

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

2020 No. 198

PUBLIC HEALTH

**The Health Protection (Coronavirus, Restrictions) (No. 2)
(Amendment No. 4) Regulations (Northern Ireland) 2020**

*Made - - - - at 12.30 p.m. on
16th September 2020
at 3.00 p.m. on 16th
Laid before the Assembly September 2020
Coming into operation in accordance with
regulation 1(2)*

The Department of Health⁽¹⁾, 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⁽²⁾.

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) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020.

(2) These Regulations come into operation on the date and at the time they are made.

(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 as follows.

- (2) In regulation 4 for “the schedule” substitute “schedule 1” at each place where it occurs.
- (3) After regulation 6(6) add—
 - “(7) Schedule 2 shall have effect.
 - (b) Regulation 6(1) and 6(2) shall not apply to a gathering to which paragraph 2(1) of schedule 2 applies.”.
- (4) In regulation 7(1) and in regulation 7(2), after “regulation 4, 5 or 6” insert “or paragraph 2 of schedule 2” at each place where it occurs.
- (5) In regulation 7(3) and in regulation 7(5), after “regulation 5 or 6” insert “or paragraph 2 of schedule 2” at each place where it occurs.
- (6) In regulation 8(1), after “regulation 4, 5 or 6” insert “or paragraph 2 of schedule 2”.
- (7) For “Schedule” in the title of the schedule substitute “Schedule 1”.
- (8) After the schedule insert—

“SCHEDULE 2

Regulation 6

Restrictions in the emergency period and protected area

The emergency period and protected area

- 1.—(1) For the purposes of this schedule—
 - (a) the “emergency period” commences when this schedule comes into force and ends on the date and at the time prescribed in a direction made by the Minister of Health;
 - (b) “protected area” means the area falling within the postcodes, wards or councils itemised in the list made under subparagraph 1(3); and
 - (c) that part of a private dwelling used for the purpose of a business operated by an occupier of the dwelling is not to be deemed part of the private dwelling when used as such.
- (2) A direction ending the emergency period under subparagraph 1(1)(a) may be revoked at any time by the Minister of Health, after consulting the Chief Scientific Advisor, Chief Medical Officer or any of the Deputy Chief Medical Officers of the of the Department of Health, and the effect of such revocation is that the emergency period then immediately recommences.
- (3) The Department of Health will make a list itemising the postcodes, wards or councils which constitute the protected area, and may, after consulting the Chief Scientific Advisor, Chief Medical Officer or any of the Deputy Chief Medical Officers of the Department of Health, add to, remove from or otherwise amend that list by making a direction to that effect.
- (4) A direction or revocation of a direction under this paragraph is made by being published online and must, as soon as reasonably practicable after it is made, be published in the Belfast Gazette;
 - (b) the list under subparagraph 1(3) is made by being published online and notice of it must, as soon as reasonably practicable after it is made, be published in the Belfast Gazette.

Restrictions on gatherings in private dwellings

- 2.—(1) During the emergency period, unless subparagraph (2) applies—
- (a) no person may participate in a gathering indoors in a private dwelling in the protected area which consists of persons from more than one household;
 - (b) no person may participate in a gathering outdoors at a private dwelling in the protected area which consists of more than six persons or which consists of persons from more than two households.
- (2) This subparagraph applies where—
- (a) all the persons in the gathering are members of two households which are linked households (as defined in paragraph 3) in relation to each other;
 - (b) the gathering is for the purpose of—
 - (i) childcare provided by a person registered in accordance with the Children (Northern Ireland) Order 1995;
 - (ii) building or maintenance works or the provision of the services of any trade or profession at the private dwelling;
 - (iii) the provision of care or assistance, including social services, to a vulnerable person;
 - (iv) giving or receiving legal advice or assistance or fulfilling a legal obligation;
 - (v) the provision of emergency or medical assistance to any person;
 - (vi) a marriage or a civil partnership where a party to the marriage or civil partnership is seriously ill and death in consequence of that illness can reasonably be expected within six months of the date of the ceremony;
 - (vii) a funeral or an event associated with a funeral;
 - (viii) a house move.

Linked households

- 3.—(1) A household (“the first household”) may choose to be linked with one other household (“the second household”), provided that—
- (a) neither the first household nor the second household are linked, or have ever been linked, with any other household for the purpose of these regulations or any other regulations made under the Public Health Act (Northern Ireland) 1967, and
 - (b) all the adult members of each household agree.
- (2) There is no limit on the number of adults or children which may be in the first or second household.
- (3) The first and second households are “linked households” in relation to each other.
- (4) Once the first and second households have ceased being linked households, neither the first household nor the second household may be linked with any other household.”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department of Health at 12.30 pm on 16th September 2020

(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) (No. 2) Regulations (Northern Ireland) 2020 by applying restrictions in the protected area as defined. The restrictions permit a gathering of one household indoors at a private dwelling, and of up to six persons from up to two households outdoors at a private dwelling. Certain exemptions to those restrictions are allowed. No impact assessment has been prepared for these Regulations.