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. 130

PUBLIC HEALTH

The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021

Made - - - - at 8.20 p.m. on 20th May 2021

Laid before the Assembly at 9.00 p.m. on 20th May 2021

Coming into operation in accordance with Regulation 1(2)

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.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 4) Regulations (Northern Ireland) 2021.

(2) Regulations 1 to 4 come into operation when these regulations are made. The remaining regulations come into force on 24 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, Restrictions) Regulations (Northern Ireland) 2021

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

3. After regulation 11(3) insert—

"(3A) (a) Paragraphs (1) and (3) shall not prevent the attendance of up to 1,000 spectators at the 2021 Irish Cup Final at Mourneview Park Football Stadium, Lurgan.

(b) The Department of Health, the Department of Health and Social Care, the Public Health Agency and the Irish Football Association may process relevant information where it is necessary for the purpose of—

(i) carrying out a function under these Regulations,

(ii) minimising danger to public health as a result of the spread of infection or contamination, or

(iii) monitoring the spread of infection or contamination.

(c) in this regulation "relevant information" means information related to booking, taking, or the results of, a rapid COVID Lateral Flow Test in connection with the event referred to in subparagraph (a).".

4. After regulation 9(4)(k) insert—

"(l) the gathering is for the purposes of picketing which is carried out in accordance with part VIII of the Trade Union and Labour Relations (Northern Ireland) Order 1995(**b**).".

5. In regulation 1(2)—

(1) omit the definition of "EATL"; and

(2) at the appropriate place insert ""tourist accommodation" means a bed and breakfast establishment, hotel, bunkhouse, hostel, guest accommodation, self-catering establishment or guest house.".

6. For regulation 3(2) substitute—

"(2) A person responsible for listed premises or a listed business must close those premises or that business.".

7. In regulation 5(1) omit subparagraphs (a) (b) and (c).

8. For regulation 5(1)(d) substitute—

"(d) at an event to celebrate a marriage or civil partnership—

(i) must take reasonable steps to ensure that the number of persons (not including children aged 12 or under) seated at any one table is no more than ten; but

(ii) no limit shall apply to the number who may be seated at the table at which the married couple or civil partners are seated;

(da) other than in relation to an event to celebrate a marriage or civil partnership, must take reasonable steps to ensure that the number of persons (not including children aged 12 or under) seated at any one table is no more than—

(i) six if those persons are from more than one household, or

(ii) ten if those persons are from one household or one bubble.".

9. After regulation 5(1)(f) insert—

(**a**) SR 2021 No.93
(**b**) 1995 No. 1980 (N.I. 12)]

"(fa)subparagraphs (f)(i) and (ii) shall not apply to a single dance by the married couple or civil partners at an event to celebrate their marriage or civil partnership, provided that the music is recorded and that it is played at a volume which enables others to conduct conversation at normal loudness of speech;".

10. In regulation 5(1)(m), after "(including intoxicating liquor)" insert "by visitors to the premises".

11. In regulation 5, omit paragraphs (2) and (3).

12. For regulation 6 substitute—

"**Restrictions on tourist accommodation**

6. A person responsible for carrying on the business of, providing the service of, or operating any tourist accommodation must take reasonable steps to—

(a) comply with the duty in regulation 15 (Visitor and Attendee Information); and

(b) ensure that guests in each separate accommodation unit comply with the duty in regulation 12(1) (Restriction on gatherings: private dwellings).".

13. Omit regulation 8.

14. For regulation 9(2) substitute—

"(2) A person responsible for organising or operating an indoor gathering must, if the event consists or is expected to consist of more than 15 persons, fulfil the conditions in paragraph (5).".

15. For regulation 9(3) substitute—

"(3)(a) A person may not organise, operate or participate in an outdoor gathering which consists of more than 500 persons.

(b) A person responsible for organising or operating a gathering in accordance with subparagraph (a) must, if the event consists or is expected to consist of more than 30 persons, fulfil the conditions in paragraph (5).

(c) If an outdoor event is attended by spectators, the spectators shall be considered as a gathering and the event participants shall be considered as a separate gathering for the purpose of this regulation.".

16. Omit regulation 9(3A).

17. In regulation 9(4), for "Paragraphs (2) and (3) do not apply" substitute "Paragraph (3) does not apply".

18. In regulation 9(4)(b) and in regulation 9(4)(g) omit "(not including a reception)".

19. Omit regulation 9(4)(j).

20. In regulation 9(5), for "referred to in paragraphs (3A) and (4)" substitute "which must be fulfilled by a person to whom this paragraph applies".

21. For regulation 11(1) substitute —

"(1) If a sporting event is attended by spectators, the spectators shall be considered as a gathering and the event participants shall be considered as a separate gathering for the purpose of this regulation.".

22. For regulation 11(2) substitute—

"(2) (a) A person responsible for organising or operating an indoor sporting event must—

(i) if the number of persons in a gathering at the event is, or is expected to be, more than 15, fulfil the conditions in regulation 9(5), and

(ii) not permit competitive sporting events unless the participants are elite athletes;

(b) In this regulation "competitive sporting event" means two or more teams or players competing against each other in a league or a competition.".

23.—(1) For regulation 11(3) substitute—

"(3) A person must not organise, operate or participate in an outdoor sporting event unless it consists of no more than 500 persons.".

(2) After regulation 11(3) insert—

"(4) A person responsible for organising or operating an outdoor sporting event in accordance with paragraph (3) must, if the number of persons in a gathering at the event is, or is expected to be, more than 30, fulfil the conditions in regulation 9(5).".

24. For regulation 12(1) substitute—

"(1) A person may only participate in a gathering in a private dwelling or in tourist accommodation—

(a) indoors which consists of—

(i) one household;

(ii) no more than six persons (not including children aged 12 or under) and no more than two households; or

(iii) one household of 6 or more persons and one other household up to a maximum of 10 persons (not including children aged 12 or under).

(b) outdoors which consists of no more than fifteen persons and no more than three households.".

25. In regulation 12(2) omit "or outdoors".

26. Omit regulation 13.

27. After regulation 15(1)(b) insert—

"(ba) responsible for an indoor attraction including an amusement arcade, a bingo hall, a museum, a gallery or a cinema;

(bb) responsible for an indoor swimming or diving pool;

(bc) responsible for an indoor sports or exercise facility including a soft play area, a leisure centre, a gym, an equestrian centre, a venue relating to motor sport or an activity centre;

(bd) responsible for carrying on the business of, providing the service of, or operating any tourist accommodation;".

28. Omit regulation 17(2)(c).

29. After regulation 17(2) insert—

"(2A) "Relevant hospitality venue" means—

(a) the premises of a business or a members' club which sells or provides food or drink (whether or not including intoxicating liquor) for consumption on the premises and which is permitted to operate in accordance with regulation 5 (Restrictions on licenced and unlicenced premises); or

(b) an indoor attraction including an amusement arcade, a bingo hall, a museum, a gallery or a cinema.

(2B) "Social distance" means one metre in a relevant hospitality venue and two metres in a relevant place.".

30. In regulation 17(3)(a), after "visitors to a relevant place" insert "or a relevant hospitality venue,".

31. In regulations 17(3)b) and 17(3)(c), for "distance of 2 metres" substitute "social distance".

32. In regulation 17(4) omit "of 2 metres".

33. In regulation 22(1), after "a requirement under" omit "regulations".

34. In Schedule 1 part 1—

(a) in paragraph 1(2), for "the delivery of hearings of Courts, Tribunals, public inquiries held by a Department, Appeals Services, and for the administrative support of these services" substitute "a purpose other than a conference".

(b) omit paragraphs (5), (6), (7), (8), (11) and (12).

Sealed with the Official Seal of the Department of Health at 8.20 p.m. on 20th May 2021

(L.S.)

Nigel McMahon
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 as follows.

Regulation 3 permits the attendance of up to 1,000 spectators at the Irish Cup Final on Friday 21 May 2021 and regulation 4 introduces an exemption for gatherings in respect of lawful industrial action.

The Regulations make the following changes from May 24 2021:

Unlicensed and licensed premises may re-open indoors, subject to mitigations previously in place for outdoor opening. Table numbers inside and outside are restricted to 6 people from an unlimited number of households. A maximum of 10 people are allowed to sit together if they are all from one household. The numbers do not include children aged 12 and under.

Exceptions are made for events to celebrate weddings and civil partnerships.

Tourist accommodation may fully reopen subject to allow overnight accommodation for groups of up to 6 people from 2 households, or groups of up to 10 from 2 households in a bubble or where one household has more than 6 members.

Libraries may fully reopen, subject to mitigations.

Indoor gatherings (not including domestic settings) are permitted subject to a risk assessment where numbers exceed 15.

Outdoor gatherings are subject to a limit of 500, with a risk assessment where numbers exceed 30. A number of exceptions are listed.

Restrictions on band practice and rehearsals are removed.

Indoor sport, except competitive sport, may resume, subject to mitigations.

All outdoor sport may resume.

Indoor visits between 2 households are permitted up to a maximum of 6 people, not including children. Where a household has more than 6 members a limit of 10 people applies.

Those responsible for indoor attractions, indoor sports facilities, indoor swimming pools, and tourist accommodation must comply with visitor and attendee information requirements.

Social distancing of one metre applies to relevant hospitality venues. Otherwise 2 metres social distancing applies.

No regulatory impact assessment has been prepared for these Regulations.

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