

## MEMORANDUM E (20) 76 (C)

**FROM:** ROBIN SWANN MLA  
MINISTER FOR HEALTH

**DATE:** 24 April 2020

**TO:** EXECUTIVE COMMITTEE

**FINAL EXECUTIVE PAPER - AMENDMENTS TO THE HEALTH PROTECTION  
(CORONAVIRUS, RESTRICTIONS) (NORTHERN IRELAND) REGULATIONS 2020  
– TRAVEL FOR EXERCISE**

**Introduction**

1. This paper is an addendum to paper E (20) 57 (C) considered at our meeting of 17 April (and scheduled for further consideration today). It deals with the lawfulness of travel for the purposes of exercise under Regulation 5 (restrictions on movement), and supersedes paragraphs 46 to 51 of the previous paper.

LPP/LAP

4. 

LPP/LAP

LPP/LAP

In essence this is:

- The objective is to minimise disease transmission.
- The risk of transmission does not stem from travel itself, but from the likelihood of gatherings at the destination.
- The longer the journey, the more likely it is to involve a popular destination (and a gathering) – few people would undertake a long journey at random.

LPP/LAP

LPP/LAP

6. Firstly, that the restrictions would be rendered intrinsically ineffective – PSNI would lose the ability to prevent unnecessary travel that might lead to gatherings. (the fact that such gatherings themselves would be unlawful, and subject to sanction, is a moot point in this context – when the gathering has formed, the risk of disease transmission has crystallised) .

7. Secondly, the effectiveness of the restrictions regime (which may be needed for some time yet) depends on public and political credibility and acceptance. LPP/L

LPP/LAP

10. I understand that the PSNI has suspended the application of a reasonableness test in relation this matter to allow for Executive consideration. They have also set aside the small number of relevant Fixed Penalty Notices that have been issued to date.

LPP/LAP

***Recommendation / Decision sought***

11. I recommend that the Executive agrees that my Department, in exercise of the power in Section 25Q of the Public Health Act (Northern Ireland) Act 1967, should make Regulations to amend Regulation 5 of the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020, as described in this paper.

12. If agreed, the amending Regulations will be made and come into operation after the Executive meeting on 24 April.

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<sup>1</sup> The wording differs slightly from the draft version shared with the First Minister and deputy First Minister yesterday. The changes are minor and technical.

**LPP/LAP**

**ROBIN SWANN MLA  
MINISTER FOR HEALTH**