
STATUTORY RULES OF NORTHERN IRELAND

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

The Department of Health ^{M1}, 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 ^{M2}.

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 —

[^{F1}“active period” means the period during which these Regulations are in operation;]

Status: Point in time view as at 08/03/2021.

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)

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

[^{F1}“elite athlete” has the meaning given in the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020;]

[^{F1}“face covering” means a covering of any type which covers a person’s nose and mouth;]

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

[^{F2}“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.

^{F3} ...

[^{F4}“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;]

[^{F1}“sporting event” means a gathering for the purpose of exercise, competitive sport, recreational sport or sport training, and dance of any type shall be deemed to be a form of exercise or sport for the purposes of this schedule;]

[^{F4}“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.]

[^{F1}“bed and breakfast accommodation”, “bunkhouse”, “guest accommodation”, “guesthouse”, “hostel” and “self-catering establishment” shall mean the premises of any establishment allocated a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992:]

^{F5}[^{F6}..., “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 ^{M3}, 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.

[^{F7}(6) In relation to any premises of a business or members’ club selling or supplying food and drink or intoxicating liquor, an area adjacent to the premises where seating, tables or other facilities are made available for customers of the business or members’ club (whether or not by the business or members’ club) is to be treated as part of the premises.]

Textual Amendments

- F1** Words in reg. 1(2) inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **3**
- F2** 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**
- F3** Words in reg. 1(2) omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **3**
- F4** 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)**
- F5** Word in reg. 1(2) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **4**
- F6** 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)**
- F7** Reg. 1(6) inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **5**

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) ^{M4};
- (b) The Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 ^{M5};
- (c) The Health Protection (Coronavirus, Restrictions) (Amendment No. 2) Regulations (Northern Ireland) 2020 ^{M6};
- (d) The Health Protection (Coronavirus, Restrictions) (Amendment No. 3) Regulations (Northern Ireland) 2020 ^{M7};
- (e) The Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020 ^{M8};
- (f) The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 ^{M9};
- (g) The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 ^{M10};
- (h) The Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 ^{M11};
- (i) The Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 ^{M12};
- (j) The Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 ^{M13};

Status: Point in time view as at 08/03/2021.

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)

(k) The Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 ^{M14};

(l) The Health Protection (Coronavirus, Restrictions) (Amendment No. 11) Regulations (Northern Ireland) 2020 ^{M15}.

(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 [^{F8}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

F8 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
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 [^{F9}on or before 18 [^{F10}March] 2021].

Textual Amendments

F9 Words in reg. 3 substituted (3.2.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/18\)](#), regs. 1(2), **3(1)**
F10 Word in reg. 3 substituted (2.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(2), **2(2)**

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 [F11]paragraph 1 of [F12]schedule 1] must cease to do so.

(2) If a business or service provider (“A”) listed in [F12]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

- F11** Words in reg. 4 inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), 7
- F12** 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)

[F13]Visitor Information

4A.—(1) A person to whom this Regulation applies must—

- (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;
- (c) retain visitor information for a period of 21 days beginning with the date on which the visit occurred; and
- (d) destroy visitor information as soon as reasonably practicable after the expiry of the period in sub-paragraph (c) unless there is another basis outside these regulations on which the details may lawfully be retained.

(2) A person to whom this Regulation applies 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 each client and of each person over the age of 16 accompanying the client; and
- (b) the date of their visit and arrival time.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), 8, 9

Status: Point in time view as at 08/03/2021.

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)

Restrictions on non-essential retail businesses

4B.—(1) [^{F14}Subject to paragraph (2) a person] responsible for carrying on a retail business, which is not wholly or mainly a retail business listed in paragraph (2) of schedule 1, of offering goods for sale or for hire or providing a service must—

- [^{F15}(a) cease to carry on that business or provide that service except—
 - (i) by making deliveries in response to requests received by on-line communication, by telephone, by text message or by post (provided that no person attends the premises of the business to collect goods or avail of a service); or
 - (ii) in the case of a car dealership which is a Motability dealer, by permitting a customer to collect a Motability vehicle following an on-line application (provided that [^{F16}no person other than the customer’s carer accompanies the customer]);]
- (b) close any premises which are not required to carry out its business or provide its services as permitted by sub-paragraph (a); and
- (c) cease to admit any person to its premises who is not required to carry on its business or provide its service as permitted by sub-paragraph (a).

- (a) [
 - ^{F17}(2) (a) This paragraph applies to a retail business which is a shop which sells baby equipment, clothing, footwear or electrical goods.
 - (b) A person responsible for carrying on a retail business to which this paragraph applies may supply goods specified in sub-paragraph (a), which have been—
 - (i) requested by on-line communication, by telephone, by text message or by post; and
 - (ii) paid for in advance;
- to a customer who attend the shop to collect the goods.]

Textual Amendments

F13 Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**

F14 Words in reg. 4B(1) substituted (8.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(3), **2(3)**

F15 Reg. 4B(1)(a) substituted (6.2.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/27\)](#), regs. 1(2), **3(1)**

F16 Words in reg. 4B(1)(a)(ii) substituted (2.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(2), **2(4)**

F17 Reg. 4B(2) inserted (8.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(3), **2(5)**

^{F18}**4BA.**

Textual Amendments

F13 Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**

F18 Reg. 4BA omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8**

Restrictions on essential retail businesses

F19 4C.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**
- F19** Reg. 4C omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **4**

Restrictions on close contact services

4D.—(1) A person must not provide a service listed in schedule 2 (“a close contact service”) except as permitted by [^{F20}paragraphs (2), (3) and (3A)].

(2) A person may provide a close contact service for the purpose of film or television production.

(3) A person may provide a close contact service when that service is sport massage therapy or is ancillary to medical, health and social care services.

[^{F21}(3A) A person may provide a close contact service when that service is driving instruction for the test of competence to drive a vehicle provided by, or on behalf of, The Police Service of Northern Ireland, The Northern Ireland Ambulance Service Health and Social Care Trust, or The Northern Ireland Fire and Rescue Board.]

(4) A person providing a close contact service must wear, and ensure that a person receiving the service wears, a face covering unless—

(a) a person has a reasonable excuse not to do so, or

(b) it is necessary not to wear a face covering due to the nature of the service.

(5) A person providing a close contact service in accordance with paragraph (3) must comply with the duty in Regulation 4A (Visitor information).

[^{F22}(6) In this Regulation “reasonable excuse” has the meaning given in regulation 5 of the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020.]

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**
- F20** Words in reg. 4D(1) substituted (10.2.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/29\)](#), regs. 1(2), **3(1)**
- F21** Reg. 4D(3A) inserted (10.2.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/29\)](#), regs. 1(2), **3(2)**

Status: Point in time view as at 08/03/2021.

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)

F22 Reg. 4D(6) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **5**

Restrictions on licenced premises

4DA.—(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 between the hours of ^{F23}... 05.00a.m and 11.00pm.

^{F24}^{F25}(2) Paragraph (1) shall not prohibit or prevent a hotel or guesthouse from selling or providing—

- (a) food or drink for consumption on the premises to its residents; or
- (b) intoxicating liquor for consumption on the premises by a resident, and not by any other person, in the accommodation provided for the private use of the resident, provided that the intoxicating liquor is not delivered to that accommodation in response to a request from the resident.]

(3) Paragraph (1) shall not prohibit or prevent a hotel or guesthouse from selling or providing food or drink for consumption on the premises to its residents.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**
- F23** Words in reg. 4DA(1)(c) omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **6**
- F24** By virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **8**, it is provided that (7.1.2021 at midnight) reg. 4DA(2) is omitted
- F25** Reg. 4DA(2) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **7**

Restrictions on [^{F26}unlicenced] premises

4DB.—(1) A person responsible for carrying on a business which sells or provides food or drink (not including intoxicating liquor) for consumption on the premises—

- (a) must close any premises, or part of premises, in which food or drink are consumed on the premises;
- (b) must not sell or provide food or drink for consumption on its premises; and
- (c) may sell or provide food or drink for consumption off the premises between the hours of ^{F27}... 5.00a.m and 11.00p.m.

(2) For the purposes of paragraph (1), food or drink (not including intoxicating liquor) is not to be treated as being sold for consumption, or as consumed, on the premises if sold or provided—

- (a) in a port, airport or motorway service station,
- (b) on a ferry crossing which lasts or is expected to last three hours or more, or
- (c) in a canteen in a workplace, school, prison, hospital, care home or military establishment.

(3) In a case to which paragraph (2)(a) or (2)(b) applies, a person responsible for carrying on a business which sells or provides food or drink must comply with the requirement in Regulation 4A.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**
- F26** Word in reg. 4DB heading substituted (29.12.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 25\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/358\)](#), regs. 1(2), **2(4)**
- F27** Words in reg. 4DB(1)(c) omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **9**

Restrictions on off-licence businesses

4DC.—(1) A person responsible for carrying on a business which sells or provides intoxicating liquor for consumption off the premises may continue to do so only from 08:00 on Monday to Saturday, and from 10.00a.m on Sunday, until 8.00p.m on any day.

(2) Paragraph (1) shall not apply in an airport.

(3) A person referred to in paragraph (1) must sell or provide, or permit the sale or provision of, intoxicating liquor in accordance with this Regulation only in a manufacturer's original sealed packaging.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**

Restrictions on take-away food businesses

4DD. 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 ^{F28} ... ^{F29} ... between the hours of 5.00a.m and 11.p.m.

Textual Amendments

- F13** Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**
- F28** Words in reg. 4DD omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **10**

Status: Point in time view as at 08/03/2021.

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 Words in reg. 4DD omitted (29.12.2020 at 7.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 25\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/358\)](#), regs. 1(2), **2(6)**

Restrictions on libraries

4DE.—(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 in response to orders or requests received on-line, or by telephone including by text message, by delivery of items or by providing items to visitors who enter the premises of the library only to collect those items [^{F30}, or to persons who use the facilities of the library to access the internet].]

Textual Amendments

F13 Regs. 4A-4D omitted and regs. 4A-4DE inserted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **8, 9**

F30 Words in reg. 4DE(2) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **11**

[^{F31}Requirement in relation to social distancing.

4E.—(1) A person responsible for the organisation or operation of a relevant place (“the responsible person”) must take reasonable measures to ensure that his servants and agents, and visitors to such a place, comply with social distancing measures at all times.

(2) In this regulation “relevant place” means—

- (a) a shop;
- (b) an enclosed shopping centre^{F32}...: for these purposes premises are “enclosed” if they would be considered enclosed or substantially enclosed for the purposes of regulation 2 of the Smoke-free (Premises, Vehicle Operators and Penalty Notices) Regulations (Northern Ireland) 2007;

^{F33}(c)

(3) In this regulation “social distancing measures” means measures for the purpose of minimising the risk of exposure to, or spread of, coronavirus and which require a responsible person to take reasonable steps to ensure—

- (a) that the responsible person’s servants and agents, and visitors to a relevant place, are provided with information on how to minimise the risk of exposure to and the spread of coronavirus;
- (b) that the persons referred to in paragraph (a) maintain a distance of 2 metres from each other (unless members of the same or a linked household) by altering the layout of a relevant place including those parts to which visitors do not customarily have access, managing and controlling the use of points of access and egress, shared facilities (such as toilets) and managing and controlling the means of moving from one part of a relevant place to another;
- (c) that persons waiting to enter a relevant place maintain a distance of 2 metres from each other (unless members of the same or a linked household);

- (d) that a relevant place is regularly cleaned, hygiene is maintained and in particular points or places which are likely to be used frequently by servants, agents and visitors (such as entry barriers and gates and card terminals) are regularly sanitised.
- (4) Where it is not reasonably practicable for a social distance of 2 metres to be maintained, social distancing measures require a relevant person to take reasonable steps to ensure that—
- (a) any close face to face contact is limited between persons;
 - (b) barriers or screens are installed and maintained;
 - (c) personal protective equipment is used where appropriate and in such a case is made readily available.]

Textual Amendments

- F31** Reg. 4E inserted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(2)**
- F32** Words in reg. 4E(2)(b) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **10**
- F33** Reg. 4E(2)(c) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **11**

[^{F34}Restrictions on gatherings

- 5.—(1) This Regulation does not apply to a gathering at a private dwelling or to a sporting event.
- (2) A gathering referred to in regulation 5A (a gathering of 30 or more persons in public or private with or without amplified music) falls to be dealt with under that regulation, and not this regulation, despite the fact that such a gathering may otherwise fall within this regulation.
- (3) [^{F35}Subject to paragraphs (3A) and] (4), a person shall not organise, operate or participate in an outdoor or indoor gathering which consists of more than six persons from more than two households.
- [^{F36}(3A) Paragraph (3) shall not apply to an outdoor gathering which consists of no more than 10 persons from no more than 2 households for the purpose of socialising which is not a sporting event.]
- (4) Paragraph (3) shall not apply to a gathering which is one of the following, and which fulfils the conditions in paragraph (5)—
- (a) (in a place of worship or a place where beliefs are practised) a wedding, civil partnership ceremony, funeral or act of worship or belief,
 - (b) (in any venue) a wedding or civil partnership ceremony (not including a reception),
 - (c) educational activity not in a school or institute of higher or further education, provided that it may not be delivered by distance learning and face to face delivery is essential,
 - (d) 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,
 - (e) educational activity in a school or institute of higher or further education, or
 - (f) a blood donation session or a vaccination session.
- (5) The conditions referred to in paragraph (4) are that the person responsible for organising or operating the gathering—

Status: Point in time view as at 08/03/2021.

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) has carried out a risk assessment which meets the requirements of the Management of Health and Safety at Work Regulations (Northern Ireland) 2006, whether or not that person is subject to those Regulations;
- (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; and
- (c) (in respect of a wedding, civil partnership ceremony or funeral), ensures that the number attending is no more than 25 persons including children and the celebrant, and complies with the duty in Regulation 4A (Visitor information).
- (6) A person responsible for organising or operating a gathering referred to in paragraph (4) 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 (5)(a) and an account of the measures referred to in subparagraph (5)(b) as soon as reasonably practicable and in any event within twenty-four hours of the request.
- (7) Paragraph (3) shall not apply to a gathering 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.
- (8) 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.
- (9) Regulation 8 (offences and penalties) does not apply to a contravention of the requirement in paragraph (8).
- (10) A person (other than a person leading a service) entering or leaving a place of worship or a place where beliefs are practised, or being within such a place, must, unless there is a reasonable excuse, wear a face covering while doing so.
- (11) Paragraph (10) shall not apply to a couple at a ceremony to solemnise their marriage or to form their civil partnership.
- (12) In this Regulation “reasonable excuse” has the meaning given in regulation 5 of the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020.]

Textual Amendments

- F34** Reg. 5 substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **12**
- F35** Words in reg. 5(3) substituted (8.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(3), **2(6)**
- F36** Reg. 5(3A) inserted (8.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(3), **2(7)**

[^{F37}Restrictions on large gatherings

- 5A.—**(1) A person (“an organiser or operator”) shall not organise or operate or participate in—
- (a) an indoor or outdoor gathering of more than thirty persons at a private dwelling;
- (b) a private indoor or outdoor gathering of thirty or more persons (whether or not at a private dwelling) at which amplified music is played during the night with or without intermissions and which music is likely to cause serious distress to the inhabitants of the locality by reason of its loudness, duration and the time at which it is played.
- (2) A person, not being an organiser or operator referred to in paragraph (1), shall not participate in a gathering referred to in that paragraph.

(3) In this regulation “amplified music” includes sounds wholly or predominantly characterised by the emission of a succession of repetitive beats.]

Textual Amendments

F37 Reg. 5A inserted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(4)**

[^{F38}Restrictions on sporting events

5B.—(1) A person must not attend a sporting event as a spectator.

(2) Subject to [^{F39}paragraph (4)], a person must not organise, operate or participate in an indoor sporting event unless-

- (a) all of the participating athletes are elite athletes; or
- (b) the sporting event is for the purpose of physical education in or for a school or schools; or
- ^{F40}(c)

(3) Subject to [^{F41}paragraph (4)], a person must not organise, operate or participate in an outdoor sporting event unless-

- (a) all of the participating athletes are elite athletes;
- (b) the sporting event is for the purpose of physical education in or for a school or schools;
[the number of participants does not exceed two and the purpose is exercise but not training;
- ^{F42}(c) or
- (d) all of the participants are members of one household and any linked household.]

[
^{F43}(4)] A person must not organise, operate or participate in a professional league or professional competition that has not commenced prior to 18 December 2020; for the purposes of these Regulations a professional league or professional competition has commenced if fixtures have taken place.

Textual Amendments

F38 Regs. 5B, 5C inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **13**

F39 Words in reg. 5B(2) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **13**

F40 Reg. 5B(2)(c) omitted (29.12.2020 at 7.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 25\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/358\)](#), regs. 1(2), **2(7)**

F41 Words in reg. 5B(3) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **13**

F42 Reg. 5B(3)(c)(d) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **14**

F43 Reg. 5B(4) omitted and existing reg. 5B(5) renumbered as reg. 5B(4) (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **15**

Status: Point in time view as at 08/03/2021.

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)

Linked households

5C.—(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 a “linked household” 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 ten days has expired since the household ceased to be a part of a previous linked household.

^{F44}(4)]

Textual Amendments

F38 Regs. 5B, 5C inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **13**

F44 Reg. 5C(4) omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **16**

[^{F45}Restrictions on gatherings: private dwellings

6.—(1) Subject to paragraphs (2) to (5) a person shall not participate in an indoor or outdoor gathering in a private dwelling which consists of persons from—

- (a) more than one household, or
- (b) more than one household and its linked household, provided that such a gathering does not consist of more than 10 persons.

(2) Paragraph (1) does not apply where the gathering is for the purpose of—

- (a) the provision of care or assistance, including social services, to a vulnerable person;
- (b) childcare provided by a person registered in accordance with the Children (Northern Ireland) Order 1995 or any childcare provided free of charge;
- (c) building or maintenance works or the provision of the services of any trade or profession at the private dwelling;
- (d) giving or receiving legal advice or assistance or fulfilling a legal obligation;
- (e) to move house and to undertake associated activities for that purpose, including viewing properties and making arrangements for removals;
- (f) the provision of emergency or medical assistance to any person; or
- (g) the removal of the remains of a deceased person to the private dwelling.

(3) (a) Paragraph (1) does not apply to an indoor gathering for the purpose of a marriage or a civil partnership ceremony where a party to the marriage or civil partnership is seriously ill and death in consequence of that illness can reasonably be expected within six months of the date of the ceremony.

(b) In a case referred to in sub-paragraph (a) an indoor gathering in a private dwelling may consist of up to ten persons including the participants and officiant.

- (a) (4) (a) Paragraph (1) does 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 sub-paragraph (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 sub-paragraph (b).
- (5) A gathering referred to in regulation 5A (a gathering of 30 or more persons in public or private with or without amplified music) falls to be dealt with under that regulation, and not this regulation, despite the fact that such a gathering may otherwise fall within this regulation.]

Textual Amendments

F45 Reg. 6 substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), 17

[^{F46}Overnight stays

6A.—(1) No person may, without a reasonable excuse, stay overnight at any place other than the place where they normally live or where their linked household normally lives, except (subject to the provisions of Paragraph 1(12) of Schedule 1) where the overnight stay is in a bed and breakfast establishment, hotel, bunkhouse, hostel, guest accommodation, self-catering establishment or guest house;

(2) For the purposes of [^{F47}paragraph] (1), a reasonable excuse includes ^{F48}... where reasonably necessary—

- (a) to access medical or hospital services;
- (b) [^{F49}to stay overnight] 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.]

Textual Amendments

F46 Reg. 6A inserted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), 15

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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)

- F47** Word in reg. 6A(2) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **18(a)**
- F48** Words in reg. 6A(2) omitted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **18(a)**
- F49** Words in reg. 6A(2)(b) substituted (7.1.2021 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **18(b)**

[^{F50}E] Enforcement officers and premises improvement notices

[^{F51}6B].—(1) “Enforcement officer” means a person designated by a district council for the purposes of these regulations.

(2) An enforcement officer may exercise the powers of a relevant person in relation to regulations [^{F52}4 to 6].

(3) An enforcement officer may issue a notice (a “premises improvement notice”) to a person if the enforcement officer considers that—

- (a) the person is not complying with any requirement or requirements imposed on the person by regulations [^{F52}4 to 6], and
- (b) the measures specified in the notice are necessary and proportionate in order to ensure that the person complies with the requirement or requirements.

(4) A premises improvement notice must—

- (a) specify any premises to which it relates;
- (b) specify the measures the enforcement officer requires a person to take in order to ensure that the person complies with any requirement or requirements of regulations [^{F52}4 to 6]; and
- (c) specify a time limit within which the measures must be taken (which must not be less than 48 hours beginning with the time the notice is issued).

(5) An enforcement officer must issue a notice terminating a premises improvement notice if satisfied that—

- (a) the measures specified in the premises improvement notice have been taken, or
- (b) other measures have been taken to ensure that regulations [^{F52}4 to 6] are complied with at the premises in question.

(6) A premises improvement notice ceases to have effect at the time notice of the termination is issued.

- (a) (7) (a) A premises improvement notice or a termination of a premises improvement notice is issued to a person by giving a copy of it in writing to that person.
- (b) But where a person responsible for carrying on a business or service on the premises to which the notice or termination relates is not on the premises when it is to be issued, the notice or termination is to be treated as having been issued to that person—
 - (i) if a copy of it is given to any other person on the premises who appears to be involved in the business or service in question, or
 - (ii) if there is no such person on the premises when the notice is to be issued, a copy of the notice is placed in a conspicuous position on the premises.

- (8) As soon as reasonably practicable after issuing a premises improvement notice, the enforcement officer must—
- (a) display a copy of the notice, and a sign in the form set out in Schedule 3, in a prominent place near every entrance to the premises, and
 - (b) arrange for the notice to be published on the website of the district council for the local government district in which the premises are located.
- (9) A notice or sign displayed under sub-paragraph (8)(a) must be at least A4 size.
- (10) A person must not remove a notice or sign required to be displayed under sub-paragraph (8) (a) for as long as the notice has effect.]

Textual Amendments

- F50** Reg. 6A (which is subsequently renumbered as reg. 6B) inserted (13.11.2020 at 4.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 14\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/255\)](#), regs. 1(2), **2(2)**
- F51** Reg. 6A renumbered as reg. 6B (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **16**
- F52** Words in reg. 6B substituted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **16**

[^{F53}Restrictions on movement

6C.—(1) No person may leave or remain away from the place where they normally live without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes, subject to the requirements of Regulations 4 to 6A—

- (a) to obtain goods or services from any business listed in Part 2 of Schedule 1,
- (b) to take exercise individually or as permitted by Regulation 5B,
- (c) to obtain or provide medical assistance, including to access dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, sports massage therapy and other medical or health services, including services relating to mental health,
- (d) to access veterinary surgeons and pet shops,
- (e) to obtain or provide care or assistance, including relevant personal care within the meaning of paragraph 7(3B) of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, to a vulnerable person, or to provide emergency assistance,
- (f) to donate blood,
- (g) to attend 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 normally live or where their linked household normally lives,
- (h) to attend a funeral,
- (i) to visit a burial ground to pay respects to a member of the person's household, family member or friend,
- (j) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings,
- (k) to provide or access critical public services, including—

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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) youth services or educational facilities (where these are available to a child or young person in relation to whom that person is the parent of, or has parental responsibility for or care of, the child),
- (ii) childcare provided by a person registered in accordance with the Children (Northern Ireland) Order 1995 or any childcare provided free of charge,
- (iii) social care services,
- (iv) services provided by the Department for Communities,
- (v) services provided to victims (such as victims of crime),
- (vi) services provided by a district council or other public body, including household waste or recycling centres,
- (l) in relation to children who do not live in the same household as their parents, or one of their parents, to continue existing arrangements for access to, and contact between, parents and children, and for the purposes of this paragraph, “parent” includes a person who is not a parent of the child, but who has parental responsibility for, or who has care of, the child,
- (m) in the case of a minister of religion or belief leader, to go to their place of worship or place where they practice their beliefs,
- (n) to move house and to undertake associated activities for that purpose, including visiting estate agents, viewing properties and making arrangements for removals,
- (o) to avoid injury or illness or to escape a risk of harm,
- (p) to attend a place of worship or place where a person practices their beliefs,
- (q) to take part in an outdoor gathering or activity,
- (r) to attend to the care or welfare of animals, including to access animal care or welfare services, including boarding, stabling, grooming, exercising, sitting or training animals,
- (s) to attend or participate in a marriage or civil partnership ceremony,
- (t) 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 a sporting event as permitted by Regulation 5B,
- (u) to visit another person’s private dwelling, either alone or accompanied by others,
- (v) for the purpose of staying overnight as permitted by Regulation 6A,
- (w) to take part in, or assist with, a sporting event in an indoor or outdoor sports facility as permitted by Regulation 5B,
- (x) to obtain basic necessities, including food and medical supplies for those in the same household, or
- (y) to access library services as permitted by Regulation 4DE.

(3) For the purposes of paragraph (1), the place where a person normally lives includes those premises along with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(4) Paragraph (1) does not apply to any person who is homeless.]

Textual Amendments

F53 Reg. 6C substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **19**

Enforcement of requirement

7.—(1) A relevant person may take such action as is necessary to [^{F54}establish whether a breach of these regulations has occurred or to] enforce any requirement imposed by [^{F55}regulation 4 to 6C].

(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 [^{F56}regulation 4 to 6C], 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.

(a) [^{F57}(2B) (a) Where the conditions in sub-paragraph (b) apply, a relevant person may direct a person P to return to the place where they normally live.

(b) The conditions are—

- (i) that a relevant person considers that P is outside of the place where they normally live; and
- (ii) that P is engaged in, or is intending to engage in, activity prohibited by Regulations 4 to 6C.]

(3) Where a relevant person considers that there is a gathering in contravention of regulation [^{F58}5 to 6] [^{F59}...], 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 [^{F60}5 to 6] [^{F61}... is a child accompanied by an individual who has responsibility for the child—

- (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 [^{F62}5 to 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 [^{F63}(2B),] (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 [^{F64}regulation 5 to 6C].

(8) A relevant person exercising a power under paragraph [^{F65}(2B),] (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 ^{M16}).

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^{F66}(c)

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

Textual Amendments

- F54** Words in reg. 7(1) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **20**
- F55** Words in reg. 7(1) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **20**
- F56** Words in reg. 7(2)(a) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **21**
- F57** Reg. 7(2B) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **22**
- F58** Words in reg. 7(3) substituted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(6)**
- F59** Words in reg. 7(3) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **20**
- F60** Words in reg. 7(5) substituted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(6)**
- F61** Words in reg. 7(5) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **20**
- F62** Words in reg. 7(6) substituted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(6)**
- F63** Word in reg. 7(7) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **23**
- F64** Words in reg. 7(7) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **23**
- F65** Word in reg. 7(8) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **24**
- F66** 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

M16 [S.I. 1995/755 \(N.I. 2\)](#)

[^{F67} Appeals against notices

7A.—(1) A person to whom a premises improvement notice or a prohibition notice (in this regulation a “notice”) is issued may appeal to a court of summary jurisdiction against the notice if it contains a restriction or requirement to which this regulation applies and to which a person would not be subject but for the notice.

(2) This regulation applies to a restriction or requirement in a notice that a person—

- (a) wear protective clothing;
- (b) provide information or answer questions about the person’s health or other circumstances;
- (c) abstain from working or trading;

- (d) close premises or a part of premises;
 - (e) disinfect or decontaminate premises or a part of premises or a thing; or
 - (f) attend training or advice sessions on how to reduce the risk of infecting or contaminating others.
- (3) An appeal must be made—
- (a) to a court of summary jurisdiction in accordance with Article 76 of the Magistrates' Courts (Northern Ireland) Order 1981, and
 - (b) within 7 days after the day the notice is issued.
- (4) A court of summary jurisdiction may allow an appeal to be made after the expiry of the period mentioned in sub-paragraph (3)(b) if satisfied that there is a good reason for the failure to appeal before the expiry of that period and for any delay in applying for permission to appeal out of time.
- (5) A court of summary jurisdiction may suspend the effect of a notice pending the determination of an appeal.
- (6) On an appeal against a notice, a court of summary jurisdiction may—
- (a) confirm the decision to issue the notice;
 - (b) direct that the notice is to cease to have effect;
 - (c) modify the notice; or
 - (d) make such other order as the court considers appropriate.
- (7) An appeal by either party against the decision of a court of summary jurisdiction under this regulation may be made under Article 143(3)(c) of the Magistrates' Courts (Northern Ireland) Order 1981.
- (8) On an appeal in accordance with paragraph (7), the county court may confirm, vary or reverse the decision of the court of summary jurisdiction.]

Textual Amendments

F67 Reg. 7A inserted (11.12.2020 at 00:01) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 19\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/323\)](#), regs. 1(2), **2(11)**

Offences and penalties

8.—(1) A person who, without reasonable excuse, contravenes a requirement in [^{F68}regulation 4 to 6C]^{F69} ... 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 [^{F70}, or fails to comply with an improvement notice given by an enforcement officer under regulation 6A] or a prohibition notice given by a relevant person under regulation 7, commits an offence.

[^{F71}(4) An offence—

- (a) under regulation [^{F72}4, 4E or 5A(1)] is punishable on summary conviction by a fine not exceeding £10,000;
- (b) under any other provision referred to in this regulation, is punishable on summary conviction by a fine not exceeding level 5 on the standard scale.]

(5) Article 26 of the Police and Criminal Evidence (Northern Ireland) Order 1989^{M17} 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

- F68** Words in reg. 8(1) substituted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **25**
- F69** Words in reg. 8(1) omitted (25.12.2020 at midnight) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **21**
- F70** Words in reg. 8(3) inserted (13.11.2020 at 4.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 14\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/255\)](#), regs. 1(2), **2(4)**
- F71** Reg. 8(4) substituted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(7)**
- F72** Words in reg. 8(4)(a) substituted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **22**

Marginal Citations

- M17** [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;
- (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.
- [^{F73}(6) The amount specified under paragraph (5)(c) must—
- (a) in the case of an offence consisting of a breach of regulation [^{F74}4, 4E, or 5A(1)]—
 - (i) be £1,000 if a fixed penalty notice is the first one issued to a person in respect of such a breach;
 - (ii) be £2,000 if a fixed penalty notice is the second one issued to a person in respect of such a breach;
 - (iii) be £4,000 if a fixed penalty notice is the third one issued to a person in respect of such a breach;
 - (iv) be £10,000 if a fixed penalty notice is the fourth one, or any subsequent one, issued to a person in respect of such a breach;
 - (b) in the case of an offence referred to in regulation 8(2) or (3) which is committed in connection with a breach of a provision referred to in paragraph (a), be the same as that referred to in that paragraph;
 - (c) in the case of an offence consisting of a breach of any other provision (not being one referred to in paragraph (a)) imposed by these Regulations, be £200;
 - (d) in the case of an offence referred to in regulation 8(2) or (3) which is committed in connection with a breach of a provision referred to in paragraph (c), be the same as that referred to in that paragraph.
- (7) A fixed penalty notice in respect of an offence referred to in paragraph (6)(c) or (d) must specify that if £100 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.
- (7A) A person who has previously been issued with a fixed penalty notice in respect of a breach of a provision referred to in paragraph (6)(c) (“breach A”) or in respect of an offence committed in respect of breach A (see paragraph (6)(d)), shall not be issued with a fixed penalty notice in respect of any further breach of, or further offence committed in connection with, breach A.]
- (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;

Status: Point in time view as at 08/03/2021.

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) a person designated by the Department of Health for the purposes of this regulation.

Textual Amendments

- F73** Reg. 9(6)-(7A) substituted for reg. 9(6)(7) (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(8)**
- F74** Words in reg. 9(6)(a) substituted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **23**

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.

[^{F75}(4) Paragraph (3) does not apply to a fixed penalty under these Regulations of £1,000 or more.]

Textual Amendments

- F75** Reg. 10(4) inserted (12.11.2020 at 5.30 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 13\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/250\)](#), regs. 1(2), **2(9)**

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 ^{M18}, 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).

Marginal Citations

M18 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)—

Status: Point in time view as at 08/03/2021.

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 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^{M19} (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

M19 [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 [^{F76}midnight on [^{F77}31] March 2021].
- (2) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Textual Amendments

- F76** Words in reg. 15(1) substituted (3.2.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/18\)](#), regs. 1(2), **3(2)**
- F77** Word in reg. 15(1) substituted (2.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(2), **2(8)**

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 08/03/2021.

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)

[^{F78}SCHEDULE 1

Regulation 4

Textual Amendments

F78 Sch. 1 substituted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **25**

[^{F79}PART 1]

Businesses, services providers and premises subject to restrictions or closure

Textual Amendments

F79 Sch. 1 Pt. 1 heading inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **26(a)**

1.—(1) Nightclubs.

(2) Conference halls and conference facilities, including those in hotels, except when used for the delivery of hearings of Courts, Tribunals [^{F80}, public inquiries held by a Department] and Appeals Services, and for the administrative support of these services.

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

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

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

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

(7) Swimming and diving pools.

(8) Indoor sports and exercise facilities, including soft play areas, leisure centres, gyms, equestrian centres, venues relating to motor sport and activity centres, except as permitted by Regulation 5B (Sporting events).

(9) Outdoor sports and exercise facilities including activity centres, equestrian centres, marinas and venues relating to motor sport and water sport, except as permitted by Regulation 5B (Sporting events).

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

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

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

(a) to host a wedding or civil partnership ceremony (but not a reception, and subject to Regulation 5(4)(b)), or

(b) in relation to residents who are—

- (i) already resident on the date this schedule comes into operation;
- (ii) resident for work-related purposes;
- (iii) vulnerable people;
- (iv) unable to return to their private dwelling due to an emergency.

Textual Amendments

F80 Words in Sch. 1 para. 1(2) inserted (8.3.2021) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No.5\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/46\)](#), regs. 1(3), **2(9)**

[^{F81}PART 2]

Essential retail businesses Regulations 4B and 4C

Textual Amendments

F81 Sch. 1 Pt. 2 heading inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **26(b)**

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

Status: Point in time view as at 08/03/2021.

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)

- (20) Professional services including solicitors.
- (21) Dog groomers.
- (22) Fuel suppliers.
- (23) Ports, airports, train stations, bus stations and other transport services.
- [^{F82}(24) Maintenance or repair services for telecommunications or information technology devices]]

Textual Amendments

F82 Sch. 1 para. 2(24) inserted (7.1.2021 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/3\)](#), regs. 1(2), **26(c)**

[^{F83}SCHEDULE 2

Regulation 4D

Close contact services

Textual Amendments

F83 Sch. 2 substituted (29.12.2020 at 7.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 25\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/358\)](#), regs. 1(2), **2(9)**

“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;
- (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 (j) (unless social distancing is maintained);
- (l) driving instruction for the test of competence to drive a vehicle other than a motorcycle established by Article 5 of the Road Traffic (Northern Ireland) Order 1981.”]

[^{F84}SCHEDULE 3

[^{F85}Regulation 6B]

Sign to be displayed with premises improvement notice

Textual Amendments

- F84** Sch. 3 inserted (13.11.2020 at 4.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 14\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/255\)](#), regs. 1(2), **2(5)**
- F85** Words in Sch. 3 substituted (25.12.2020 at midnight) by [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(Amendment No. 24\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/356\)](#), regs. 1(2), **27**

[District council name and logo]

**CORONAVIRUS -
PUBLIC HEALTH**

PREMISES REQUIRE IMPROVEMENT

A Premises Improvement Notice has been served in respect of these premises, requiring measures to be taken to ensure compliance with Coronavirus legislation.

The measures to be taken are set out in the Notice displayed with this sign.

Status: Point in time view as at 08/03/2021.

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)

1

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 08/03/2021.

Changes to legislation:

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