

Regulations made by the Department of Health and laid before the Assembly under section 25Q (Emergency procedure) of the Public Health Act (Northern Ireland) 1967, for approval of the Assembly before the expiration of 28 days beginning with the day on which they are made.

STATUTORY RULES OF NORTHERN IRELAND

2021 No. 131

PUBLIC HEALTH

The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 2) Regulations (Northern Ireland) 2021

Made - - - - at 4.00 p.m. on 21st May 2021

Laid before the Assembly at 5.00 p.m. on 21st May 2021

Coming into operation - 24th May 2021

The Department of Health^(a), 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^(b).

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Northern Ireland.

The Department of Health considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 25Q of that Act the Department of Health is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft having been laid before, and approved by a resolution of, the Assembly.

Citation and commencement

1. These Regulations may be cited as the Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 2) Regulations (Northern Ireland) 2021 and shall come into operation on 24th May 2021.

(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)

(b) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)

Amendment of the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020

2.—(1) The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020(a) are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “relevant place”, after “listed in” insert “paragraph 1 of”;
- (b) omit the definition of “shop” and “shopping centre”.

(3) In regulation 4A(2)(f), for “paragraph 3” substitute “paragraph 2”.

(4) After regulation 4A(2)(f), insert—

- “(g) by a person leading a service in a place of worship or a place where beliefs are practised;
- (h) by a couple at a ceremony to solemnise their marriage or to form their civil partnership;
- (i) by a person performing physical exercise in a gym, leisure centre or similar venue.”.

(5) In the title to regulation 4C, for “Requirement to wear a face covering in other locations” substitute “Requirement to wear a face covering in other circumstances”.

(6) In regulation 4C (Requirement to wear a face covering in other circumstances), omit paragraphs (1) and (2).

(7) In regulation 5 for “For the purposes of regulation 4(1), 4A(1) or 4B(1),” substitute “For the purposes of regulation 4(1), 4A(1), 4B(1) or 4C,”.

(8) In regulation 6(1), for “regulation 4(1), 4A(1) or 4B(1),” substitute “regulation 4(1), 4A(1), 4B(1) or 4C,”.

(9) For the schedule substitute—

“SCHEDULE

Regulation 2

Relevant places where face coverings must be worn

1. Enclosed public areas of premises to which the public have or are permitted access.

2.—(1) Restaurants, including restaurants and dining rooms in hotels or members’ clubs,

(2) cafes, including workplace canteens,

(3) bars, including bars in hotels or members’ clubs,

(4) public houses, and

(5) venues that sell or provide food or drink (including intoxicating liquor) and to which the public have or are permitted access.

3. For the purposes of these regulations, 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.”.

Sealed with the Official Seal of the Department of Health at 4.00 pm on 21st May 2021

(L.S.)

Nigel McMahon

A senior officer of the Department of Health

(a) S.R. 2020 No. 151 as amended by S.R. 2020 Nos. 164, 220, 233 and 253 and S.R. 2021 No. 96

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020 in order to require members of the public to wear face coverings whilst inside an enclosed public area in order to protect against the risks to public health arising from coronavirus, except in certain limited cases.

No regulatory impact assessment has been prepared for these Regulations.

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