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STATUTORY RULES OF NORTHERN IRELAND

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**2020 No. 150**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus, Restrictions)  
(No. 2) Regulations (Northern Ireland) 2020**

|                                 |         |  |
|---------------------------------|---------|--|
| <i>Made</i>                     | - - - - | <i>at 5.45 p.m. on 23rd<br/>July 2020</i>  |
| <i>Laid before the Assembly</i> |         | <i>at 9.00 a.m. on 24th<br/>July 2020</i>  |
| <i>Coming into operation</i>    |         | <i>at 11.00 p.m. on<br/>23rd July 2020</i> |

The Department of Health <sup>M1</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>M2</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.

**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 \(c. 7\)](#)

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 and shall come into operation at 11.00 pm on 23rd July 2020.

(2) In these Regulations —

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

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

“household” means one person living alone or two or more persons (whether or not related) living together at the same address;

[<sup>F1</sup>“Intoxicating liquor” has the meaning given in section 2(2) of the Licensing (Northern Ireland) Order 1996;]

“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;

“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.

[<sup>F2</sup>“relevant person” means—

- (a) a constable, or
- (b) a person designated by the Department of Health for the purposes of these regulations other than regulation 9;]

[<sup>F2</sup>“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.]

[<sup>F3</sup>“guesthouse”, “harbour terminal”, “hotel” and “resident” have the meanings given to them in article 2(2) of the Licensing (Northern Ireland) Order 1996.]

(3) 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.

(4) 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>M3</sup>, and otherwise a place is outdoor.

(5) Any reference in these Regulations to a person designated by the Department of Health includes a reference to an authorised officer employed by a person so designated.

#### Textual Amendments

- F1** Words in reg. 1(2) inserted (1.10.2020) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 7) Regulations (Northern Ireland) 2020 (S.R. 2020/210), regs. 1(2), **3**
- F2** Words in reg. 1(2) inserted (23.9.2020) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/202), regs. 1(2), **3(1)**
- F3** Words in reg. 1(2) inserted (5.10.2020 at 12.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 8) Regulations (Northern Ireland) 2020 (S.R. 2020/213), regs. 1(2), **3(1)**

#### Marginal Citations

- M3** S.R. 2007 No. 94

### Revocations and Savings

2. The following Regulations are revoked—
- (a) The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (the Principal Regulations) <sup>M4</sup>;
  - (b) The Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 <sup>M5</sup>;

- (c) The Health Protection (Coronavirus, Restrictions) (Amendment No. 2) Regulations (Northern Ireland) 2020 <sup>M6</sup>;
- (d) The Health Protection (Coronavirus, Restrictions) (Amendment No. 3) Regulations (Northern Ireland) 2020 <sup>M7</sup>;
- (e) The Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020 <sup>M8</sup>;
- (f) The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 <sup>M9</sup>;
- (g) The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 <sup>M10</sup>;
- (h) The Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 <sup>M11</sup>;
- (i) The Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 <sup>M12</sup>;
- (j) The Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 <sup>M13</sup>;
- (k) The Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 <sup>M14</sup>;
- (l) The Health Protection (Coronavirus, Restrictions) (Amendment No. 11) Regulations (Northern Ireland) 2020 <sup>M15</sup>.

(2) Notwithstanding the revocation of the Principal Regulations, they continue in operation, as amended, in relation to any offence committed under the Principal Regulations before these Regulations came into operation.

(3) A designation made in exercise of the power conferred by regulation 7(12)(b)(ii) or 9(10)(ii) of the Principal Regulations shall be treated as if it had been made in exercise of the power conferred by regulation 7(9)(c)(ii) or 9(12)(b) of these Regulations.

(4) A fixed penalty notice [<sup>F4</sup>which refers to the Principal Regulations] shall continue to have effect as if it was issued under regulation 9(1) of these Regulations including for the purposes of calculating penalties in cases to which regulation 9(7)(b) applies or for dealing with any offence committed or reasonably believed to have been committed or otherwise processing the fixed penalty notice in accordance with regulations 9 to 14.

#### Textual Amendments

- F4** Words in reg. 2(4) substituted (7.8.2020 at 5.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/170\)](#), regs. 1(2)(c), 3

#### Marginal Citations

- M4** [S.R. 2020 No. 55](#)  
**M5** [S.R. 2020 No. 71](#)  
**M6** [S.R. 2020 No. 82](#)  
**M7** [S.R. 2020 No. 84](#)  
**M8** [S.R. 2020 No. 86](#)  
**M9** [S.R. 2020 No. 96](#)  
**M10** [S.R. 2020 No. 103](#)  
**M11** [S.R. 2020 No. 109](#)

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked)*. (See end of Document for details)

**M12** S.R. 2020 No. 118  
**M13** S.R. 2020 No. 121  
**M14** S.R. 2020 No. 128  
**M15** S.R. 2020 No. 139

### Review of the need for restrictions or requirements

3. The Department of Health must review the need for restrictions and requirements imposed by these Regulations at least once every 28 days, with the first review being carried out by 21 August 2020.

### Requirement to close businesses and premises

4.—(1) A person responsible for carrying on a business or providing a service or operating any premises listed in [<sup>F5</sup>schedule 1] must cease to do so.

(2) If a business or service provider (“A”) listed in [<sup>F5</sup>schedule 1] forms part of a larger business or service provider (“B”), the person responsible for carrying on B complies with the requirement in paragraph (1) if it closes A.

#### Textual Amendments

**F5** Words in reg. 4 substituted (16.9.2020 at 12.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/198\)](#), regs. 1(2), 2(2)

### [<sup>F6</sup>Requirement in relation to venues at which intoxicating liquor may be consumed

4A.—(1) Notwithstanding the provisions of any licence granted under article 3 and schedule 1 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, a person concerned in the organisation or operation of [<sup>F7</sup>a venue] at which intoxicating liquor may be consumed shall not permit at that venue—

- (a) dancing; or
- (b) the provision of music, whether live or recorded, for dancing; or
- (c) live music.

(2) Paragraphs (1)(a) and 1(b) shall not apply to dancing by—

- (a) a party to a marriage or civil partnership at an event to celebrate that marriage or civil partnership; or
- (b) professional dancers providing entertainment at a venue.

(3) A person responsible for the organisation or operation of [<sup>F8</sup>a venue] at which intoxicating liquor may be consumed must—

- (a) carry out a risk assessment which complies with the requirements of regulation 5(4)(a) and which determines—
  - (i) the maximum number of persons who may be seated in those parts of the venue where alcohol may be consumed; and
  - (ii) the volume at which any background or ambient music will be played so as to enable visitors to conduct conversation at normal loudness of speech;

- (b) retain the risk assessment referred to in subparagraph (a) on the premises and make it available immediately for inspection by visitors to the premises or to a relevant person on request;
  - (c) take all reasonable measures to limit the risk of transmission of the coronavirus in accordance with regulation 5(4)(b); and
  - (d) display prominently, at each part of the venue where alcohol may be consumed, the maximum number of persons who may be seated in that part of the venue.
- (4) Where a venue referred to in paragraph (3) or a part of such a venue is booked by a client or clients for a specific event, the person responsible for the organisation or operation of that venue must discharge the requirements set out in paragraph (3) in a manner that is tailored to that event and share the risk assessment with that client or those clients before the commencement of that event.

[  
<sup>F9</sup>(5) Regulations 4A, 4B and 4C shall not apply to a place of worship.]

#### Textual Amendments

- F6** Regs. 4A-4C inserted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(2)**
- F7** Words in reg. 4A(1) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), **3(1)**
- F8** Words in reg. 4A(3) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), **3(1)**
- F9** Reg. 4A(5) inserted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), **3(2)**

**4B.**—(1) A person responsible for the organisation or operation of [<sup>F10</sup>a venue] at which intoxicating liquor may be consumed must ensure that—

- (a) any person visiting the premises to consume food or drink on the premises is provided with a seat at a table immediately on entering the premises;
- (b) orders for food or drink are taken from visitors only at the table at which they are seated in accordance with subparagraph (a);
- (c) [<sup>F11</sup>persons visiting the premises to consume food or drink] move within the premises only to enter the premises, reach the table at which they are to be seated in accordance with paragraph (a), access toilet facilities [<sup>F12</sup>, access a smoking area] or leave the premises;
- (d) food and drink are consumed by visitors only at the table at which they are seated in accordance with subparagraph (a); and
- (e) no more than six persons (not including children aged 12 or under) are seated at any one table (unless those seated at a table comprise a single household), and persons from no more than two households are seated at any one table.

(2) Subparagraph (1)(e) is modified in relation to an event to celebrate a marriage or civil partnership as follows—

a person responsible for the organisation or operation of [<sup>F13</sup>a venue] at which intoxicating liquor may be consumed must ensure that no more than ten persons (not including children aged 12 or under) are seated at any one table, not including the table at which the parties to

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the wedding or civil partnership are seated at which no limit is placed on persons who may be seated.

(3) A person responsible for the organisation or operation of [F14 a venue] at which intoxicating liquor may be consumed relevant hospitality premises must provide facilities for visitors to sanitise their hands on or before entering the premises.

(4) Where [F15 a venue] at which intoxicating liquor may be consumed provides food on a buffet basis, subparagraphs 1(b) and 1(c) shall not apply and in such a case a person responsible for that venue must ensure that—

- (a) [F16 persons visiting the premises to consume food or drink] move within the premises only to enter the premises, reach the table at which they are to be seated in accordance with subparagraph (a), select food from the buffet, access toilet facilities [F17], access a smoking area] or leave the premises; and
- (b) visitors maintain a distance of two metres between households when selecting food from the buffet.

(5) A person responsible for the organisation or operation of [F18 a venue] at which intoxicating liquor may be consumed must ensure that all seats provided for the use of visitors to those premises are situated at least two metres from any bar used wholly or partly as a bar for the service of food or drink, unless there is a partition on the bar between visitors and staff of the relevant hospitality premises.

[F19(6) Nothing in this regulation shall prohibit

- (a) anything done for the purpose of enabling any person to avoid injury or illness or to escape a risk of harm, or to provide emergency or medical assistance to any person, or
- (b) a resident of a hotel or guesthouse from moving within a venue to access any services of the hotel or guesthouse.]

#### Textual Amendments

- F6** Regs. 4A-4C inserted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(2)**
- F10** Words in reg. 4B(1) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), 3(1)
- F11** Words in reg. 4B(1)(c) substituted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **4(2)**
- F12** Words in reg. 4B(1)(c) inserted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **4(1)**
- F13** Words in reg. 4B(2) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), 3(1)
- F14** Words in reg. 4B(3) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), 3(1)
- F15** Words in reg. 4B(4) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), 3(1)
- F16** Words in reg. 4B(4)(a) substituted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **4(2)**
- F17** Words in reg. 4B(4)(a) inserted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **4(1)**

- F18** Words in reg. 4B(5) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), 3(1)
- F19** Reg. 4B(6) inserted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **4(3)**

### Requirement to collect and share information: restaurants, cafes, bars, public houses etc.

**4C.**—(1) A person responsible for the organisation or operation of [<sup>F20</sup>a venue] at which intoxicating liquor may be consumed must, in relation to the premises, take measures to—

- (a) (where visitor information is not provided in advance of a visit) obtain visitor information at the time of a visit;
- (b) record visitor information in a filing system (which may be an electronic system) suitable for recording, storing and retrieving the information; and
- (c) retain visitor information for a period of 21 days beginning with the date on which the visit occurred.

(2) A person responsible for the organisation or operation of [<sup>F21</sup>a venue] at which intoxicating liquor may be consumed must provide visitor information to a relevant person as soon as reasonably practicable but in any event within 24 hours of a request, if so requested by that person for the purpose of—

- (a) preventing a threat to public health resulting from the spread of infection or contamination with coronavirus; and
- (b) monitoring the spread of infection or contamination with coronavirus or the incidence of coronavirus disease.

(3) In this regulation “visitor information” means—

- (a) the name and telephone number of one member of each household visiting the premises;
- (b) the date of their visit and arrival time; and
- (c) the number of members of that person’s household visiting the premises at that time.]

#### Textual Amendments

- F6** Regs. 4A-4C inserted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(2)**
- F20** Words in reg. 4C(1) substituted (25.9.2020 at 7.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), **3(1)**
- F21** Words in reg. 4C(2) substituted (25.9.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/204\)](#), regs. 1(2), **3(1)**

### [<sup>F22</sup>Requirement in relation to intoxicating liquor and to food and drink

**4D.**—(1) A person must not, between the hours of 22:30 and 11:30, in a venue at which intoxicating liquor may be consumed—

- (a) himself or by his servant or agent sell or supply intoxicating liquor, or
- (b) permit the consumption of intoxicating liquor, or
- (c) purchase, obtain or consume intoxicating liquor.

Status: Point in time view as at 29/10/2020.

Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

(2) Subparagraph (1) <sup>F23</sup>... shall not prohibit or restrict, during the hours of 22.30 to 23.00, the consumption or permitting consumption of intoxicating liquor in the venue.

(3) Subparagraph (1)(a) shall not apply in relation to intoxicating liquor for consumption by a resident in a hotel or guesthouse, 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.

(a) (4) (a) A person must not, between the hours of 22:30 and 05:00, in a venue at which intoxicating liquor may be consumed—

- (i) himself or by his servant or agent sell or supply food or drink, or
- (ii) permit the consumption of food or drink, or
- (iii) purchase, obtain or consume food or drink.

(b) Subparagraph (a) shall not prohibit or restrict, during the hours of 22.30 to 23.00, the consumption or permitting consumption of the food or drink in the venue.

(c) The requirements in subparagraph (a) shall not prohibit or restrict the sale, supply, purchase, obtaining, consumption or permitting consumption of food or drink at any time—

- (i) in a guesthouse or hotel, in relation to a resident of the guesthouse or hotel, in the accommodation provided for the private use of the resident,
- (ii) in a harbour terminal, airport or motorway service area, or
- (iii) to or by employees or workers contracted to work in the venue.

(a) (5) (a) A person responsible for the organisation or operation of a venue at which intoxicating liquor may be consumed must ensure that visitors present in the venue at 23.00 leave the venue at that time and that no visitors are thereafter admitted to the venue until 05.00.

(b) The requirement in subparagraph (a) shall not apply—

- (i) in a guesthouse or hotel, in relation to a resident of the guesthouse or hotel, or
- (ii) in a harbour terminal, airport or motorway service area.

(6) This regulation shall not apply to a place of worship when used as such.

(7) In this regulation—

(a) “drink” shall not include intoxicating liquor; and

<sup>F24</sup>(b) .....]

**Textual Amendments**

**F22** Reg. 4D inserted (1.10.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/210\)](#), regs. 1(2), **5**

**F23** Word in reg. 4D(2) omitted (16.10.2020 at 10.30 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(1)**

**F24** Reg. 4D(7)(b) omitted (5.10.2020 at 12.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 8\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/213\)](#), regs. 1(2), **3(2)**



## Restrictions on gatherings

5.—(1) Subject to [<sup>F25</sup>paragraphs (2) to (7)], a person shall not [<sup>F26</sup>organise, operate or] participate in an indoor or outdoor gathering which consists of more than [<sup>F25</sup>fifteen] persons.

(2) Paragraph (1) shall not apply to a gathering in a private dwelling [<sup>F27</sup>or to a funeral].

[<sup>F28</sup>(3) Paragraph (1) shall not apply to—

(a) a gathering which is organised or operated for cultural, entertainment, recreational, outdoor sports, social, community, educational, work, legal, religious or political purposes; or

(b) a sports event or activity in an indoor arena not capable of seating or facilitating 5,000 or more spectators,

and which fulfils the conditions in paragraph (4).]

(4) The conditions referred to in paragraph (3) are that the person responsible for organising or operating the gathering—

(a) has carried out a risk assessment which meets the requirements of the Management of Health and Safety at Work Regulations (Northern Ireland) 2000 <sup>M16</sup>, whether or not that person is subject to those Regulations; 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 risk assessment undertaken in accordance with sub-paragraph (a) and complying with any relevant guidance issued by a Northern Ireland Department.

[<sup>F29</sup>(4A) A person responsible for organising or operating a gathering referred to in subparagraph (3)(a) or (3)(b) must, if requested to do so by a relevant person, provide to that relevant person a copy of the risk assessment referred to in subparagraph (4)(a) and an account of the measures referred to in subparagraph (4)(b) as soon as reasonably practicable and in any event within twenty-four hours of the request.]

(5) Paragraph (1) shall not apply to a gathering which is not organised for a purpose mentioned in paragraph (3) but which arises for the purpose of enabling any person to avoid injury or illness or to escape a risk of harm, or to provide emergency or medical assistance to any person.

[<sup>F30</sup>(6) A person attending a funeral or responsible for organising or operating a funeral shall comply with the guidance on funerals issued by the Department of Health.

(7) Regulation 8 (offences and penalties) does not apply to a contravention of the requirement in paragraph (6).]

<sup>F31</sup>(8) .....

### Textual Amendments

**F25** Words in reg. 5(1) substituted (25.8.2020 at 5.45 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/187\)](#), regs. 1(2), **3(a)**

**F26** Words in reg. 5(1) inserted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(3)**

**F27** Words in reg. 5(2) inserted (25.8.2020 at 5.45 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/187\)](#), regs. 1(2), **3(b)**

**F28** Reg. 5(3) substituted (9.8.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/170\)](#), regs. 1(2)(a), **4**

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

- F29** Reg. 5(4A) inserted (23.9.2020) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/202), regs. 1(2), **3(4)**
- F30** Reg. 5(6)(7) inserted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), regs. 1(2), **3(c)**
- F31** Reg. 5(8) omitted (16.10.2020 at 10.30 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 9) Regulations (Northern Ireland) 2020 (S.R. 2020/224), regs. 1(2), **3(2)**

**Marginal Citations**

**M16** S.R. 2000 No. 388

**Restrictions on gatherings: private dwellings**

6.—(1) [<sup>F32</sup>Subject to paragraph (6) a person] shall not participate in an outdoor gathering in a private dwelling which consists of more than [<sup>F32</sup>fifteen] persons [<sup>F33</sup>(not including children aged 12 or under)].

(2) Subject to [<sup>F34</sup>paragraphs (3) to (6)], a person shall not participate in an indoor gathering in a private dwelling which consists of—

- (a) more than [<sup>F35</sup>six] persons [<sup>F36</sup>(not including children aged 12 or under)]; and
- (b) persons from more than [<sup>F35</sup>two] households.

(3) Paragraph (2) is modified in its application to a gathering in a private dwelling which is occupied by one household (“A”) in any case where household A consists of more than [<sup>F37</sup>six] persons. In such a case, an indoor gathering of persons which consists of more than [<sup>F37</sup>six] persons from household A does not contravene the restriction in paragraph (2), subject to the condition that no person from any other household participates in that gathering.

(4) Paragraph (2) 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) the provision of emergency or medical assistance to any person; or
- (c) the fulfilment of a legal obligation.

(a) [<sup>F38</sup>(5) (a) Paragraph (2) does not apply where the gathering is for the purpose of a marriage or a civil partnership 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;

<sup>F39</sup>(b) in a case referred to in subparagraph 5(a) an indoor gathering in a private dwelling may consist of up to ten persons including the participants and officiant;

- (a) (6) (a) Paragraphs (1) and (2) do not apply where the gathering is for the purpose of a funeral or an event associated with a funeral;
- (b) in a case referred to in subparagraph 6(a) a person attending, or a person responsible for organising or operating, the funeral or event associated with a funeral shall comply with the guidance on funerals issued by the Department of Health;
- (c) Regulation 8 (offences and penalties) does not apply to a contravention of the requirement in subparagraph (6)(b).]

(a) [<sup>F40</sup>(7) (a) Schedule 2 shall have effect.

<sup>F41</sup>(b) .....]

### Textual Amendments

- F32** Words in reg. 6(1) substituted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), **reg. 4(a)**
- F33** Words in reg. 6(1) inserted (23.9.2020) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/202), regs. 1(2), **3(5)(a)**
- F34** Words in reg. 6(2) substituted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), **reg. 4(b)**
- F35** Words in reg. 6(2) substituted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), **reg. 4(c)**
- F36** Words in reg. 6(2)(a) inserted (23.9.2020) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/202), regs. 1(2), **3(5)(b)**
- F37** Words in reg. 6(3) substituted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), **reg. 4(c)**
- F38** Reg. 6(5)(6) inserted (25.8.2020 at 5.45 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/187), **reg. 4(d)**
- F39** By The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/202), regs. 1(2), **3(5)(c)** it is provided that (23.9.2020) in reg. 6(5)(b) the words “(not including children aged 12 or under)” are inserted after “more than six persons”
- F40** Reg. 6(7) added (16.9.2020 at 12.30 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020 (S.R. 2020/198), regs. 1(2), **2(3)**
- F41** Reg. 6(7)(b) omitted (16.10.2020 at 10.30 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 9) Regulations (Northern Ireland) 2020 (S.R. 2020/224), regs. 1(2), **3(3)**

### Enforcement of requirement

7.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by regulation [F424 to 6][F43 or schedule 2].

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

- (a) the person is contravening a requirement in regulation [F444 to 6][F45 or schedule 2], and
- (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the requirement.

(3) Where a relevant person considers that there is a gathering in contravention of regulation 5 or 6 [F46 or schedule 2], the relevant person may—

- (a) direct the gathering to disperse;
- (b) direct any person in the gathering to return to the place where they are living; or
- (c) remove any person from the gathering.

(4) A relevant person exercising the power in paragraph (3) to remove a person from a gathering may use reasonable force, if necessary, in exercise of the power.

(5) Where a person who is in a gathering in contravention of regulation 5 or 6 [F47 or schedule 2] is a child accompanied by an individual who has responsibility for the child—

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked)*. (See end of Document for details)

- (a) the relevant person may direct that individual to take the child to the place where the child is living, and
- (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.

(6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the restriction in regulation 5 or 6, the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with that restriction.

(7) A relevant person may only exercise the power in paragraph (3), (4), (5) or (6) if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the restriction in regulation 5 or 6.

(8) A relevant person exercising a power under paragraph (3), (5) or (6) may give the person concerned any reasonable instructions they consider to be necessary.

(9) 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<sup>M17</sup>).

<sup>F48</sup>(c) .....

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

**Textual Amendments**

- F42** Words in reg. 7(1) substituted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(6)**
- F43** Words in reg. 7(1) substituted (16.10.2020 at 10.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(4)**
- F44** Words in reg. 7(2) substituted (23.9.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(6)**
- F45** Words in reg. 7(2)(a) substituted (16.10.2020 at 10.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(4)**
- F46** Words in reg. 7(3) substituted (16.10.2020 at 10.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(4)**
- F47** Words in reg. 7(5) substituted (16.10.2020 at 10.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(4)**
- F48** Reg. 7(9)(c) omitted (23.9.2020) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(7)**

**Marginal Citations**

**M17** [S.I. 1995/755 \(N.I. 2\)](#)

## Offences and penalties

8.—(1) A person who, without reasonable excuse, contravenes a requirement in regulation [F49 4 to 6][F50 or schedule 2] commits an offence.

(2) A person who, without reasonable excuse, obstructs any 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 a prohibition notice given by a relevant person under regulation 7, commits an offence.

(4) An offence under 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>M18</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.

### Textual Amendments

**F49** Words in reg. 8(1) substituted (5.10.2020 at 12.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 8\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/213\)](#), regs. 1(2), 3(5)

**F50** Words in reg. 8(1) substituted (16.10.2020 at 10.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), 3(4)

### Marginal Citations

**M18** [S.I. 1989/1341 \(N.I. 12\)](#). Article 26 was substituted by Articles 1(2) and 15(1) (with Article 15(3)) of the Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007

## Fixed Penalty Notices

9.—(1) An authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes—

- (a) has committed an offence under these Regulations;
- (b) 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 any 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 a person designated in accordance with paragraph (12) (b), 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 in respect of an offence—

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

*Status: Point in time view as at 29/10/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)*

- (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 may 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) The amount specified under paragraph (5)(c) must, subject to paragraph (7), be £60.
- (a) (7) (a) Unless sub-paragraph (b) applies, a fixed penalty notice must specify that if £30 is paid before the end of the period of 14 days following the date of the notice, that is the amount of the fixed penalty;
  - (b) if the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—
    - (i) sub-paragraph (a) does not apply, and
    - (ii) the amount specified as the fixed penalty is to be—
      - (aa) in the case of the second fixed penalty notice received, £120;
      - (bb) in the case of the third and subsequent fixed penalty notice received, double the amount specified in the last fixed penalty notice received by that person, to a maximum of £960.
- (8) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (9) Where a letter is sent as mentioned in paragraph (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- (10) In the case of a notice issued by a person designated in accordance with paragraph (12)(b), the payment received by a district council under this regulation accrues to that council.
- (11) 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.
- (12) In this regulation “authorised person” means—
- (a) a constable;
  - (b) a person designated by the Department of Health for the purposes of this regulation.

### **Effect of fixed penalty notice**

- 10.**—(1) This regulation applies if a fixed penalty notice is given to any person under regulation 9.
- (2) If the person asks to be tried for the alleged offence, proceedings may be brought against the person.
- (3) If by the end of the period mentioned in regulation 9(4)(a)—

- (a) the penalty has not been paid, and
- (b) the person has not made a request to be tried,

a sum equal to one and a half times the amount of the penalty (“the enhanced sum”) may be registered under regulation 12 for enforcement against the person as a fine.

### **Registration certificates**

**11.**—(1) This regulation and regulation 12 apply where by virtue of regulation 10 the enhanced sum may be registered under regulation 12 for enforcement against any person as a fine.

(2) In this regulation and regulation 12—

- (a) that sum is referred to as a “sum payable in default”, and
- (b) the person against whom that sum may be so registered is referred to as the “defaulter”.

(3) The Chief Constable or a person designated by the Department of Health under regulation 9(12)(b)—

- (a) may, in respect of any sum payable in default, issue a certificate (a “registration certificate”) stating that the sum is registrable under regulation 12 for enforcement against the defaulter as a fine; and
- (b) must cause any certificate so issued to be sent to the clerk of petty sessions.

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

(5) 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 amount of the sum payable in default.

### **Registration of penalty**

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

(2) On registering any sum under this regulation for enforcement as a fine, the clerk of petty sessions must give to the defaulter notice of registration—

- (a) specifying the amount of that sum and requiring payment of it by such date, not less than 28 days from the date of registration, as may be specified in the notice; and
- (b) giving the information with respect to the offence included in the registration certificate by virtue of regulation 11(5)(a).

(3) On the registration of any sum in the Order Book of a court of summary jurisdiction by virtue of this regulation, any statutory provision referring (in whatever terms) to a fine imposed or a sum adjudged to be paid by a conviction of such court shall have effect in the case in question as if the sum 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<sup>M19</sup>, and the order may be made without a court hearing.

(5) Where a collection order is made in that case, the date specified in the order as the date by which the sum due 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).

*Status: Point in time view as at 29/10/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)*

### Marginal Citations

M19 2016 c. 21 (N.I.)

### Challenge to notice

- 13.—(1) This regulation applies where—
- (a) a person who has received notice of the registration of a sum under regulation 12 for enforcement against that person as a fine makes a statutory declaration to the effect mentioned in paragraph (2), and
  - (b) that declaration is, within 21 days of the date on which the person making it received notice of the registration, served on the clerk of petty sessions.
- (2) The statutory declaration must state—
- (a) that the person making the declaration was not the person to whom the relevant fixed penalty notice was given, or
  - (b) that the person gave notice requesting to be tried in respect of the alleged offence as permitted by the fixed penalty notice before the end of the suspended enforcement period.
- (3) In any case within paragraph (2)(a), the relevant fixed penalty notice, the registration and any proceedings taken before the declaration was served for enforcing payment of the sum registered shall be void.
- (4) In any case within paragraph (2)(b)—
- (a) the registration and any proceedings taken before the declaration was served for enforcing payment of the sum registered shall be void, and
  - (b) the case shall be treated after the declaration is served as if the person making the declaration had given notice requesting to be tried in respect of the alleged offence as stated in the declaration.
- (5) References in this regulation to the relevant fixed penalty notice are to the fixed penalty notice relating to the penalty concerned.
- (6) In any case within paragraph (2)(b), Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981<sup>M20</sup> (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).
- (7) Paragraph (8) applies where, on the application of a person who has received notice of the registration of a sum under regulation 12 for enforcement against that person as a fine, it appears to a court of summary jurisdiction that it was not reasonable to expect that person to serve, within 21 days of the date on which that person received the notice, a statutory declaration to the effect mentioned in paragraph (2).
- (8) The court may accept service of such a declaration by that person after that period has expired; and a statutory declaration so accepted shall be taken to have been served as required by paragraph (1).
- (9) In this regulation references to proceedings for enforcing payment of the sum registered are references to any process issued or other proceedings taken for or in connection with enforcing payment of that sum (including the making of a collection order).
- (10) For the purposes of this regulation, a person shall be taken to receive notice of the registration of a sum under regulation 12 for enforcement against that person as a fine when that person receives notice either of the registration as such or of any proceedings for enforcing payment of the sum registered.



(11) Nothing in this regulation is to be read as prejudicing any rights a person may otherwise have by virtue of the invalidity of any action purportedly taken under these Regulations which is not in fact authorised by these Regulations in the circumstances of the case.

(12) Accordingly, references in this regulation to the registration of any sum 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.

**Marginal Citations**

M20 S.I. 1981/1675 (N.I. 26)

**Setting aside of sum enforceable under regulation 12**

14.—(1) A court of summary jurisdiction may, in the interests of justice, set aside a sum enforceable as a fine as a result of regulation 12.

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

- (a) no further action is to be taken in respect of 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 in respect of the offence.

(3) Where a court gives a direction under paragraph (2)(a), the fixed penalty notice concerned, the registration and any proceedings taken for enforcing payment of the sum registered shall be void.

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

- (a) the registration and any proceedings taken for enforcing payment of the sum registered shall be void; 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 sum registered are references to any process issued or other proceedings taken for or in connection with enforcing payment of that sum (including the making of a collection order).

**Expiry**

15.—(1) These Regulations expire at the end of the period of six months beginning with the day on which they come into operation.

(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 5.45 pm on 23rd July 2020

L.S.

*Elizabeth Redmond*  
A senior officer of the  
Department of Health

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

[<sup>F51</sup>SCHEDULE 1]

Regulation 4

Businesses, services providers and premises subject to restrictions or closure

**Textual Amendments**

**F51** Sch. 1: Sch. renumbered as Sch. 1 (16.9.2020 at 12.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/198\)](#), regs. 1(2), **2(7)**

<sup>F52</sup>1. ....

**Textual Amendments**

**F52** Sch. 1 para. 1 omitted (23.9.2020) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/202\)](#), regs. 1(2), **3(8)**

[<sup>F53</sup>2.—(1) Subject to sub-paragraph (2), a theatre or a concert hall.

(2) A person responsible for carrying on a business or providing a service or operating any premises identified in sub-paragraph (1) may do so if solely for the purpose of a rehearsal or of a live recording, in both cases without an audience.]

**Textual Amendments**

**F53** Sch. paras. 2, 3 substituted (7.8.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/170\)](#), regs. 1(2)(b), **5**

[<sup>F53</sup>3.—(1) Nightclubs.

(2) Conference halls and conference facilities, including those in hotels.

<sup>F54</sup>(3) .....]

**Textual Amendments**

**F53** Sch. paras. 2, 3 substituted (7.8.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/170\)](#), regs. 1(2)(b), **5**

**F54** Sch. para. 3(3) omitted (13.9.2020 at 11.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/195\)](#), regs. 1(2), **2(2)**

## [<sup>F55</sup>SCHEDULE 2

Regulation 6

### Restrictions in the emergency period and protected area

#### Textual Amendments

**F55** Sch. 2 substituted (16.10.2020 at 10.30 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3(5)**

#### Interpretation and application

1.—(1) For the purposes of this schedule—

“active period” means the period of four weeks commencing on the date on which this schedule comes into force;

“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 [<sup>F56</sup>except if provided to an elite athlete];
- (g) well-being and holistic therapies;
- (h) dress fitting, tailoring and fashion design (unless social distance is maintained);
- (i) body piercing;
- (j) electrolysis;
- (k) training in any of the services listed at (a) to (h) (unless social distancing is maintained); but not including any such service which is ancillary to a medical or health service or a social care service.

“elite athlete” has the meaning given in the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020;

“linked household” has the meaning given in paragraph 4;

“social distance” means a distance of at least two metres between participants;

“sporting event” means a gathering for the purpose of exercise, competitive sport, recreational sport or sport training [<sup>F57</sup>, and dance of any type shall be deemed to be a form of exercise or sport for the purposes of this schedule];

that part of a private dwelling used for the purpose of a business operated by an occupier of the dwelling is not to be deemed part of the private dwelling when used as such.

(2) This schedule shall apply during the active period.

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

### Textual Amendments

- F56** Words in Sch. 2 para. 1(1) inserted (18.10.2020 at 9.30 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020 (S.R. 2020/225), regs. 1(2), 2(2)
- F57** Words in Sch. 2 para. 1(1) inserted (18.10.2020 at 9.30 p.m.) by The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020 (S.R. 2020/225), regs. 1(2), 2(3)

### Revocation of restriction or requirement

2. If the Department of Health considers at any time that any restriction or requirement imposed by this schedule is no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection with the coronavirus, the Department must without delay revoke that restriction or requirement.

3.—(1) No person may, without a reasonable excuse, stay overnight at any place other than the place where they are living or where their linked household is living;

(2) For the purposes of (1), a reasonable excuse includes the need where reasonably necessary—

- (a) to access medical or hospital services;
- (b) to travel for the purposes of work or to provide voluntary or charitable services, where it is not reasonably possible for that person to work, or to provide those services, from the place where they are living;
- (c) to attend a funeral of a member of the person's household, a close family member or a friend;
- (d) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (e) to 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);
- (f) to access services provided to victims (such as victims of crime);
- (g) in the case of a minister of religion or worship leader, to go to their place of worship;
- (h) to move house where reasonably necessary;
- (i) to avoid injury or illness or to escape a risk of harm.
- (j) to stay elsewhere overnight if unable to return to their private dwelling due to an emergency.

(3) Unless [<sup>F58</sup>sub-paragraph (4)] applies—

- (a) no person may participate in a gathering indoors in a private dwelling which consists of persons from more than one household;
- (b) no person may participate in a gathering outdoors at a private dwelling which consists of more than six persons (not including children aged 12 or under) and which consists of persons from more than two households;

(4) This sub-paragraph applies where—

- (a) all the persons in the gathering are members of two households which are linked households in relation to each other and the gathering consists of no more than ten persons;
- or

- (b) the gathering is for the purpose of—
- (i) childcare provided by a person registered in accordance with the Children (Northern Ireland) Order 1995 or any childcare provided free of charge;
  - (ii) building or maintenance works or the provision of the services of any trade or profession (but not a close contact service) at the private dwelling;
  - (iii) the provision of care or assistance, including social services, to a vulnerable person;
  - (iv) giving or receiving legal advice or assistance or fulfilling a legal obligation;
  - (v) the provision of emergency or medical assistance to any person;
  - (vi) a marriage or a civil partnership 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, provided that the gathering consists of no more than ten persons;
  - (vii) to move house and to undertake associated activities for that purpose, including viewing properties and making arrangements for removals; or
  - (viii) the removal of the remains of a deceased person to the private dwelling.

(5) For the purposes of this paragraph “private dwelling” shall include a static caravan <sup>[F59]</sup>, privately owned holiday accommodation, a self-catering establishment and guest accommodation].

#### Textual Amendments

- F58** Words in Sch. 2 para. 3(3) substituted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(4)**
- F59** Words in Sch. 2 para. 3(5) substituted (29.10.2020 at 3.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 11\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/232\)](#), regs. 1(2), **2(1)**

#### Linked households

4.—(1) A household (“the first household”) may choose to be linked with one other household (“the second household”), provided that—

- (a) neither the first household nor the second household are linked with any other household for the purpose of these regulations, and
- (b) all the adult members of each household agree.

(2) The first and second households are “linked households” in relation to each other.

(3) Once the first and second households have ceased being linked households, neither the first household nor the second household may be linked with any other household unless it is reasonable to do so for caring or welfare purposes and provided that at least fourteen days has expired since the household ceased to be a part of a previous linked household.

#### Restrictions on sporting events

5.—(1) A person shall not organise, operate or participate in an indoor or outdoor sporting event.

(2) Sub-paragraph (1) shall not prohibit or prevent a person from organising, operating or participating in—

- (a) an indoor sporting event if all participants are elite athletes;
- (b) an indoor sporting event if the participants are <sup>[F60]</sup>—

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked)*. (See end of Document for details)

- (i) one individual and one coach or trainer and there is no contact between participants who are not members of the same household, or
- (ii) one individual and their carer or carers.]
- (c) an outdoor sporting event, provided all participants are elite athletes; or
- (d) an outdoor sporting event if there is no contact between participants who are not members of the same household, provided that the gathering consists of no more than 15 persons.

#### Textual Amendments

**F60** Words in Sch. 2 para. 5(2)(b) substituted (29.10.2020 at 3.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 11\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/232\)](#), regs. 1(2), **2(2)**

#### Restrictions on other gatherings

- 6.—(1) This paragraph shall not apply to a gathering in a private dwelling.
- (2) A person shall not organise, operate or participate in an indoor or outdoor gathering which consists of more than fifteen persons, except as permitted by paragraph 5 or [<sup>F61</sup>subparagraphs (3) to (9)].
- (3) Sub-paragraph (2) shall not prohibit or prevent a person from organising, operating or participating in a gathering in a workplace, when it is not reasonably practicable for the duties of any person participating in the gathering to be carried out at that person's private dwelling (and for the avoidance of doubt, regulation 5 shall continue to apply to such a gathering).
- (4) Sub-paragraph (2) shall not prohibit or prevent a person from organising, operating or participating in a gathering for the purpose of enabling any person to avoid injury or illness or to escape a risk of harm, or to provide emergency or medical assistance to any person.
- (5) Sub-paragraph (2) shall not apply to a gathering for the purpose of solemnising a marriage or forming a civil partnership (see paragraph 10(1)).
- (6) Sub-paragraph (2) shall not apply to a gathering for the purpose of a funeral or the committal of a body (see paragraph 11).
- (7) Sub-paragraph (2) shall not prohibit or prevent a person from organising, operating or participating in a gathering in a place of worship when used as such <sup>F62</sup>... (and for the avoidance of doubt, regulation 5 shall continue to apply to such a gathering).
- [<sup>F63</sup>(8) Sub-paragraph (2) shall not prohibit or prevent a person from organising, operating or participating in a gathering for the purpose of education or training (and for the avoidance of doubt, regulation 5 shall continue to apply to such a gathering).
- (9) Sub-paragraph (2) shall not prohibit or prevent a person from organising, operating or participating in a gathering which is a blood donation session (and for the avoidance of doubt, regulation 5 shall continue to apply to such a gathering).]

#### Textual Amendments

**F61** Words in Sch. 2 para. 6(2) substituted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(5)**

- F62** Word in Sch. 2 para. 6(7) omitted (18.10.2020 at 9.30 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(6)**
- F63** Sch. 2 para. 6(8)(9) inserted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(7)**

### Businesses subject to closure

7.—(1) A person responsible for carrying on a business or providing a service to which this paragraph applies—

- (a) must cease to carry on that business or provide that service, and
- (b) must close the premises or part of a premises in which or from which that business or service is carried on or provided.

(2) This paragraph applies to—

- (a) a close contact service;
- (b) driving instruction for the test of competence to drive [<sup>F64</sup>a vehicle other than a motorcycle] established by Article 5 of the Road Traffic (Northern Ireland) Order 1981;
- (c) campsites and caravan parks for touring caravans;
- (d) museums and galleries;
- (e) bingo halls;
- (f) cinemas (but not cinemas at which visitors remain in a vehicle); and
- (g) funfairs (whether outdoors or indoors) and an inflatable park;
- (h) indoor amusement arcades;
- (i) skating rinks;
- (j) indoor visitor attractions;
- (k) a business of providing facilities for persons to consume intoxicating liquor in or on a conveyance;
- (l) a bed and breakfast establishment, hotel [<sup>F65</sup>, bunkhouse, hostel] or guest house except 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; or
  - (iv) unable to return to their private dwelling due to an emergency.

[<sup>F66</sup>(3) Sub-paragraph (2)(c) shall not prevent or prohibit a person using a caravan in, or the facilities of, a caravan park for touring caravans in the event of an emergency [<sup>F67</sup>, and in this paragraph “caravan” shall include any motor vehicle designed or adapted for human habitation].]

[<sup>F68</sup>(4) Sub-paragraph (2)(a) shall not prohibit or prevent the provision of a close contact service for the purpose of film or television production.

(5) In this paragraph “bunkhouse”, “guest accommodation”, “hostel” and “self-catering establishment” shall mean the premises of any establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992.]

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked)*. (See end of Document for details)

### Textual Amendments

- F64** Words in Sch. 2 para. 7(2)(b) inserted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(8)**
- F65** Words in Sch. 2 para. 7(2)(l) inserted (29.10.2020 at 3.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 11\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/232\)](#), regs. 1(2), **2(3)**
- F66** Sch. 2 para. 7(3) inserted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. 1(2), **2(9)**
- F67** Words in Sch. 2 para. 7(3) inserted (29.10.2020 at 3.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 11\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/232\)](#), regs. 1(2), **2(4)**
- F68** Sch. 2 para. 7(4)(5) inserted (29.10.2020 at 3.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 11\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/232\)](#), regs. 1(2), **2(5)**

### Restrictions on the hospitality sector

8.—(1) A person responsible for carrying on a business or a members' club which sells or provides food or drink (including intoxicating liquor) for consumption on the premises—

- (a) must close any premises, or part of premises, in which food or drink (including intoxicating liquor) are consumed on the premises;
- (b) must not sell or provide food or drink (including intoxicating liquor) for consumption on its premises; and
- (c) may sell or provide food or drink (not including intoxicating liquor) for consumption off the premises in response to orders placed between the hours of 05:00 and 23:00.

(2) A person responsible for carrying on a business which sells food or drink (not including intoxicating liquor) for consumption off the premises may continue to do so only in response to orders placed between the hours of 05:00 and 23:00.

- (a) (3) (a) A person responsible for carrying on a business which sells intoxicating liquor for consumption off the premises (but not a bar, including a bar in a members' club, or a public house) may continue to do so only from 08:00 on Monday to Saturday, and from 10:00 on Sunday, until 20:00 on any day, or in response to orders placed between those hours;
- (b) Head (a) shall not apply in an airport.
- (a) (4) (a) For the purposes of sub-paragraph (1), food or drink (not including intoxicating liquor) sold by a hotel or a guesthouse as part of a service for residents, whether or not in a restaurant on the premises, is not to be treated as being sold for consumption, or as consumed, on its premises; and
- (b) sub-paragraph (1) shall not prevent or prohibit the sale of intoxicating liquor by a hotel or a guesthouse as part of a service for a resident, or the consumption of intoxicating liquor on the premises, provided that the intoxicating liquor is—
  - (i) consumed only by the resident;
  - (ii) consumed only within the resident's accommodation and
  - (iii) is not delivered to the accommodation in response to an order placed by the resident.

(5) For the purposes of sub-paragraph (1), food or drink (not including intoxicating liquor) sold or provided [<sup>F69</sup>on a ferry crossing which lasts or is expected to last three hours or more,] in a canteen



in a workplace, school, prison, hospital, care home or military establishment is not to be treated as being sold for consumption, or as consumed, on its premises.

(6) For the purposes of sub-paragraph (1), food or drink (including intoxicating liquor) sold or provided in a port, airport or motorway service station is not to be treated as being sold for consumption, or as consumed, on the premises.

(7) For the purposes of sub-paragraph (1), an area adjacent to the premises where seating is 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

**F69** Words in [Sch. 2 para. 8\(5\)](#) inserted (18.10.2020 at 9.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 10\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/225\)](#), regs. [1\(2\)](#), [2\(10\)](#)

#### Wearing of a face covering in a place of worship

9.—(1) A person (other than a person leading a service) entering or leaving a place of worship, or being within a place of worship but not at a seat, must, unless there is a reasonable excuse, wear a face covering while doing so.

(2) Sub-paragraph (1) shall not apply to a couple at a ceremony to solemnise their marriage or to form their civil partnership.

(3) In this paragraph “face covering” means a covering of any type which covers a person’s nose and mouth and “reasonable excuse” has the meaning given in regulation 5 of the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020.

#### Marriages and civil partnerships

10.—(1) A person shall not organise, operate or participate in a gathering of more than 25 persons for the purpose of solemnising a marriage or forming a civil partnership and which occurs on or after 19<sup>th</sup> October 2020.

(2) Paragraph 8(1)(a) and (b) shall not apply to a gathering which is a wedding reception or a reception following the formation of a civil partnership, which consists of no more than 25 people and which occurs before 19<sup>th</sup> October 2020.

#### Funerals and committals

11. A person shall not organise, operate or participate in a gathering of more than 25 persons for the purpose of a funeral or the committal of a body

#### Restrictions on libraries

12.—(1) A person responsible for providing the service of a library must cease to provide that service, subject to subparagraph (2).

(2) Subparagraph (1) does not prevent the person responsible for providing the service of a library from doing so—

- (a) in response to orders or requests received through a website or other on-line communication, or by telephone including by text message, or
- (b) to visitors who enter the premises of the library only to collect items ordered or requested in accordance with head (a) or to use the facilities of the library to access the internet.]

**Status:** Point in time view as at 29/10/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked). (See end of Document for details)

F70 SCHEDULE 3

Regulation 5

**Textual Amendments**

**F70** Sch. 3 omitted (16.10.2020 at 10.30 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 9\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/224\)](#), regs. 1(2), **3**

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Health Protection (Coronavirus, Restrictions) 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, of more than 30 people, unless for certain purposes and the organiser or operator of the gathering undertakes a risk assessment and complies with relevant guidance. They also impose restrictions on gatherings in private dwellings, of more than 30 people outdoor or 10 people indoor, subject to exceptions.

The need for the restrictions must be reviewed by the Department of Health every 28 days, with the first review taking place by 21 August 2020.

No impact assessment has been prepared for these Regulations.

**Status:**

Point in time view as at 29/10/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (revoked).