions)
Regulations (Northern Ireland) 2021 (Amendment
No.3) Regulations (Northern Ireland) 2022

Made - - - - at 11.50 a.m. on 26th
January 2022
at 12.20 p.m. on
Laid before the Assembly 26th January 2022
Coming into operation in accordance with
regulation 1(2)

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.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No.3) Regulations (Northern Ireland) 2022.

(2) These regulations come into operation at noon on 26th January 2022.

(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) 2021

2. The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021(3) are amended in accordance with Regulations 3 to 12.

3. Omit Regulation 2.
4. Omit Regulation 4(2)(g).
5. In Regulation 5(1) omit “2 or”.
6. Omit Regulation 5(1)(d).
7. In Regulation 9(1) omit “, an indoor standing event (see Regulation 11)”.
8. Omit Regulations 11 and 13.
9. Omit Regulation 16D(1)(a) and 16D(1)(c).
10. In Regulation 16D(1)(b) omit “(subject to regulation 11)”.
11. For Regulation 16E substitute—

“**16E.**—(1) This part applies to the “relevant premises” as referred to in paragraph (2) and (5)

(2) Nightclubs

(3) A “Nightclub” means a premises which meets all of the following conditions—

- (i) the business sells or provides intoxicating liquor for consumption on the premises or is carried on in premises where intoxicating liquor may be consumed on the premises;
- (ii) the business provides live or recorded music for members of the public or members of the venue to dance;
- (iii) the premises of the business are open at any time between midnight and 5.00 a.m. (where this condition is met the requirement in paragraph (1) applies at any time they are open).
- (iv) there is an entrance charge to the premises, which includes the purchase of a ticket in advance to gain entry to the premises.

(4) This regulation does not apply when a nightclub premises, or part thereof, is used solely for a purpose other than a nightclub.

(5) premises hosting a relevant event.”

12. In Regulation 22, after paragraph (6) insert—

“(7) This Regulation does not apply to Regulation 3.”

(3) S.R. 2021 No. 93 as amended by S.R. 2021 Nos. 97, 109, 117, 130, 141, 151, 172, 197, 199, 201, 217,220, 224, 233, 251, 276, 283, 292, 334 and 349 and S.R. 2022 Nos. 6 and 12.

Sealed with the Official Seal of the Department of Health at 11.50 am on 26th January 2022

(L.S.)

Dr Lourda Geoghegan
Deputy Chief Medical Officer

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 to permit dancing, permit nightclubs to reopen and amend the setting to which COVID-status Certification applies to. It also makes an amendment that failure to comply with Regulation 3 is not an offence.

No regulatory impact assessment has been prepared for these Regulations.