

SUMMARY OF RESTRICTIONS AND GUIDELINES FOR TOURISM & HOSPITALITY BUSINESSES

RECENT AMENDMENTS

Date	Section	Summary of Change
21 st January 2022	9 12 14 15 17	<p>From 21 January 2022 the exemption of wearing a face covering where it causes severe distress will be reintroduced and the requirement to provide proof of exemption will be removed.</p> <p>From 21 January 2022 the requirement for table service will be removed in all indoor hospitality settings along with the limit on the number of people who can sit at one table.</p> <p>From 26 January 2022 nightclubs can reopen and dancing in all indoor hospitality venues can resume.</p> <p>From 26 January 2022 indoor standing events can resume.</p> <p>From 26 January 2022 Covid status certification regulations will change from a legal requirement to guidance, except for nightclubs and indoor unseated or partially seated events with 500 people or more where the legal requirement will continue to apply.</p>
23 rd December 2021	9 9 12 14 15	<p>From 27 December 2021 there will be a statutory duty on businesses to take reasonable measures to promote compliance with face coverings requirements, with a grace period until 7 January before enforcement is implemented.</p> <p>The exemption of wearing a face covering where it causes severe stress will be removed and the onus of proving an exemption on medical grounds will be on the individual, with a grace period until 7 January before enforcement is implemented.</p> <p>From 27 December 2021 table service will be required in all indoor hospitality settings with a limit to the number of people who can sit at one table.</p> <p>From 26 December 2021 nightclubs will close. Dancing in all indoor hospitality venues will not be permitted (does not apply to weddings or civil partnership celebrations)</p> <p>Indoor standing events are prohibited from 26 December 2021.</p>

INTRODUCTION

The Executive has agreed an approach for relaxing the measures put in place to manage the Covid-19 Omicron variant.

Due to the improved outlook on hospital pressures there will be a relaxation of some of the restrictions from 21 & 26 January 2022.

ABOUT THIS DOCUMENT

This document summarises restrictions and guidelines for tourism and hospitality businesses.

It contains other key considerations and best practice for businesses, and should be read in conjunction with the [full guidance document produced by Tourism NI and the Department for the Economy](#).

Businesses must stay up to date with regulations and how they impact their individual operations. This means completing a risk assessment and implementing appropriate controls. In all areas we encourage the use of Lateral Flow Testing, alongside all other mitigations, including maintaining social distancing (where still required and/or possible), having good ventilation, washing hands, and wearing face coverings.

1: RESPONSIBLE PERSONS

Responsible persons in terms of a business are defined in regulations and can include the owner, proprietor, manager, and event organiser. Any of these persons can be held accountable for non-compliance with regulations.

Failure to comply with legal requirements could result in enforcement action including premises improvement notices, fixed penalty notices and prosecution. If you are in doubt about whether your premises comply, the Environmental Health department at your local council will be able to help.

2: RISK ASSESSMENT

As a business owner, you have a legal responsibility to protect workers, customers, and others from risks to their health and safety. All businesses should complete a risk assessment which includes the risks posed by COVID-19. Further information about how to complete this can be found within the full guidance document.

HSENI has produced an example risk assessment which shows the kind of approach that can be taken to reduce the risks posed by COVID-19. This can be found [here](#).

Your risk assessment must address areas such as:

- All reasonable measures to limit the risk of transmission of COVID-19.
- The maximum number of people who can be seated in each part of the premises for the purposes of consuming food and drink. These numbers should be prominently displayed at each part of the premises.
- The volume at which any music will be played in indoor settings to enable visitors to

converse without having to raise their voices.

The risk assessment must be retained on the premises and made available immediately for inspection by visitors to the premises or to a relevant person on request.

3: CURFEW AND CLOSING TIME

Businesses are no longer subject to curfew. They should operate according to the terms of their liquor licence, if applicable, or any other regulations affecting their specific business.

4: SELF-ISOLATION

People who are fully vaccinated no longer need to take a PCR test if someone they have been in close contact with tests positive for COVID-19. Instead, they should isolate and take a lateral flow device (LFD) test as soon as possible. If this is negative, you can stop isolating but should continue to take daily LFD tests until the tenth day. If any LFD test is positive you should isolate immediately and book a PCR test.

People who are not fully vaccinated will still need to self-isolate for the ten days and should get a PCR test on day two and day eight of the 10-day period. Anyone who tests positive must then self-isolate for ten days.

People are fully vaccinated if it is more than 14 days since they received the second dose of an approved COVID-19 vaccine.

Young people under the age of 18 who are not fully vaccinated and are identified as a close contact should self-isolate and book a PCR test. If the test is positive they should isolate for ten days, but if the test is negative they can end their self-isolation. Should they develop symptoms after the negative PCR test they should self-isolate and take another PCR test.

Further information can be found at: <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-self-isolating>.

5: WORKFORCE TESTING

In Northern Ireland, anyone who cannot work from home is encouraged to participate in the asymptomatic testing programme.

Employers with more than ten employees are encouraged to submit an [expression of interest form](#) to the Department of Health. Alternative arrangements are in place for smaller businesses.

6: TESTING FOR CUSTOMERS/VISITORS

Extensive engagement has taken place with the arts, entertainment and hospitality sectors and there has been a positive response to taking additional steps to ensure the safety of customers, staff, and the wider community.

It is strongly recommended that venues and event organisers require individuals to demonstrate one of the following:

- Proof of having been fully vaccinated for more than two weeks;
- Proof of a negative PCR test or rapid lateral flow test taken within 48 hours of entry to a venue (a lateral flow test taken at home will need to be reported into the public reporting system); or
- Evidence of a positive PCR test result for COVID-19 within the previous 180 days and following completion of the self-isolation period.

Some venues are already implementing these measures to help keep people safe and provide assurances to those attending their venues that all appropriate measures are being taken to protect them.

7: COLLECTION OF VISITOR INFORMATION

To help with the *Test, Trace and Protect* contact tracing programme, venues must collect the following details from every visitor over the age of 16. Where the information is not provided in advance, it must be obtained at the time of the visit.

- Name
- Telephone number
- Date of visit
- Time of arrival

This information must be provided to a relevant officer as soon as is reasonably practicable, and no later than 24 hours of a request.

This information must be recorded and retained for 21 days, commencing on the date of the person's visit. Once the 21 days has passed, the data must be destroyed securely, as soon as is reasonably practical, or in line with data protection regulations.

This regulation applies to hospitality businesses, attractions, tourist accommodation, wedding venues, close contact services, indoor sporting and leisure facilities.

Please note that if you run a tourist accommodation business, you are already required by law to keep a record of all overnight guests over the age of 16. This can take the form of a registration form or can be recorded electronically. You must keep each guest's details for at least 12 months and have the register available for inspection by police or other authorised persons at all times. This includes the guests' full name, address, nationality and date of arrival and departure.

8: SOCIAL DISTANCING

From 31st October the legal requirement for social distancing is removed in hospitality venues (pubs, bars, restaurants, and cafes).

From 28th September the requirement for 1m social distancing is removed from all retail settings, indoor attractions, and indoor seated venues such as theatres and concert halls.

However, social distancing remains strongly advised where possible, and should be considered alongside other risk mitigations to limit the risk of transmission.

This will include:

- Ensuring that staff and visitors keep close face-to-face contact to a minimum at all times
- Providing information on how to minimise the risks of COVID-19.
- Managing any queues to minimise build-up of crowds.
- Controlling the use of points of entry and exit, toilets, and any shared facilities.
- Maintaining good cleaning and hygiene procedures, in particular at high touch points.
- The use of lateral flow tests.

To operate responsibly reasonable steps should be taken to ensure that close face-to-face contact is limited; barriers or screens are in place; and personal protective equipment is used, where appropriate.

9: FACE COVERINGS

Face coverings must be worn in indoor areas of the establishment unless seated at a table. They must be worn when leaving the table for any reason, for example, when accessing toilet facilities or when leaving the premises.

Businesses should actively manage this by ensuring that all visitors are aware of when face coverings should be worn. This could be achieved through signage, website information, information given at booking and information on arrival.

Staff who work in these settings must also wear a face covering unless they are separated from members of the public by a partition.

From **27 December 2021**, it is a legal requirement for all businesses to take reasonable measures to promote compliance with face coverings regulations. This may include, but is not limited to, effective signage, audio messaging, spot checks or providing face coverings when necessary. There is a grace period before enforcement begins on **7 January 2022**.

Some circumstances make it difficult for some people to wear face coverings. In these cases, people may have a 'reasonable excuse' not to wear a face covering. From **21 January 2022**, an individual who is exempt from the requirement to wear a face covering will no longer have to provide proof of exemption.

Further information about the use of face coverings can be found [here](#).

10: HYGIENE CONTROLS

Whilst hygiene controls are no longer legally required, they remain as guidance. Cleaning is a well proven and effective infection control. Therefore, regular cleaning is recommended, with high touch points such as doors, gates, and card terminals regularly sanitised.

Further advice on hygiene controls can be found in the overarching guidance document. This includes information about cleaning and disinfection; what to look for when choosing cleaning products; and cleaning after a case of COVID-19.

Hand hygiene is a vital component in ensuring that the risk of transferring the virus is minimised. Controls should include:

- Providing hand sanitation facilities at all points of entry to the premises (outdoors and indoors) as well as high traffic areas and in particular at restrooms and service points.
- Making staff and visitors aware of the requirements for good hand hygiene.

11: VENTILATION

Effective ventilation is recognised as a control measure to reduce the risk of transmission of COVID-19. Airborne particles can travel further than droplets and in poorly ventilated spaces this can lead to viral particles spreading between people.

Ventilation into any building should be optimised to ensure a fresh air supply is provided to all areas of the facility and increased wherever possible.

- Consider how best to maximise ventilation in your facility. There are different ways of providing ventilation including mechanical ventilation, natural ventilation, or a combination of the two.
- Open doors, windows, and air vents where possible, to improve natural ventilation.
- Keep toilet and changing facilities well-ventilated, for example by opening doors, windows, and air vents where possible and ensuring extractor fans work effectively.
- Air rooms as frequently as possible when not in use.
- Take additional steps to minimise risk. Ventilation will not reduce the risk of droplet or surface transmission, so other control measures such as cleaning and social distancing are also required.

12: TABLES, TABLE SERVICE AND LIMITATIONS ON TABLE NUMBERS

TABLE SIZES

From **21 January 2022**, there is no longer a limit to the number of people who can be seated together in indoor hospitality settings.

TABLE SERVICE

From **21 January 2022**, the requirements to be seated whilst consuming food and/or drink and for table service will be removed, enabling customers to go to the bar to place orders, pay and stand to have a drink and eat food.

13: TOURIST ACCOMMODATION

OVERNIGHT STAYS

There are no longer any restrictions on the number of persons that can stay together in each separate accommodation unit. However, those businesses will still need to conduct a risk assessment (see section 2) to determine maximum capacity in both the building as a whole and any sleeping accommodation within it. Such premises may choose to use the maximum

numbers currently permitted in domestic houses (ie maximum 30 people) as guidance, depending on the nature of the accommodation.

GYMS AND SPAS

Gyms, swimming pools and indoor leisure facilities are permitted to open, including changing rooms, showers, and shared facilities.

14: ENTERTAINMENT

INDOOR

From 12 noon on **26th January 2022** nightclubs can reopen and the restriction on dancing in licensed or unlicensed premises will be lifted.

From 5th July, live music was permitted in licensed and unlicensed premises.

From 27th July, audiences were permitted to return to performances in venues such as theatres and concert halls.

From 30th July, live music was permitted at events in other indoor facilities contained within larger premises, for example in function rooms of hotels or visitor attractions. If the event is taking place in a venue that is part of larger premises, it must be sufficiently isolated to make sure the volume of music in the venue does not breach ambient levels in other parts of the premises.

From 14th October there was no longer any requirement for customers to book tickets in advance or to be seated for performances in an indoor venue. However, the requirement to record contact details for all attendees continues.

There is no longer any restriction on the volume level of live music to background or ambient levels.

OUTDOOR

From 5th July live music was permitted at outdoor events without restriction to background or ambient levels.

15: GATHERINGS AND EVENTS

There is a gathering when two or more persons are present together in the same place to engage in any form of social interaction with each other, or to undertake any other shared activity with each other.

From 12 noon on **26th January 2022** indoor standing events can resume.

From 2nd July 2021, the Northern Ireland Executive has agreed to permit outdoor gatherings and sporting events to the maximum allowed in the risk assessment for the venue. Note that this does not include domestic settings. Any gatherings of over 30 people outdoors require a risk assessment, including an assessment of maximum capacity. Organisers are advised to consider the use of Lateral Flow Tests for any planned larger events.

From 5th July 2021, the Northern Ireland Executive has agreed to permit indoor gatherings to the maximum allowed in the risk assessment for the venue. Note that this does not include domestic settings. The risk assessment will need to include an assessment of the maximum capacity that the venue can accommodate bearing in mind social distancing requirements. An indoor gathering of 15 people or less does not require a separate risk assessment.

From 16th August 2021, conference centres can reopen, allowing conferences and exhibitions to return.

The person responsible for organising or operating the gathering must carry out a risk assessment and take all reasonable measures to limit the risk of transmission of the virus. They must, if requested to do so by a relevant person, provide a copy of the risk assessment and an account of the reasonable measures taken. Guidance on [carrying out a risk assessment for gatherings and events](#) can now be found on NI Direct.

16. POST WEDDING AND CIVIL PARTNERSHIP EVENTS

For venues that can host post-marriage events, all requirements in this document apply, as well as the following:

- A risk assessment must be carried out to determine the maximum capacity of the venue; and this capacity must not be exceeded.

There is no longer any limit to the number of people who can sit at a table.

There are no longer any restrictions on music or dancing.

17: COVID CERTIFICATION REQUIREMENTS

From 12 noon on **26th January 2022** Covid Status Certification regulations will only apply to nightclubs and indoor unseated or partially seated events with 500 people or more. For other settings where COVID status certificates have been required, guidance strongly encourages their continued use.

New regulations have been introduced in Northern Ireland to require individuals wishing to attend certain types of events and/or enter certain premises to provide suitable evidence of covid status. The regulations also introduce requirements for persons organising, managing, or providing the business or service. **The regulations came into force on 29th November 2021. All premises must comply with them within 14 days (ie no later than 13th December 2021). Failure to do so after this time could result in fines and/or prosecution.**

This section aims to summarise these new requirements. The official guidance from the Department of Health can be accessed [here](#).

WHAT TYPES OF EVENT ARE COVERED BY THESE REGULATIONS?

- An event (whether indoors or outdoors) consisting or expected to consist of more than 10,000 people, including staff, performers, and persons responsible for the event, at any one time.
- an event that will take place wholly or mainly indoors, consists or is expected to consist of 500 or more people, including staff, performers and persons responsible for the event, at any one time, and where not all of the attendees will be seated.

- an event that will take place wholly or mainly outdoors, consists or is expected to consist of 4,000 or more people, including staff, performers and persons responsible for the event, at any one time, and where not all of the attendees will be seated.

When two or more events are taking place at the same place and time, those events are to be treated as a single event unless those attending one event are, at all times, unable to make physical contact with those attending any other event.

WHAT EVENTS RELEVANT TO HOSPITALITY AND TOURISM ARE EXEMPT?

- A funeral, marriage ceremony, civil partnership registration, or a reception or gathering which relates to a funeral, marriage ceremony or civil partnership or registration
(except where such a reception or gathering is held in premises where intoxicating liquor may be consumed on the premises).
- A drive-in event.
- An illuminated trail or pathway.
- An event held at an outdoor public place with no fixed entry points and for which tickets or payment, or both, are not required.

WHAT PREMISES DO THE REGULATIONS APPLY TO?

- Premises (whether indoor or outdoor) where intoxicating liquor is sold or provided or permitted for consumption on the premises and to which the public have access.
(except such premises at a port or airport).
- Theatres
- Concert halls
- Cinemas
- Indoor premises when used for the purpose of a performance, recording or rehearsal other than private dwellings;
- Premises used for the purposes of a conference or exhibition; and
- Premises hosting a relevant event as described in the preceding section.

WHO IS RESPONSIBLE FOR ENSURING THESE REQUIREMENTS ARE IMPLEMENTED?

- For Events the person responsible for organising that event, or the person responsible for the management of the premises at which the event is held.
Where two or more events are treated as a single event a person responsible for any one event is also responsible for that single event.
- For Premises the person responsible for carrying on a business or providing a service or operating any premises. This would include the owner, proprietor and manager of that business or service or those premises.

WHAT DOES THE RESPONSIBLE PERSON HAVE TO DO?

- They must ensure that there is an effective system in place to check, as soon as is reasonably practical, the requirements for qualifying individuals (set out below).
- This system or process must be written down (ie documented). In preparing this system, you must have regard to any guidance issued by the Department of Health or any other government department
The requirement to have a system in place includes a requirement to process any personal data necessary for the system to operate.
- They must not allow anyone who does not meet the requirements of a “qualifying individual” (set out below) to remain at a relevant event or on a relevant premises and must either refuse entry to such persons or remove them as soon as possible

In practice this will mean different arrangements for different types of premises. There is no absolute requirement for these checks to be made prior to entry so therefore smaller premises that do not, for example, already have dedicated door staff do not necessarily need to provide them.

WHAT DO PEOPLE WISHING TO ATTEND EVENTS AND/OR ENTER PREMISES COVERED BY THESE REGULATIONS HAVE TO DO?

People must prove they are what is described in the regulations as a “qualifying individual”. A “qualifying individual” is someone who can evidence their Covid status in one of the following ways. There are 5 options as set out below.

OPTION 1: Proof of valid vaccination

HOW: certification in paper (ie vaccination card) or electronic form that the person has completed a course of doses of an authorised vaccine with the final dose having been received at least 14 days before the time of either the event and/or entry to premises.

OPTION 2: Proof of a suitable negative test within a suitable time period

HOW: Carry out a lateral flow test at home and register the result through the NHS Website [here](#). This will result in receipt of an email and text. This email or text can then be accepted as proof of a negative test. Alternatively, a negative result of an on-site lateral flow device test (ie a test taken at the event or premises in question). In each case the test must be taken on the same calendar day, or one calendar day before, the day of either the event and/or entry to premises.

OPTION 3: Proof of having had Covid within a certain time period

HOW: a valid notification of a positive result of a PCR (polymerase chain reaction) test taken no earlier than 30 days, and no later than 180 days, before the time of either the event and/or entry to premises.

NOTE: In the case of this option the individual will have to provide the following additional evidence:

- that the test result is from the person who is claiming it is.
- that person's age or date of birth,
- the result of the test sample which is positive for coronavirus,

- the date on which the test sample was tested by the test provider,
- a statement that the test was a COVID-19 polymerase chain reaction test, or other lab test.

OPTION 4: Participation in a clinical vaccination trial for Coronavirus

HOW: confirmation in writing of their participation (current or past) in a clinical trial for vaccination against coronavirus from the organiser of that trial.

OPTION 5: Proof of medical exemption from vaccination

HOW: evidence provided through the Northern Ireland Covid Certification process for medical exemption or an equivalent process in the persons place of residence of a clinical reason for not being vaccinated with any authorised vaccine.

NOTE: For all of the above options where the evidence provided does not contain a photograph of the named person, the qualifying individuals must also provide a document that confirms their identity and contains a photograph. There is no stipulation as to what kind of document would be acceptable but clearly this would include a passport, a driving licence, an official work pass (provided it has a photo), a firearms certificate, or any other formal document that contains a persons name and a photograph of that named person.

ARE THERE EXEMPTIONS FOR PEOPLE WHO MAY REQUIRE ENTRY TO THE EVENT AND/OR PREMISES?

There are a number of persons who are exempt from the requirement to prove Covid Status. These include:

- A relevant officer (eg local council EHO or other official)
- an emergency service responder (eg police, ambulance, fire service)
- a person employed at, or responsible for, the relevant premises or relevant event.
- in tourist accommodation, a resident (except when the resident is in a part of the tourist accommodation to which the public have access and in which intoxicating liquor may be consumed.)

In practice this means that, unless the accommodation is self-contained for the express use of the guest(s) or small party, the provider will need to carry out these checks for any qualifying individuals. These checks could be done at the booking and/or arrival stage or when individuals are using areas within the premises that are covered by this requirement, for example bars or restaurants or communal areas. Typical premises where this will apply would include hotels and some guesthouses.

- a person under the age of 18 years
- a person providing services in a relevant place at a time when no member of the public is in attendance at that place
- a person carrying out a public service function or essential repairs or maintenance at the relevant premises or relevant event.

WHAT ARE THE PENALTIES FOR FAILING TO COMPLY WITH THE REGULATIONS?

- There are a range of Fixed Penalty Notices between £200 and £10,000 and offences can also result in prosecution.
- The onus will be on the venue to verify Certification. However, it will also be an offence if a person makes, adapts, supplies or offers to supply false evidence of COVID status to another person which they know is false or misleading.
- It will also be an offence for a person to obstruct a person carrying out a function under the regulations without reasonable excuse.

18: FURTHER INFORMATION

In addition to this document, the following websites may be helpful for those seeking further information:

- The most up-to-date information on The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 can be found [here](#).
- Tourism NI and the Department for the Economy has produced full guidance for tourism and hospitality businesses entitled 'Working safely during COVID 19'.
- Guidance on restrictions across all areas of the economy can be found on NI Direct.
- There is a wealth of information about the advice and support available to businesses on the nibusinessinfo.co.uk website.

PREVIOUS DOCUMENT REVISION HISTORY

Date	Section	Summary of Change
2 July 2021	15	The cap on the numbers permitted to attend an outdoor gathering is removed. Any event with more than 30 participants requires a risk assessment, and the total numbers permitted will be determined by that risk assessment.
5 July 2021	14	Live music is permitted at licensed and unlicensed hospitality businesses that provide food and/or drink for consumption on the premises. Music should be played at an ambient level and with suitable mitigations in place such as screens. Music is permitted at outdoor events with no restriction to background or ambient levels of volume.
2 July 2021	n/a	Close contact services no longer require an appointment.

27 July 2021	13	The number of people that can stay overnight in tourist accommodation is ten people from three households, with some exceptions which are detailed in section 10.
	14	Audiences are permitted to return to performances in theatres and concert halls. Entry is by ticket only, with allocated seating and tickets must be purchased in advance. Live music is permitted for rehearsals and performances, with no restriction to background or ambient levels of volume.
30 July 2021	8	The requirement for social distancing in shops and shopping centre will move from 2m to 1m. For outdoor venues, there is no requirement in law for social distancing. However the guidance strongly advises a minimum of 1m and ideally 2m.
	14	Live music is now permitted in indoor venues such as function rooms of hotels or visitor attractions. This is in addition to the previous decision to allow the return of live music in concert halls and theatres.
16 Aug 2021	4	From 16 th August, people who are fully vaccinated will no longer need to self-isolate for 10 days if someone they have been in close contact with tests positive for COVID-19.
	8	The requirement to maintain social distancing on public transport at all times will be removed.
	12 & 16	There is no longer any limit to the number of people who can sit at a table. This includes post marriage celebrations.
	15	Conference centres can reopen, allowing conferences and exhibitions to return.
10 Sept 2021	12	The requirement for table service, at both indoor and outdoor hospitality settings, will be removed. The restriction on movement and standing to allow customers to play darts, pool, gaming machines etc will be removed.
	14	The requirement to purchase tickets in advance for live performances and the need for audience members to have allocated seats will be removed. The current restriction on music to background or ambient levels where that restriction currently applies is removed.
	16	The current restriction on dancing in indoor settings at weddings and civil partnerships will be removed.

28 Sept 2021	8	The requirement for 1M social distancing is removed from all retail settings, indoor visitor attractions, indoor venues with fixed seating such as theatres, concert halls and cinemas.
14 Oct 2021	14	Requirement for audience members to be seated for indoor performances is removed.
31 Oct 2021	12	People to move around hospitality premises and indoor venues, including being able to stand to have a drink and eat food.
	14	The restriction on indoor dancing will be lifted.
	8	The need to maintain social distancing in hospitality settings, such as pubs and restaurants will move to guidance.
	14	Nightclubs will be permitted to reopen.
29 th November 2021	17	Summary of the new legal requirements around evidence of Covid Status for “qualifying individuals” at certain events and/or premises (Covid Certification). Regulations will be enforced from 13 th December 2021.