

*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.*

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STATUTORY RULES OF NORTHERN IRELAND

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**2021 No. 46**

**PUBLIC HEALTH**

**The Health Protection (Coronavirus, Restrictions) (No. 2)  
(Amendment No.5) Regulations (Northern Ireland) 2021**

Made - - - - at 4.30 p.m. on 1st  
March 2021  
at 9.00 a.m. on 2nd  
March 2021  
Laid before the Assembly  
Coming into operation in accordance with  
regulation 1(2) and (3)

The Department of Health<sup>(1)</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>(2)</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.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2021.

(2) Paragraphs 1, 2, 4 and 8 of Regulation 2 shall come into operation on the day after they are made.

(3) Paragraphs 3, 5, 6, 7 and 9 of Regulation 2 shall come into operation on the 8th March 2021.

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

(2) 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) (No. 2) Regulations (Northern Ireland) 2020**

2.—(1) The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020(3) are amended in accordance with this regulation.

(2) In Regulation 3, for “February” substitute “March”.

(3) In paragraph 1 of Regulation 4B, for “A person” substitute “Subject to paragraph (2) a person”.

(4) In paragraph 1(a)(ii) of Regulation 4B, for “no other person attends the premises to collect goods or avail of a service” substitute “no person other than the customer’s carer accompanies the customer”.

(5) After paragraph 1 of Regulation 4B insert—

(a) “(2) 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.”.

(6) In paragraph (3) of Regulation 5, for “Subject to paragraph” substitute “Subject to paragraphs (3A) and”.

(7) After paragraph (3) of Regulation 5 insert—

“(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.”.

(8) In paragraph 1 of Regulation 15, for “5” substitute “31”.

(9) In paragraph 1(2) of Schedule 1, after “Tribunals” insert “, public inquiries held by a Department”.

Sealed with the Official Seal of the Department of Health at 4.30 pm on 1 March 2021

(L.S.)

*Robin Swann*  
Minister of Health

(3) S.R. 2020 No.150 as amended by S.R. 2020 Nos. 170, 187, 195, 198, 202, 204, 210, 213>, 224, 225, 232, 239, 250, 255, 256, 274, 287, 290, 323, 335, 343, 346, 352, 356, 358 and by S.R. 2021 Nos. 3, 18, 27, 29.

## **EXPLANATORY NOTE**

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

These Regulations amend the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 by permitting click and collect to operate for non-essential retail businesses if payments are completed at time of order, either online, phone, text or post, with no cash transactions permitted. The Regulations also enable Government Departments to use Nightingale Courts, increases number of persons limit on outdoor gatherings from 6 to 10, from no more than 2 households, for the purpose of socialising which is not otherwise a sporting event and permits a customer's carer to accompany them to pick up a Motability vehicle.

No regulatory impact assessment has been prepared for these Regulations.