

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. 103

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions)
(Amendment No. 6) Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 7.30 p.m. on 11th June 2020</i>
<i>Laid before the Assembly</i>		<i>at 9.00 a.m. on 12th June 2020</i>
<i>Coming into operation in accordance with regulation 1</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.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 and shall come into operation in accordance with paragraphs (2) to (4).

(2) Regulations 1, 2(1), (2) (insofar as it relates to childcare), (3)(a), (c) and (d), (4)(a), (5) (insofar as it relates to childcare), (6) and (7) and 3 shall come into operation at 11.00 pm on 11th June 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)

(3) Regulation 2(4)(c) (insofar as it relates to visits to another person's dwelling) shall come into operation at 11.00 pm on 12th June 2020.

(4) Regulation 2(2) (insofar as it relates to elite athletes), (3)(b), (4)(b), (4)(c) (insofar as it relates to elite athletes) and (5) (insofar as it relates to elite athletes) shall come into operation at 11.00 pm on 14th June 2020.

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 1(2) (citation, commencement and interpretation), at the appropriate place insert—

““childcare” includes day care as defined in Article 19 of the Children (Northern Ireland) Order 1995⁽⁴⁾,”

““elite athlete” means an individual who—

- (i) derives a living from competing in a sport,
- (ii) plays in a professional league or competition,
- (iii) is a senior representative nominated by a relevant sporting body,
- (iv) is a member of the senior training squad for a relevant sporting body, or
- (v) is aged 16 or above and on an elite development pathway.

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

- (a) “elite development pathway” means a development pathway established by the national governing body of a sport to prepare athletes—
 - (i) so that they may derive a living from competing in that sport, or
 - (ii) to compete at that sport at the Tokyo or Beijing Olympic or Paralympic Games, or, if that sport is not part of the Tokyo Olympic and Paralympic Games programme, in the Commonwealth Games to be held in Birmingham;
- (b) “relevant sporting body” means the national governing body of a sport which may nominate athletes to represent—
 - (i) Great Britain and Northern Ireland or Ireland at the Tokyo or Beijing Olympic or Paralympic Games, or
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme;
- (c) “Senior representative” means an individual who is considered by a relevant sporting body to be a candidate to qualify to compete on behalf of—
 - (i) Great Britain and Northern Ireland or Ireland at the Tokyo or Beijing Olympic or Paralympic Games;
 - (ii) England, Wales, Scotland, Northern Ireland, Gibraltar, Guernsey, Jersey or the Isle of Man at the Commonwealth Games to be held in Birmingham in those sports which are not part of the Tokyo Olympic and Paralympic Games programme.”

(3) In regulation 4 (further restrictions and closures during the emergency period)—

⁽³⁾ S.R. 2020 No. 55, as amended by S.R. 2020 Nos. 71, 82, 84, 86 and 96

⁽⁴⁾ S.I. 1995/755 (N.I. 2)

- (a) for paragraphs (1) and (2), substitute—
 - “(1) A person responsible for providing library services must, during the emergency period—
 - (a) cease to do so, except by providing services in response to orders or enquiries received—
 - (i) through a website, or otherwise by on-line communication,
 - (ii) by telephone, including orders by text message, or
 - (iii) by post;
 - (b) close any premises which are not required to provide its services as permitted by sub-paragraph (a);
 - (c) cease to admit any person to its premises who is not required to provide its services as permitted by sub-paragraph (a).
 - (2) During the emergency period, a person responsible for carrying on a business listed in Part 3 of Schedule 2 may offer goods for sale or for hire in a shop, but may not provide a service listed in paragraph 13, 14, 15 or 16 of Part 2 of Schedule 2.”;
- (b) in paragraph (4), after sub-paragraph (a)(iv), insert—
 - “(v) is an elite athlete or the coach of an elite athlete or the parent of an elite athlete who is under the age of 18 and needs accommodation for the purpose of training.”;
- (c) in paragraph (6), after sub-paragraph (g), insert—
 - “(h) to provide childcare by a person who is registered in accordance with Part XI of the Children (Northern Ireland) Order 1995.”;
- (d) for paragraph (7), substitute—
 - “(7) A person who is responsible for a community centre must ensure that, during the emergency period, the community centre is closed except where it is used to provide—
 - (a) essential voluntary activities or urgent public support services upon the request of the Department of Health (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency); or
 - (b) childcare provided by a person who is registered in accordance with Part XI of the Children (Northern Ireland) Order 1995.”.
- (4) In regulation 5 (restrictions on movement), in paragraph (2)—
 - (a) for sub-paragraph (a), substitute—
 - “(a) to obtain goods from any business listed in Part 3 of Schedule 2.”;
 - (b) for sub-paragraph (l), substitute—
 - “(l) to move house and to undertake associated activities for that purpose, including visiting estate agents, viewing properties and making arrangements for removals.”;
 - (c) after sub-paragraph (s), insert—
 - “(t) in the case of a person who lives alone, to visit another person’s private dwelling, including staying one or more nights in that person’s dwelling;
 - (u) in the case of an elite athlete or the parent of an elite athlete who is under the age of 18, for the purpose of training.”.
- (5) In regulation 6 (restrictions on gatherings), after paragraph (e), insert—

- “(f) for the purposes of childcare provided by a person registered in accordance with Part XI of the Children (Northern Ireland) Order 1995,
- (g) where the persons in the gathering are elite athletes or the parents of elite athletes who are under the age of 18 and the gathering is essential for the purpose of training.”.
- (6) In regulation 6A (restrictions on outdoor gatherings), in paragraph (i), for “six people” substitute “ten people”.
- (7) In Schedule 2 (businesses subject to restrictions or closure)—
 - (a) in Part 2, omit paragraphs 21 and 23;
 - (b) in Part 3—
 - (i) for paragraph 24, substitute—

“**24.** Businesses offering goods for sale or hire in a shop, including food and drink, clothing, footwear, accessories, books and stationery, flowers and plants, music recordings and instruments, textiles, toys and games, sports goods, jewellery, cosmetics, toiletries, antiques and related items.”;
 - (ii) in paragraph 46, omit—
 - (aa) sub paragraphs (1), (2) and (3), and
 - (bb) in sub-paragraph (b), the words “(but not including the retail of items comprising solely or primarily of video games)”;
 - (iii) after paragraph 46, insert—

“**47.** Outdoor markets and auction houses.

48. Repairers of goods, including electrical and electronic items, shoes, clothing, furniture, tools, jewellery and related items.”.

Savings

3. Regulations 8 and 9 of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 continue to have effect in relation to any offence committed, or reasonably believed to have been committed, before these Regulations came into operation as if the amendments set out in regulation 2 had not been made.

Sealed with the Official Seal of the Department of Health at 7.30 pm on 11th June 2020

(L.S.)

Nigel McMahon
A senior officer of the Department 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 further amended to remove the restrictions on businesses offering goods for sale or for hire in a shop, to allow providers of holiday accommodation to provide accommodation services to elite athletes, and to allow a place of worship or a community centre to open for the purpose of providing childcare.

Regulation 5 is further amended to provide that the list of reasonable excuses for leaving the place where a person is living includes the need to obtain goods for any business listed in Part 3 of Schedule 2; to move house and to undertake associated activities for that purpose; in the case of a person who lives alone, to visit or stay in another person's dwelling; and in relation to an elite athlete, for the purpose of training.

Regulation 6A is amended, to allow for a total number of ten persons to participate in an outdoor gathering.

There are consequential amendments to Schedule 2.

No impact assessment has been prepared for these Regulations.