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STATUTORY RULES OF NORTHERN IRELAND

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**2020 No. 55**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus, Restrictions)  
Regulations (Northern Ireland) 2020**

<i>Made</i>	- - - -	<i>at 9.15 p.m. on 28th March 2020</i>
<i>Laid before the Assembly</i>		<i>at 10.00 p.m. on 28th March 2020</i>
<i>Coming into operation</i>		<i>at 11.00 p.m. on 28th March 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) Regulations (Northern Ireland) 2020 and shall come into operation at 11.00 p.m. on 28th March 2020.

(2) In these Regulations—

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**Status:** Point in time view as at 22/06/2020.

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

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[<sup>F1</sup>“childcare” includes day care as defined in Article 19 of the Children (Northern Ireland) Order 1995;]

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

[<sup>F1</sup>“elite athlete” means an individual who—

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

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

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

“person responsible for carrying on a business” includes the owner, proprietor and manager of that business;

“vulnerable person” includes—

- (a) any person aged 70 or older;
- (b) any person under 70 who has an underlying health condition, including but not limited to, the conditions listed in Schedule 1;
- (c) any person who is pregnant.

[<sup>F2</sup>(3) 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 (11.6.2020 at 11.00 p.m. for specified purposes, 14.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2)(4), **2(2)** (with reg. 3)
- F2** Reg. 1(3) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(2)** (with reg. 3)

#### Commencement Information

- I1** Reg. 1 in operation at 28.3.2020, see reg. 1(1)

### The emergency period and review of need for restrictions

2.—(1) For the purposes of these Regulations, the “emergency period”—

- (a) starts when these Regulations come into operation, and
- (b) ends in relation to a restriction or requirement imposed by these Regulations on the day and at the time specified in a direction published by the Department of Health terminating the requirement or restriction.

(2) The Department of Health must review the need for restrictions and requirements imposed by these Regulations at least once every 21 days, with the first review being carried out by 18th April 2020.

(3) As soon as the Department of Health considers that any restrictions or requirements set out in these Regulations are no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in Northern Ireland with the coronavirus, the Department of Health must publish a direction terminating that restriction or requirement.

(4) A direction published under this regulation may—

- (a) terminate any one or more requirement or restriction;
- (b) terminate a requirement or restriction in relation to a specified business or service or a specified description or business or service.

[<sup>F3</sup>(4A) Section 28(2) (effect of repeal) of the Interpretation Act (Northern Ireland) 1954 applies in relation to the termination of a restriction or requirement by a direction as it applies in relation to the repeal of an enactment.]

(5) In this regulation, “specified” means specified in a direction published under this regulation.

#### Textual Amendments

- F3** Reg. 2(4A) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(3)** (with reg. 3)

#### Commencement Information

- I2** Reg. 2 in operation at 28.3.2020, see reg. 1(1)

### Requirement to close premises and businesses during the emergency

3.—(1) A person responsible for carrying on a business which is listed in Part 1 of Schedule 2 must—

- (a) during the emergency period—

**Status:** Point in time view as at 22/06/2020.

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

- (i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and
  - (ii) cease selling food or drink for consumption on its premises; or
  - (b) if the business sells food or drink for consumption off the premises, cease selling food or drink for consumption on its premises during the emergency period.
- (2) For the purposes of paragraph 1(a), food or drink sold by a hotel or other accommodation as part of room service is not to be treated as being sold for consumption on its premises.
- (3) For the purposes of paragraph 1(a)(ii) and (b), an area adjacent to the premises of the business where seating is made available for customers of the business (whether or not by the business) is to be treated as part of the premises of that business.
- (4) A person responsible for carrying on a business or providing a service which is listed in Part 2 of Schedule 2 must cease to carry on that business or to provide that service during the emergency period.
- (5) Paragraph (4) does not prevent the use of—
- (a) premises used for the businesses or services listed in paragraphs 5, 6, 8, 9 or 10 of that Part to broadcast a performance to people outside the premises, whether over the internet or as part of a radio or television broadcast;
  - (b) any suitable premises used for the businesses or services listed in that Schedule to host blood donation sessions.
- [<sup>F4</sup>(c) premises used for the businesses listed in paragraphs 5, 6, 7, 9 or 10 of that Part to screen a film or to stage a live music concert or theatre performance outdoor to persons who are present in a vehicle parked on the premises, subject to the person responsible for the business taking all reasonable measures to ensure that—
- (i) all those who attend for this purpose remain inside the vehicle in which they arrived at the premises for the duration of the film or live concert or performance; and
  - (ii) the occupants of each vehicle are members of the same household.]
- (6) If a business listed in Part 1 or 2 of Schedule 2 (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) if it closes down business A.

#### Textual Amendments

**F4** Reg. 3(5)(c) inserted (21.5.2020 at 11:00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/86\)](#), regs. 1, **2(2)** (with reg. 3)

#### Commencement Information

**I3** Reg. 3 in operation at 28.3.2020, see reg. 1(1)

### Further restrictions and closures during the emergency period

- 4.—[<sup>F5</sup>(1) A person responsible for providing library services must, during the emergency period—
- (a) cease to do so, except by providing services in response to orders or enquiries received—
    - (i) through a website, or otherwise by on-line communication,
    - (ii) by telephone, including orders by text message, or
    - (iii) by post;

- (b) close any premises which are not required to provide its services as permitted by sub-paragraph (a);
- (c) cease to admit any person to its premises who is not required to provide its services as permitted by sub-paragraph (a).

(2) During the emergency period, a person responsible for carrying on a business listed in Part 3 of Schedule 2 may offer goods for sale or for hire in a shop, but may not provide a service listed in paragraph 13, 14, 15 or 16 of Part 2 of Schedule 2.]

(3) Subject to paragraph (4), a person responsible for carrying on a business consisting of the provision of holiday accommodation, whether in a hotel, hostel, bed and breakfast accommodation, holiday apartment, home, cottage or bungalow, campsite, caravan park or boarding house, must cease to carry on that business during the emergency period.

(4) A person referred to in paragraph (3) may continue to carry on their business and keep any premises used in that business open—

- (a) to provide accommodation for any person, who—
  - (i) is unable to return to their main residence;
  - (ii) uses that accommodation as their main residence;
  - (iii) needs accommodation while moving house;
  - (iv) needs accommodation to attend a funeral;
  - [<sup>F6</sup>(v) is an elite athlete or the coach of an elite athlete or the parent of an elite athlete who is under the age of 18 and needs accommodation for the purpose of training;]
- (b) to provide accommodation or support services for the homeless,
- (c) to host blood donation sessions, <sup>F7</sup> ...
- (d) for any purpose requested by any Northern Ireland department, the Regional Agency, a health and social care trust or a district council [<sup>F8</sup>; or
- (e) to provide services (other than accommodation) in response to enquiries or bookings received—
  - (i) through a website or otherwise by on-line communication,
  - (ii) by telephone, including text message, or
  - (iii) by post.]

(5) A person who is responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted in paragraph (6).

- (6) A place of worship may be used—
- (a) for funerals,
  - (b) to broadcast an act of worship, whether over the internet or as part of a radio or television broadcast, or
  - (c) to provide essential voluntary services or urgent public support services [<sup>F9</sup>upon the request of the Department of Health] (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency).
  - [<sup>F10</sup>(d) to solemnise a marriage ceremony where a party to the marriage is suffering from a progressive disease, where death in consequence of that disease can reasonably be expected within six months of the date of the ceremony and subject to a total number of ten persons being present in the place of worship at the time of the ceremony, including the marriage celebrant and the two parties to the marriage.]

[<sup>F11</sup>(e) for acts of private worship;

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- (f) to broadcast (by way of loudspeaker or radio) an act of worship to worshippers who are present in a vehicle parked on the premises, subject to the person responsible for the place of worship taking all reasonable measures to ensure that—
- (i) all those who attend for this purpose remain inside the vehicle in which they arrived at the premises for the duration of the service; and
  - (ii) the occupants of each vehicle are members of the same household.]
- [<sup>F12</sup>(g) to solemnise a marriage ceremony, subject to—
- (i) the ceremony taking place outdoors; and
  - (ii) a total number of ten persons being present in the place of worship at the time of the ceremony, including the marriage celebrant and the two parties to the marriage.]
- [<sup>F13</sup>(h) to provide childcare by a person who is registered in accordance with Part XI of the Children (Northern Ireland) Order 1995.]
- [<sup>F14</sup>(7) A person who is responsible for a community centre must ensure that, during the emergency period, the community centre is closed except where it is used to provide—
- (a) essential voluntary activities or urgent public support services upon the request of the Department of Health (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency); or
  - (b) childcare provided by a person who is registered in accordance with Part XI of the Children (Northern Ireland) Order 1995.]
- (8) A person who is responsible for a crematorium <sup>F15</sup>... must ensure that, during the emergency period, the crematorium <sup>F15</sup>... is closed to members of the public, except for funerals <sup>F15</sup>....
- (9) If a business referred to in paragraph (1) or (3) (“business A”) forms part of a larger business (“business B”), the person responsible for carrying on business B complies with the requirement in paragraph (1) or (3) to cease to carry on its business if it ceases to carry on business A.

#### Textual Amendments

- F5** Reg. 4(1)(2) substituted (11.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(3)(a)** (with reg. 3)
- F6** Reg. 4(4)(a)(v) inserted (14.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(4), **2(3)(b)** (with reg. 3)
- F7** Word in reg. 4(4)(c) omitted (7.6.2020 at 11.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(2)(a)** (with reg. 3)
- F8** Reg. 4(4)(e) and word inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(2)(b)** (with reg. 3)
- F9** Words in reg. 4(6)(c) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(4)(b)** (with reg. 3)
- F10** Reg. 4(6)(d) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(4)(c)** (with reg. 3)
- F11** Reg. 4(6)(e)(f) inserted (19.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/84\)](#), regs. 1, **2(2)** (with reg. 3)

- F12** Reg. 4(6)(g) inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(2)(c)** (with reg. 3)
- F13** Reg. 4(6)(h) inserted (11.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(3)(c)** (with reg. 3)
- F14** Reg. 4(7) substituted (11.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(3)(d)** (with reg. 3)
- F15** Words in reg. 4(8) omitted (24.4.2020 at 11.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/71\)](#), regs. 1, **2(2)**

#### Commencement Information

- I4** Reg. 4 in operation at 28.3.2020, see reg. 1(1)

#### [<sup>F16</sup>Restriction applicable to burial grounds

**4A.** During the emergency period, a person who is responsible for a burial ground must take all reasonable measures to ensure that a distance of at least two metres is maintained between every person at the burial ground (except between members of the same household).]

#### Textual Amendments

- F16** Reg. 4A inserted (24.4.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/71\)](#), regs. 1, **2(3)**

#### Restrictions on movement

**5.—(1)** During the emergency period, no person may leave the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

- [<sup>F17</sup>(a) to obtain goods from any business listed in Part 3 of Schedule 2;]
- (b) to take exercise either alone or with other members of their household;
  - (c) to seek medical assistance, including to access any of the services referred to in paragraph 37 or 38 of Schedule 2;
  - (d) to 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<sup>M3</sup>, to a vulnerable person, or to provide emergency assistance;
  - (e) to donate blood
  - (f) 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;
  - (g) to attend a funeral of—
    - (i) a member of the person's household,
    - (ii) a close family member, or
    - (iii) if no-one within sub-paragraphs (i) or (ii) is attending, a friend;

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- [<sup>F18</sup>(ga) to visit a burial ground to pay respects to a member of the person’s household, family member or friend;]
- (h) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;
- (i) to access critical public services, including—
- (i) childcare or educational facilities (where these are still available to a child in relation to whom that person is the parent, or has parental responsibility for, or care of the child);
  - (ii) social care services;
  - (iii) services provided by the Department for Communities;
  - (iv) services provided to victims (such as victims of crime);
- [<sup>F19</sup>(v) services provided by a district council or other public body, including household waste or recycling centres;]
- (j) 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;
- (k) in the case of a minister of religion or worship leader, to go to their place of worship;
- [<sup>F20</sup>(l) to move house and to undertake associated activities for that purpose, including visiting estate agents, viewing properties and making arrangements for removals;]
- (m) to avoid injury or illness or to escape a risk of harm.
- [<sup>F21</sup>(n) to attend a place of worship for an act of private worship, or to attend an act of worship which is being broadcast or to attend or participate in a marriage ceremony, in accordance with regulation 4(6)(d);
- (o) to take part in an outdoor activity [<sup>F22</sup>:including an activity undertaken in or by an outdoor sports facility;]
- (p) to take part in an outdoor gathering, in accordance with regulation 6A.]
- [<sup>F23</sup>(q) to attend an outdoor film or live music concert or theatre performance.]
- [<sup>F24</sup>(r) to attend to the care or welfare of animals, including to access a service referred to in paragraph 44 of Schedule 2;
- (s) to attend or participate in an outdoor marriage or civil partnership ceremony, in accordance with regulations 4(6)(g) or 6B.]
- [<sup>F25</sup>(t) in the case of a person who lives alone, to visit another person’s private dwelling, including staying one or more nights in that person’s dwelling;
- (u) in the case of an elite athlete or the parent of an elite athlete who is under the age of 18, for the purpose of training.]
- [<sup>F26</sup>(v) to visit another person’s private dwelling, either alone or accompanied by others, provided the maximum number of persons in the dwelling does not exceed 6]
- (3) For the purposes of paragraph (1), the place where a person is living includes the premises where they live together 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.
- [<sup>F27</sup>(5) A person who leaves the place where they are living does not do so with reasonable excuse under paragraph (2)(b) unless any associated travel that is not in itself exercise is reasonable, having regard to all the circumstances including the nature of the exercise to be taken.]



### Textual Amendments

- F17** Reg. 5(2)(a) substituted (11.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(4)(a)** (with reg. 3)
- F18** Reg. 5(2)(ga) inserted (24.4.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/71\)](#), regs. 1, **2(4)(a)**
- F19** Reg. 5(2)(i)(v) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(5)(b)** (with reg. 3)
- F20** Reg. 5(2)(l) substituted (14.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(4), **2(4)(b)** (with reg. 3)
- F21** Reg. 5(2)(n)-(p) inserted (19.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/84\)](#), regs. 1, **2(3)** (with reg. 3)
- F22** Words in reg. 5(2)(o) inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(3)(a)** (with reg. 3)
- F23** Reg. 5(2)(q) inserted (21.5.2020 at 11:00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/86\)](#), regs. 1, **2(3)** (with reg. 3)
- F24** Reg. 5(2)(r)(s) inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(3)(b)** (with reg. 3)
- F25** Reg. 5(2)(t)(u) inserted (12.6.2020 at 11.00 p.m. for specified purposes, 14.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(3), **2(4)(c)** (with reg. 3)
- F26** Reg. 5(2)(v) inserted (22.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 7\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/109\)](#), regs. 1, **2(2)** (with reg. 3)
- F27** Reg. 5(5) inserted (24.4.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/71\)](#), regs. 1, **2(4)(b)**

### Commencement Information

- I5** Reg. 5 in operation at 28.3.2020, see reg. 1(1)

### Marginal Citations

- M3** [S.I. 2007/1351 \(N.I. 11\)](#). Sub-paragraph (3B) was substituted, with sub-paragraphs (1) to (3) and (3A) to (3E) for sub-paragraphs (1) to (3) by s. 78 of and paragraph 3(2) of Schedule 7 to, the [Protection of Freedoms Act 2012 \(c. 9\)](#)

### Restrictions on gatherings

6. [<sup>F28</sup>[<sup>F29</sup>Subject to regulations 6A and 6B], during the emergency period,] no person may participate in a gathering in a public place of more than two people except—

- (a) where all the persons in the gathering are members of the same household,
- (b) where the gathering is essential for work purposes,
- (c) to attend a funeral [<sup>F30</sup>or a marriage ceremony, in accordance with regulation 4(6)(d)] [<sup>F31</sup>or a place of worship, in accordance with regulation 4(6)(f)],
- (d) where reasonably necessary—
  - (i) to facilitate a house move,

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- (ii) to provide care or assistance to a vulnerable person [<sup>F32</sup>or receive], including relevant personal care within the meaning of paragraph 7(3B) of Schedule 2 to the Safeguarding of Vulnerable Groups (Northern Ireland) Order 2007,
  - (iii) to provide emergency assistance, or
  - (iv) to participate in legal proceedings, or fulfil a legal obligation.
- [<sup>F33</sup>(e) to attend an outdoor film or live music concert or theatre performance.]
- [<sup>F34</sup>(f) for the purposes of childcare provided by a person registered in accordance with Part XI of the Children (Northern Ireland) Order 1995,
- (g) where the persons in the gathering are elite athletes or the parents of elite athletes who are under the age of 18 and the gathering is essential for the purpose of training.]

#### Textual Amendments

- F28** Words in reg. 6 substituted (19.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/84\)](#), regs. 1, **2(4)(a)** (with reg. 3)
- F29** Words in reg. 6 substituted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(4)** (with reg. 3)
- F30** Words in reg. 6(c) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(6)(a)** (with reg. 3)
- F31** Words in reg. 6(c) inserted (19.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/84\)](#), regs. 1, **2(4)(b)** (with reg. 3)
- F32** Words in reg. 6(d)(ii) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(6)(b)** (with reg. 3)
- F33** Reg. 6(e) inserted (21.5.2020 at 11:00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 4\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/86\)](#), regs. 1, **2(4)** (with reg. 3)
- F34** Reg. 6(f)(g) inserted (11.6.2020 at 11.00 p.m. for specified purposes, 14.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(5)** (with reg. 3)

#### Commencement Information

- I6** Reg. 6 in operation at 28.3.2020, see reg. 1(1)

#### [<sup>F35</sup>Restrictions on outdoor gatherings

**6A.** During the emergency period, a person may participate in an outdoor gathering consisting of—

- (i) up to [<sup>F36</sup>ten people] who are not members of the same household; or
- (ii) any number of members of the same household.]

#### Textual Amendments

- F35** Reg. 6A inserted (19.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 3\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/84\)](#), regs. 1, **2(5)** (with reg. 3)

**F36** Words in reg. 6A(i) substituted (11.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), 2(6) (with reg. 3)

### [<sup>F37</sup>Restrictions on outdoor gatherings: ceremonies

**6B.** During the emergency period, a person may participate in an outdoor gathering to celebrate a marriage or civil partnership ceremony consisting of up to ten people, including the celebrant.]

#### Textual Amendments

**F37** Reg. 6B inserted (7.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/96), regs. 1(2), 2(5) (with reg. 3)

### Enforcement of requirement

7.—(1) A relevant person may take such action as is necessary to enforce any requirement imposed by [<sup>F38</sup>regulation 3, 4, 6, 6A or 6B].

(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 3 or 4, 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 a person is outside the place where they are living in contravention of regulation 5(1), the relevant person may—

- (a) direct that person to return to the place where they are living, or
- (b) remove that person to the place where they are living.

(4) A relevant person exercising the power in paragraph (3)(b) to remove a person to the place where they are living, may use reasonable force, if necessary, in the exercise of the power.

(5) Where the person outside the place where they are living without reasonable excuse 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 [<sup>F39</sup>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(1), 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) For the purposes of this regulation, an individual has responsibility for a child if the individual—

- (a) has custody or charge of the child for the time being, or
- (b) has parental responsibility for the child (within the meaning of the Children (Northern Ireland) Order 1995)<sup>M4</sup>.

*Status: Point in time view as at 22/06/2020.*

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

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

(9) Where a relevant person considers that three or more people are gathered together in contravention of regulation 6, 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;
- (c) remove any person in the gathering to the place where they are living.

<sup>F40</sup>(9A) Where a relevant person considers that seven or more people who are not members of the same household are gathered together in contravention of regulation 6A, 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;
- (c) remove any person in the gathering to the place where they are living.

(9B) Where a relevant person considers that eleven or more people are gathered together in contravention of regulation 6B, 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;
- (c) remove any person in the gathering to the place where they are living.]

<sup>F41</sup>(10) A relevant person exercising the <sup>F42</sup>power in paragraph (9)(c), (9A)(c) or (9B)(c)] to remove a person in a gathering to a place where they are living may use reasonable force, if necessary, in exercise of the power.]

<sup>F43</sup>(10A) Where a person who is in a gathering in <sup>F44</sup>contravention of regulations 6, 6A or 6B] 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.

<sup>F45</sup>(10B) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with the <sup>F45</sup>restriction in regulations 6, 6A or 6B], 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.

(10C) A relevant person may only exercise the <sup>F46</sup>power in paragraph (9), (9A), (9B), (10A) or (10B)] if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with the <sup>F46</sup>restriction in regulations 6, 6A or 6B].]

(11) A relevant person exercising a <sup>F47</sup>power under paragraph (3), (5), (6), (9), (9A), (9B), (10A) or (10B)] may give the person concerned any reasonable instructions they consider to be necessary.

(12) For the purposes of this regulation—

- (a) “child” means a person under the age of 18;
- (b) a “relevant person” means—
  - (i) a constable, or
  - (ii) a person designated by the Department of Health for the purposes of this regulation;
- (c) references to a requirement include references to a restriction.

### Textual Amendments

- F38** Words in reg. 7(1) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(a)** (with reg. 3)
- F39** Words in reg. 7(5)(a) substituted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/82), regs. 1, **2(7)(a)** (with reg. 3)
- F40** Reg. 7(9A)(9B) inserted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(b)** (with reg. 3)
- F41** Reg. 7(10) substituted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/82), regs. 1, **2(7)(b)** (with reg. 3)
- F42** Words in reg. 7(10) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(c)** (with reg. 3)
- F43** Reg. 7(10A)-(10C) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/82), regs. 1, **2(7)(c)** (with reg. 3)
- F44** Words in reg. 7(10A) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(d)** (with reg. 3)
- F45** Words in reg. 7(10B) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(e)** (with reg. 3)
- F46** Words in reg. 7(10C) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(f)** (with reg. 3)
- F47** Words in reg. 7(11) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020](#) (S.R. 2020/96), regs. 1(2)(3), **2(6)(g)** (with reg. 3)

### Commencement Information

- I7** Reg. 7 in operation at 28.3.2020, see reg. 1(1)

### Marginal Citations

- M4** [S.I. 1995/755 \(N.I. 2\)](#)

### Offences and penalties

**8.—(1)** A person who—

- (a) without reasonable excuse contravenes a requirement in [<sup>F48</sup>regulation 3, 4, 6, 6A, 6B or 7], or
- (b) contravenes a requirement in regulation 5,

commits an offence.

(2) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

(3) A person who, without reasonable excuse, contravenes a direction given under regulation 7, or fails to comply with a reasonable instruction or a prohibition notice given by a relevant person under regulation 7, commits an offence.

**Status:** Point in time view as at 22/06/2020.

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

(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>M5</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

**F48** Words in reg. 8(1)(a) substituted (5.6.2020 at 11.00 p.m. for specified purposes, 7.6.2020 at 11.00 p.m. in so far as not already in force) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2)(3), 2(7) (with reg. 3)

#### Commencement Information

**I8** Reg. 8 in operation at 28.3.2020, see reg. 1(1)

#### Marginal Citations

**M5** [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) [<sup>F49</sup>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 [<sup>F50</sup>authority specified in the notice] .

[<sup>F51</sup>(2A) The authority specified in the notice must be—

- (a) in the case of a notice issued by a person designated in accordance with paragraph (10)(ii), 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.]

(3) 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.

(4) 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 (3)(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.
- (5) The amount specified under paragraph (4)(c) must, subject to paragraph (6), be £60.
- (a) (6) (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.
- (7) Whatever other method may be specified under paragraph (4)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (4)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (8) Where a letter is sent as mentioned in paragraph (7), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- [<sup>F52</sup>(8A) In the case of a notice issued by a person designated in accordance with paragraph (10) (ii), the payment received by a district council under this regulation accrues to that council.]
- (9) In any proceedings, a certificate—
- (a) that purports to be signed by or on behalf of the [<sup>F53</sup>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.
- (10) In this regulation “authorised person” means—
- (i) a constable;
  - (ii) a person designated by the Department of Health for the purposes of this regulation.

#### Textual Amendments

- F49** Words in reg. 9(1)(b) substituted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(8)(a)** (with reg. 3)
- F50** Words in reg. 9(2) substituted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(8)(b)** (with reg. 3)
- F51** Reg. 9(2A) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(8)(c)** (with reg. 3)
- F52** Reg. 9(8A) inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(8)(d)** (with reg. 3)
- F53** Words in reg. 9(9)(a) substituted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(8)(e)** (with reg. 3)

**Status:** Point in time view as at 22/06/2020.

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

#### Commencement Information

**I9** Reg. 9 in operation at 28.3.2020, see reg. 1(1)

#### 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(3)(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.

#### Commencement Information

**I10** Reg. 10 in operation at 28.3.2020, see reg. 1(1)

#### 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—

- (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.

#### Commencement Information

**I11** Reg. 11 in operation at 28.3.2020, see reg. 1(1)



## 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>M6</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).

### Commencement Information

I12 Reg. 12 in operation at 28.3.2020, see reg. 1(1)

### Marginal Citations

M6 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 22/06/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus, Restrictions) 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 <sup>M7</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.

#### Commencement Information

**I13** Reg. 13 in operation at 28.3.2020, see reg. 1(1)

#### Marginal Citations

**M7** [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).

**Commencement Information**

**I14** Reg. 14 in operation at 28.3.2020, see reg. 1(1)

**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.

**Commencement Information**

**I15** Reg. 15 in operation at 28.3.2020, see reg. 1(1)

Sealed with the Official Seal of the Department of Health at 9.15 p.m. on 28th March 2020

L.S.

*Robin Swann*  
Minister of Health

**Status:** Point in time view as at 22/06/2020.

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

## SCHEDULE 1

Regulation 1

### Underlying Medical Conditions

1. Chronic (long term) respiratory diseases, such as all cystic fibrosis, asthma (including severe asthma), chronic obstructive pulmonary disease (COPD) (including severe COPD), emphysema or bronchitis.

#### Commencement Information

**I16** Sch. 1 para. 1 in operation at 28.3.2020, see [reg. 1\(1\)](#)

2. Chronic heart disease, such as heart failure.

#### Commencement Information

**I17** Sch. 1 para. 2 in operation at 28.3.2020, see [reg. 1\(1\)](#)

3. Chronic kidney disease.

#### Commencement Information

**I18** Sch. 1 para. 3 in operation at 28.3.2020, see [reg. 1\(1\)](#)

4. Chronic liver disease, such as hepatitis.

#### Commencement Information

**I19** Sch. 1 para. 4 in operation at 28.3.2020, see [reg. 1\(1\)](#)

5. Chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis, a learning disability or cerebral palsy.

#### Commencement Information

**I20** Sch. 1 para. 5 in operation at 28.3.2020, see [reg. 1\(1\)](#)

6. Diabetes.

#### Commencement Information

**I21** Sch. 1 para. 6 in operation at 28.3.2020, see [reg. 1\(1\)](#)

7. Cancers.

#### Commencement Information

**I22** Sch. 1 para. 7 in operation at 28.3.2020, see [reg. 1\(1\)](#)

8. Problems with the spleen, such as sickle cell disease or removal of the spleen.

**Commencement Information**

**I23** Sch. 1 para. 8 in operation at 28.3.2020, see [reg. 1\(1\)](#)

9. A weakened immune system as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy.

**Commencement Information**

**I24** Sch. 1 para. 9 in operation at 28.3.2020, see [reg. 1\(1\)](#)

10. Being seriously overweight, with a body mass index of 40 or above.

**Commencement Information**

**I25** Sch. 1 para. 10 in operation at 28.3.2020, see [reg. 1\(1\)](#)

11. Rare diseases and inborn errors of metabolism that significantly increase the risk of infections such as SCID, homozygous sickle cell.

**Commencement Information**

**I26** Sch. 1 para. 11 in operation at 28.3.2020, see [reg. 1\(1\)](#)

SCHEDULE 2

Regulations 3 and 4

Businesses subject to restrictions or closure

**PART 1**

1. Restaurants, including restaurants and dining rooms in hotels or members' clubs.

**Commencement Information**

**I27** Sch. 2 para. 1 in operation at 28.3.2020, see [reg. 1\(1\)](#)

2.—(1) Cafes, including workplace canteens (subject to sub-paragraph (2)), but not including—

- (a) cafes or canteens at a hospital, care home or school;
- (b) canteens at a prison or an establishment intended for use for naval, military or air force purposes or for the purposes of the Department of the Secretary of State responsible for defence;
- (c) services providing food or drink to the homeless.

(2) Workplace canteens may remain open where there is no practical alternative for staff at that workplace to obtain food.

**Status:** Point in time view as at 22/06/2020.

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

**Commencement Information**

**I28** Sch. 2 para. 2 in operation at 28.3.2020, see [reg. 1\(1\)](#)

3. Bars, including bars in hotels or members' clubs.

**Commencement Information**

**I29** Sch. 2 para. 3 in operation at 28.3.2020, see [reg. 1\(1\)](#)

4. Public houses.

**Commencement Information**

**I30** Sch. 2 para. 4 in operation at 28.3.2020, see [reg. 1\(1\)](#)

## PART 2

5. Cinemas.

**Commencement Information**

**I31** Sch. 2 para. 5 in operation at 28.3.2020, see [reg. 1\(1\)](#)

6. Theatres.

**Commencement Information**

**I32** Sch. 2 para. 6 in operation at 28.3.2020, see [reg. 1\(1\)](#)

7. Nightclubs.

**Commencement Information**

**I33** Sch. 2 para. 7 in operation at 28.3.2020, see [reg. 1\(1\)](#)

8. Bingo halls,

**Commencement Information**

**I34** Sch. 2 para. 8 in operation at 28.3.2020, see [reg. 1\(1\)](#)

9. Concert halls.

**Commencement Information**

**I35** Sch. 2 para. 9 in operation at 28.3.2020, see [reg. 1\(1\)](#)

10. Museums and galleries.

**Commencement Information**

**I36** Sch. 2 para. 10 in operation at 28.3.2020, see **reg. 1(1)**

11. Casinos.

**Commencement Information**

**I37** Sch. 2 para. 11 in operation at 28.3.2020, see **reg. 1(1)**

12. Betting shops.

**Commencement Information**

**I38** Sch. 2 para. 12 in operation at 28.3.2020, see **reg. 1(1)**

13. Spas.

**Commencement Information**

**I39** Sch. 2 para. 13 in operation at 28.3.2020, see **reg. 1(1)**

14. Nail, beauty, hair salons and barbers [<sup>F54</sup>and tanning services, electrolysis or acupuncture] .

**Textual Amendments**

**F54** Words in Sch. 2 para. 14 inserted (15.5.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/82), regs. 1, **2(9)(a)** (with reg. 3)

**Commencement Information**

**I40** Sch. 2 para. 14 in operation at 28.3.2020, see reg. 1(1)

15. Massage parlours.

**Commencement Information**

**I41** Sch. 2 para. 15 in operation at 28.3.2020, see **reg. 1(1)**

16. Tattoo and piercing parlours.

**Commencement Information**

**I42** Sch. 2 para. 16 in operation at 28.3.2020, see **reg. 1(1)**

17. Skating rinks.

**Status:** Point in time view as at 22/06/2020.

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

**Commencement Information**

**I43** Sch. 2 para. 17 in operation at 28.3.2020, see **reg. 1(1)**

18. Indoor fitness studios, gyms, swimming pools, bowling alleys, amusement arcades or soft play areas or other indoor leisure centres or facilities.

**Commencement Information**

**I44** Sch. 2 para. 18 in operation at 28.3.2020, see **reg. 1(1)**

19. Funfairs (whether outdoors or indoors),

**Commencement Information**

**I45** Sch. 2 para. 19 in operation at 28.3.2020, see **reg. 1(1)**

20. Playgrounds, [<sup>F55</sup>indoor] sports courts and outdoor gyms.

**Textual Amendments**

**F55** Word in Sch. 2 para. 20 inserted (7.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/96), regs. 1(2), **2(8)(a)(i)** (with reg. 3)

**Commencement Information**

**I46** Sch. 2 para. 20 in operation at 28.3.2020, see reg. 1(1)

<sup>F56</sup>21. ....

**Textual Amendments**

**F56** Sch. 2 para. 21 omitted (11.6.2020 at 11.00 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), **2(7)(a)** (with reg. 3)

<sup>F57</sup>22. ....

**Textual Amendments**

**F57** Sch. 2 para. 22 omitted (7.6.2020 at 11.00 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (S.R. 2020/96), regs. 1(2), **2(8)(a)(ii)** (with reg. 3)

<sup>F58</sup>23. ....



**Textual Amendments**

**F58** Sch. 2 para. 23 omitted (11.6.2020 at 11.00 p.m.) by virtue of The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), **2(7)(a)** (with reg. 3)

### PART 3

[<sup>F59</sup>24. Businesses offering goods for sale or hire in a shop, including food and drink, clothing, footwear, accessories, books and stationery, flowers and plants, music recordings and instruments, textiles, toys and games, sports goods, jewellery, cosmetics, toiletries, antiques and related items.]

**Textual Amendments**

**F59** Sch. 2 para. 24 substituted (11.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), **2(7)(b)(i)** (with reg. 3)

25. Off licences and licensed shops selling alcohol (including breweries).

**Commencement Information**

**I47** Sch. 2 para. 25 in operation at 28.3.2020, see reg. 1(1)

26. Pharmacies (including non-dispensing pharmacies) and chemists.

**Commencement Information**

**I48** Sch. 2 para. 26 in operation at 28.3.2020, see reg. 1(1)

27. Newsagents.

**Commencement Information**

**I49** Sch. 2 para. 27 in operation at 28.3.2020, see reg. 1(1)

28. Homeware, building supplies and hardware stores.

**Commencement Information**

**I50** Sch. 2 para. 28 in operation at 28.3.2020, see reg. 1(1)

29. Petrol stations.

**Commencement Information**

**I51** Sch. 2 para. 29 in operation at 28.3.2020, see reg. 1(1)

**Status:** Point in time view as at 22/06/2020.

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

30. [<sup>F60</sup>Motor vehicle repair] and MOT services.

**Textual Amendments**

**F60** Words in Sch. 2 para. 30 inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(10)(a)** (with reg. 3)

**Commencement Information**

**I52** Sch. 2 para. 30 in operation at 28.3.2020, see reg. 1(1)

31. Bicycle shops.

**Commencement Information**

**I53** Sch. 2 para. 31 in operation at 28.3.2020, see reg. 1(1)

32. Taxi or vehicle hire businesses.

**Commencement Information**

**I54** Sch. 2 para. 32 in operation at 28.3.2020, see reg. 1(1)

33. Banks, building societies, credit unions, short term loan providers and cash points [<sup>F61c</sup>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.] .

**Textual Amendments**

**F61** Words in Sch. 2 para. 33 inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(10)(b)** (with reg. 3)

**Commencement Information**

**I55** Sch. 2 para. 33 in operation at 28.3.2020, see reg. 1(1)

34. Post offices.

**Commencement Information**

**I56** Sch. 2 para. 34 in operation at 28.3.2020, see reg. 1(1)

35. Funeral directors.

**Commencement Information**

**I57** Sch. 2 para. 35 in operation at 28.3.2020, see reg. 1(1)

36. Laundrettes and dry cleaners.

**Status:** Point in time view as at 22/06/2020.

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

**Commencement Information**

**I58** Sch. 2 para. 36 in operation at 28.3.2020, see reg. 1(1)

37. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health.

**Commencement Information**

**I59** Sch. 2 para. 37 in operation at 28.3.2020, see reg. 1(1)

38. Veterinary surgeons and pet shops.

**Commencement Information**

**I60** Sch. 2 para. 38 in operation at 28.3.2020, see reg. 1(1)

39. Agricultural supplies shops.

**Commencement Information**

**I61** Sch. 2 para. 39 in operation at 28.3.2020, see reg. 1(1)

40. Storage and distribution facilities, including delivery drop off or collection points, where the facilities are in the premises of a business included in this Part.

**Commencement Information**

**I62** Sch. 2 para. 40 in operation at 28.3.2020, see reg. 1(1)

41. Car parks.

**Commencement Information**

**I63** Sch. 2 para. 41 in operation at 28.3.2020, see reg. 1(1)

42. Public toilets.

**Commencement Information**

**I64** Sch. 2 para. 42 in operation at 28.3.2020, see reg. 1(1)

[<sup>F62</sup>43. Garden centres and ornamental plant nurseries (but not cafes or restaurants in such premises).]

**Textual Amendments**

**F62** Sch. 2 para. 43 inserted (15.5.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/82\)](#), regs. 1, **2(10)(c)** (with reg. 3)

**Status:** Point in time view as at 22/06/2020.

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

[<sup>F63</sup>44. Animal care or welfare services, including boarding, stabling, grooming, exercising, sitting or training animals.

**Textual Amendments**  
**F63** Sch. 2 paras. 44-46 inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(8)(b)(i)** (with reg. 3)

45. Retailers or wholesalers of motor vehicles, including cars, light goods vehicles, motorcycles or vans; medium, large or articulated goods vehicles, including trailers; caravans or motorhomes; agricultural vehicles and equipment; mining, construction or civil engineering vehicles; buses or coaches.

**Textual Amendments**  
**F63** Sch. 2 paras. 44-46 inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(8)(b)(i)** (with reg. 3)

46. Retailers of the following items which are situated in premises—

- <sup>F64</sup>(1) .....
- <sup>F64</sup>(2) .....
- <sup>F64</sup>(3) .....
  - (a) electrical household appliances;
  - (b) computers, including accessories and software <sup>F65</sup>...;
  - (c) audio, video, radio and television equipment, including music and DVD players and recorders, cameras and accessories;
  - (d) telecommunications equipment, including telephones, answering machines, mobile phones and other two-way communication equipment;
  - (e) household furniture, furnishings and lighting.]

**Textual Amendments**  
**F63** Sch. 2 paras. 44-46 inserted (7.6.2020 at 11.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 5\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/96\)](#), regs. 1(2), **2(8)(b)(i)** (with reg. 3)  
**F64** Sch. 2 para. 46(1)(2)(3) omitted (11.6.2020 at 11.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(7)(b)(ii)(aa)** (with reg. 3)  
**F65** Words in Sch. 2 para. 46(3)(b) omitted (11.6.2020 at 11.00 p.m.) by virtue of [The Health Protection \(Coronavirus, Restrictions\) \(Amendment No. 6\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/103\)](#), regs. 1(2), **2(7)(b)(ii)(bb)** (with reg. 3)

[<sup>F66</sup>47. Outdoor markets and auction houses.

**Textual Amendments**

**F66** Sch. 2 paras. 47, 48 inserted (11.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), **2(7)(b)(iii)** (with reg. 3)

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

**Textual Amendments**

**F66** Sch. 2 paras. 47, 48 inserted (11.6.2020 at 11.00 p.m.) by The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (S.R. 2020/103), regs. 1(2), **2(7)(b)(iii)** (with reg. 3)

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**EXPLANATORY NOTE**

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

These Regulations require the closure of businesses selling food or drink for consumption on the premises, and businesses listed in Part 2 of Schedule 2, to protect against the risks to public health arising from coronavirus, except for limited permitted uses. Businesses offering goods for sale or for hire listed in Part 3 of Schedule 2, are permitted to remain open. The Regulations also prohibit anyone leaving the place where they live without reasonable excuse, and ban public gatherings of more than two people. The closures and restrictions last until they are terminated by a direction given by the Department of Health.

The need for these restrictions must be reviewed by the Department of Health every 21 days, with the first review taking place by 18th April 2020.

No impact assessment has been prepared for these Regulations.

**Status:**

Point in time view as at 22/06/2020.

**Changes to legislation:**

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