

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. 199

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions) Regulations
(Northern Ireland) 2021 (Amendment No. 9) Regulations
(Northern Ireland) 2021**

Made - - - - at 11.15 a.m. on 3rd July 2021

Laid before the Assembly at 12.15 p.m. on 3rd July 2021

Coming into operation - on 5th July 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 9) Regulations (Northern Ireland) 2021.

(2) These Regulations shall come into operation on 5 July 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, Restrictions) Regulations (Northern Ireland) 2021

2. The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021(a) are amended in accordance with these Regulations.

3. In regulation 1(2), omit-

- (a) the definition of “elite athlete”;
- (b) the words from “For the purposes of the definition of “elite athlete”” to “organised by the national governing body of the sport;” and
- (c) the definition of “sporting event”

4. Omit regulation 2.

5. In regulation 5(1)-

- (a) after “A person responsible for carrying on a business or a members’ club which sells or provides food or drink (whether or not including intoxicating liquor) for consumption on the premises” insert “(other than premises to which paragraph (3) applies)”;
- (b) omit head (f)(iii);
- (c) in subparagraph (fa) omit “is recorded and that it”;
- (d) omit subparagraph (g);
- (e) in head (h)(ii) omit “background or ambient”; and
- (f) for subparagraph (n) substitute-
 - “(n) must not permit a customer to move within the premises other than to
 - (i) enter or exit the premises, access a table, make a payment, access a buffet or carvery, or access and use toilet, baby changing or breast feeding facilities or a smoking area, or
 - (ii) visit a place where a marriage ceremony or civil partnership ceremony may lawfully take place, for the purposes of viewing the facilities, provided that the gathering includes no more than four visitors and one member of staff of the place and that there is no more than one such visit at any one time.”

6. After regulation 5(2) insert-

“(3) (a) This paragraph applies to premises which are specified in an occasional licence granted under article 30 of the Licensing (Northern Ireland) Order 1996 and which are wholly or mainly outdoors.

- (b) A person responsible for carrying on a business or a members’ club at premises to which this paragraph applies must –
 - (i) carry out a risk assessment which complies with the requirements of regulation 9(5)(a);
 - (ii) retain the risk assessment referred to in head (i) on the premises and make it available immediately for inspection by visitors to the premises or to a relevant person on request; and
 - (iii) take all reasonable measures to limit the risk of transmission of the coronavirus in accordance with regulation 9(5)(b).”

7. In regulation 9(1), omit “, a sporting event (see Regulation 11)”.

8. Omit regulation 9(3)(b) and regulation 9(4).

9. Omit regulation 11.

(a) S.R. 2021 No 93 as amended by S.R. 2021 Nos. 97, 109, 117, 130, 141, 151, 172 and 197

10. In regulation 12(1)(b), for “three” substitute “five”.

11. Omit regulation 15(1)(d).

Sealed with the Official Seal of the Department of Health at 11.15 a.m. on 3rd July 2021

(L.S.)

Dr Lourda Geoghegan
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 by-

Removing references to sporting events which are now to be treated as a gathering under regulation 9;

Removing redundant references to review dates (regulation 2);

Permitting live music at licenced and unlicenced premises (regulation 5);

Removing various restrictions on events for which an occasional licence is in place [regulation 5(3)]; and

Removing unnecessary provisions in relation to gatherings [regulation 9(4)].

No regulatory impact assessment has been prepared for these Regulations.

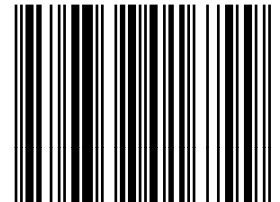
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