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STATUTORY RULES OF NORTHERN IRELAND

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**2021 No. 93**

The Health Protection (Coronavirus, Restrictions)  
Regulations (Northern Ireland) 2021

PART 6  
ENFORCEMENT

**Appeals against notices**

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

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

- (a) wear protective clothing;
- (b) close premises or part of premises;
- (c) provide information or answer questions about the person’s health or other circumstances;
- (d) attend training or advice sessions on how to reduce the risk of infecting or contaminating others;
- (e) disinfect or decontaminate premises or a part of premises or a thing;
- (f) abstain from working or trading.

(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(1); and
- (b) within a period of 7 days beginning with 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 any other order it 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 to the county court which may confirm, vary or reverse the decision of the court of summary jurisdiction.