



S.I. No. 217 of 2021

HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)

(COVID-19) (NO. 2) REGULATIONS 2021

REVISED

Updated to 4 June 2021 and no further amendments have been made since this date.

This Revised Statutory Instrument is an administrative consolidation of the *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) Regulations 2021*. It is prepared by the Office of the Attorney General on behalf of the Department of Health.

All statutory instruments up to and including the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021 (S.I. No. 267 of 2021) were considered in the preparation of this Revised Statutory Instrument.

Disclaimer: While every care has been taken in the preparation of this Revised Statutory Instrument, the Office of the Attorney General and the Department of Health can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to info@ag.irlgov.ie.

S.I. No. 217 of 2021
HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) REGULATIONS 2021
REVISED

Introduction

This Revised Statutory Instrument presents the text of the Statutory Instrument as it has been amended since it was made by the Minister for Health, and preserves the format in which it was made.

Annotations

This Revised Statutory Instrument is annotated and includes textual amendments.

Statutory instrument included in this revision:

- *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021 (S.I. No. 267 of 2021)*

In addition, please note that the statutory instruments captured in this revision are affected by the following:

(a) Health Act 1947 (Section 31A(6A)) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 218 of 2021);

(b) Health Act 1947 (Fixed Payment Notice and Dwelling Event Provisions) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 219 of 2021).

The affecting provisions are not noted in the annotations in this revision.

S.I. No. 217 of 2021
HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) REGULATIONS 2021

REVISED

Updated to 4 June 2021

I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by sections 5 and 31A (inserted by section 10 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1 of 2020)) of the Health Act 1947 (No. 28 of 1947) and -

- (a) having regard to the immediate, exceptional and manifest risk posed to human life and public health by the spread of Covid-19 and to the matters specified in subsection (2) of section 31A,

and
- (b) having consulted with the Minister for Foreign Affairs, the Minister for Housing, Local Government and Heritage, the Minister for Transport, the Minister for Enterprise, Trade and Employment, the Minister for Finance, the Minister for Justice and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,

hereby make the following regulations:

PART 1

Preliminary and General

Citation, commencement and operation

1. (1) These Regulations may be cited as the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) Regulations 2021.

(2) These Regulations shall, subject to paragraphs (3) and (4), come into operation on the 10th day of May 2021 and shall have effect for the period beginning on that date and ending on the **F1** [5th day of July 2021].

(3) Schedule 1 shall come into operation on the 10th day of May 2021 and shall have effect for the period beginning on that date and ending on the 16th day of May 2021.

(4) Paragraph 22 of Schedule 2 shall come into operation on the 10th day of May 2021 and shall have effect for the period beginning on that date and ending on the 16th day of May 2021.

Amendment

F1 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 3.

Revocation

2. The Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) Regulations 2021 (S.I. No. 168 of 2021) are revoked.

Definitions

3. In these Regulations -

“Act of 1947” means the Health Act 1947 (No. 28 of 1947);

“applicable person” means a person whose place of residence is located within a relevant geographical location;

“child” means a person who has not attained the age of 18 years;

“childcare pairing arrangement” has the meaning assigned to it by Regulation 6;

“club” means a club registered under the Registration of Clubs Acts 1904 to 2008;

“dance rehearsal event” means an event held or to be held in a location other than in a dwelling wholly or partly for the purposes of -

- (a) learning, rehearsing, practising or choreographing a dance or dance routines, or
- (b) training or preparing for a dance competition or examination;

“household” means a person who lives alone or 2 or more persons who live together;

“licence” means, in relation to premises, a licence for the sale by retail of intoxicating liquor for consumption on or off the premises whether granted on production or without production of a certificate of the Circuit Court or District Court;

“local authority” means a local authority within the meaning of section 2 of the Local Government Act 2001 (No. 37 of 2001);

“necessary person” means, in relation to a sporting event, any person whose presence at the event is necessary for the event to take place, and includes -

- (a) a person **F2** [...] who is participating in the sporting event,

- (b) a member of staff of Sport Ireland or a member of staff of the relevant sporting body of an athlete or competitor participating in the event,
- (c) a coach or a trainer connected to the event,
- (d) medical personnel, including such personnel conducting doping testing, whose presence is required at the event,
- (e) a person who attends the event in order to ensure that it is conducted in accordance with the rules of the sport,
- (f) a person engaged by the organiser of the sporting event as a steward, whether in a remunerated or voluntary capacity, to implement crowd control, compliance with public health guidance and other safety measures,
- (g) a person whose attendance at the event is necessary for it to be reported, recorded or broadcast,

- (h) a person who is a parent or guardian of a person who -
 - (i) is participating in the event, and
 - (ii) is a child,
- (i) a person accompanying a person who is participating in the event, where that person normally requires assistance in carrying out his or her daily activities, or
- (j) a person providing necessary technical, administrative, logistical or other professional services to a person described in any of subparagraphs (a) to (i);

“permitted outlet” means an outlet that is specified in Schedule 1;

“place of residence” means -

- (a) in relation to a person who is ordinarily resident in the State -
 - (i) the home in which the person ordinarily resides, or

- (ii) if the person does not have a home, such other premises, if any, at which he or she is currently residing, whether on a permanent or temporary basis, or
- (b) in relation to a person who is not ordinarily resident in the State, the premises in the State, if any, at which he or she is currently residing, whether on a permanent or temporary basis;

“premises” includes part of any premises;

“premises controller” means -

- (a) in relation to premises the subject of a licence, the holder of the licence, and
- (b) in relation to the premises of a club, every person whose name is entered in the register of clubs as an official or member of its committee of management or governing body at the material time;

“relevant event” means an event held, or to be held, for social, recreational, exercise, cultural, entertainment or community reasons, but does not include –

- (a) an event to be held in a dwelling,
- (b) a wedding reception,
- (c) a sporting event,
- (d) a training event, or
- (e) a dance rehearsal event;

“relevant geographical location” means a geographical location to which an affected areas order applies;

F3 [“relevant venue” means a fixed or temporary venue, including a stadium, arena, grandstand, park, pitch or golf course, that would, but for the restrictions on attendance at events provided for by these Regulations, be capable of accommodating at least 5,000 persons outdoors;]

F4 [“scheduled event” has the meaning assigned to it by Regulation 3A;]

“specified person” means, in relation to any premises -

- (a) the premises controller of the premises,
- (b) the occupier of the premises,
- (c) the manager of the premises, or
- (d) any other person for the time being in charge of the premises;

“Sport Ireland certification” means a written certification that is provided to a person by Sport Ireland -

- (a) in accordance with Regulation 10(3),
- (b) in accordance with Regulation 11(4),

- (c) under the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (Restrictions upon Travel to the State from Certain States) (No. 5) Regulations 2021 (S.I. No. 135 of 2021), or
- (d) under any other regulations made under the Act of 1947 for the purpose of permitting the person to participate in a sporting event specified in the certification, engage in training held in preparation for a sporting event specified in the certification, or both;

“sporting event” means an event to be held in a location other than in a dwelling that is -

- (a) to be held wholly or partly for competitive sport reasons, regardless of the nature of the sport or the competitive standard in question,
- (b) organised under the structure of, licenced by, or otherwise authorised by -
 - (i) a national governing body of the sport in question, or
 - (ii) a school, university or higher education institution, and

- (c) not a training event;

“substantial meal” means a meal -

- (a) such as might be expected to be served as a main midday or main evening meal or as a main course at either such meal, and
- (b) that is of a kind, having regard to all the circumstances, for which it would be reasonable to charge a sum that is not less than €9;

“training event” means an event -

- (a) to be held in preparation for a sporting event, and
- (b) that is supervised by a member of staff of Sport Ireland, a coach or a trainer.

Amendments

F2 Deleted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(a).

F3 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(b).

F4 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(b).

F5 [3A. An event referred to in column (1) of Schedule 3 shall be deemed to be a scheduled event where –

- (a) it takes place on the date specified in column (2) of that Schedule opposite the mention of that event,
- (b) it takes place at the location referred to in column (3) of that Schedule opposite the mention of that event, and
- (c) the number of persons attending the event does not exceed the number specified in column (4) of that Schedule opposite the mention of that event and in reckoning that number of persons no account shall be taken of –
 - (i) persons attending the event in a professional capacity, in the course of their employment, or in fulfilment of a contract for services, or
 - (ii) in the case of a sporting event, necessary persons.]

Amendment

F5 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 5.

Part 2

Temporary restrictions – national measures

Restrictions of movement of applicable persons in relation to travel from place of residence to port or airport

4. (1) Subject to paragraph (2), an applicable person shall not travel to an airport or port for the purpose of leaving the State without reasonable excuse.

(2) Without prejudice to the generality of what constitutes a reasonable excuse for the purposes of paragraph (1), such reasonable excuse includes an applicable person travelling to an airport or port for the purpose of leaving the State in order to -

(a) work, comply with a contract of employment or contract for services, or otherwise engage in work or employment,

(b) without prejudice to the generality of subparagraph (a) -

(i) provide services to, or perform the functions of, an office holder appointed under any enactment or under the Constitution, or a member of either House of the Oireachtas, the European Parliament or a local authority, or

(ii) provide services essential to the functioning of diplomatic missions and consular posts in the State,

(c) attend, for educational reasons -

(i) a primary or secondary school, or

(ii) a university, higher education institution or other education and training facility,

to the extent that it is necessary for such educational reasons to attend in person,

(d) accompany to a school referred to in subparagraph (c)(i), or to a university, higher education institution or other education and training facility referred to in subparagraph (c)(ii), any other person residing with the person, or a vulnerable person,

- (e) attend a medical or dental appointment, or accompany, to such an appointment, any other person residing with the person, or a vulnerable person,
- (f) seek essential medical, health or dental assistance for the person, for any other person residing with the person, or for a vulnerable person,
- (g) attend to vital family matters (including providing care to vulnerable persons),
- (h) attend a funeral,
- (i) fulfil a legal obligation (including attending court, satisfying bail conditions, or participating in ongoing legal proceedings), attend a court office where required, initiate emergency legal proceedings or execute essential legal documents,
- (j) if the person is a parent or guardian of a child, or a person having a right of access to a child, give effect to arrangements for access to the child by -

(i) the person, or

(ii) another person who is -

(I) a parent or guardian of the child, or

(II) a person having a right of access to the child, or

(k) where the person is not ordinarily resident in the State, leave the State.

(3) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

(4) In this Regulation, "vulnerable person" means -

(a) a person who normally requires assistance in carrying out his or her daily activities,

- (b) a person who, although not normally requiring assistance in carrying out his or her daily activities, requires such assistance because he or she is -
 - (i) particularly susceptible to the risk posed to health by Covid-19,
or
 - (ii) not in a position to leave his or her place of residence due to reasons related to the spread of Covid-19 or otherwise,

or
- (c) a child.

Restrictions on events in dwellings

5. (1) A person shall not organise, or cause to be organised, an event to be held in a dwelling in a relevant geographical location for social or recreational reasons other than in accordance with paragraph (2) or (3).

(2) An applicable person may organise, or cause to be organised, an event to be held indoors in a dwelling in a relevant geographical location for social or recreational reasons where -

- (a) the dwelling is the applicable person's place of residence, and
- (b) the person takes all reasonable steps to ensure that the persons attending, or proposed to attend the event (for whatever reason) are part of no more than 3 households, including the household of the person organising the event.

(3) An applicable person may organise, or cause to be organised, an event to be held in a part of a dwelling that is outdoors in a relevant geographical location for social or recreational reasons where -

- (a) the dwelling is the applicable person's place of residence, and
- (b) the person takes all reasonable steps to ensure that the persons attending, or proposed to attend, the event -

(i) do not exceed 6 persons from any number of households, including the household of the person organising the event, or

(ii) are part of no more than 3 households, including the household of the person organising the event,

and the event is, notwithstanding paragraph (5), in either case, attended by no more than 15 persons.

(4) Where an event under paragraph (2) or (3) is attended by -

(a) a child, and

(b) a parent or guardian of such child, who is not part of the same household as the child,

the parent or guardian, as the case may be, shall be deemed to be part of the same household as the child.

(5) For the purposes of this Regulation, in reckoning the number of persons attending an event under paragraph (3)(b)(i), no account shall be taken of a child who has not attained the age of 13 years who is part of a household of a person so attending.

(6) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

Childcare pairing arrangements

6. (1) Subject to paragraph (2), a specified household (the “first household”) may agree with one other household (the “second household”), which may include another specified household, that each household may be treated as part of a childcare pairing arrangement for the purpose of -

- (a) the first household providing childcare to the second household, or
- (b) each household providing reciprocal childcare to the other household,

and the first household and the second household shall, in these Regulations, each be referred to as being part of a “childcare pairing arrangement”.

(2) Where a specified household makes an agreement with another household in accordance with paragraph (1) -

(a) neither such household may already be a part of a childcare pairing arrangement, and

(b) neither such household may subsequently agree to be part of a childcare pairing arrangement with any other household.

(3) In this Regulation -

“relevant worker” means a person who works, complies with a contract of employment or contract for services, or otherwise engages in work or employment;

“specified household” means a household consisting of one or more relevant workers and one or more children in respect of whom there are no childcare arrangements in place.

Restriction on persons attending events in dwellings

7. (1) A person shall not without reasonable excuse attend an event to be held for social or recreational reasons in a dwelling in a relevant geographical location other than where the event is organised in accordance with Regulation 5(2) or 5 (3).

(2) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

Restrictions on relevant events and funerals

8. **F6** [(1) A person shall not organise, or cause to be organised, a relevant event in a relevant geographical location other than in accordance with paragraph (1A).]

F7 [(1A) A person may organise, or cause to be organised, a relevant event in a relevant geographical location where –

(a) in the case of a relevant event held, or to be held, before the 7th day of June 2021, the person takes all reasonable steps to ensure that –

(i) the event takes place entirely outdoors, and

- (ii) the number of persons attending, or proposed to attend, the event does not exceed 15,

- (b) in the case of a relevant event held, or to be held, on or after the 7th day of June 2021, the person takes all reasonable steps to ensure that –
 - (i) the event takes place entirely outdoors, and

 - (ii) the number of persons attending, or proposed to attend, the event –
 - (I) does not exceed 200 where the event is held, or to be held, in a relevant venue, or

 - (II) does not exceed 100 where the event is held, or to be held, other than in a relevant venue,

- or

- (c) the event is a scheduled event.]

(2) A person shall not organise, or cause to be organised, a funeral to be held in a relevant geographical location other than where the number of people, excluding a minister of religion or priest (or any equivalent thereof in any religion), attending the funeral does not exceed 50.

(3) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

(4) For the purposes of this Regulation, in reckoning the number of persons attending a relevant event, no account shall be taken of persons so attending in a professional capacity, in the course of their employment, or in fulfilment of a contract for services.

Amendments

F6 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 6(a).

F7 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 6(b).

Weddings

9. (1) A person shall not organise, or cause to be organised, a wedding in a relevant geographical location other than in accordance with paragraph (2).

F8 [(2) A person may organise, or cause to be organised, a wedding in a relevant geographical location in a premises or premises, as the case may be, other than a dwelling where the person takes all reasonable steps to ensure that –

(a) in the case of a wedding that takes place before the 7th day of June 2021 –

(i) the number of persons attending, or proposed to attend, the wedding service does not exceed 50, and

(ii) the number of persons attending, or proposed to attend, the wedding reception –

(I) does not exceed 6, where the reception is held indoors, or

(II) does not exceed 15, where the reception is held outdoors, or

(b) in the case of a wedding that takes place on or after the 7th day of June 2021 –

(i) the number of persons attending, or proposed to attend, the wedding service does not exceed 50, and

(ii) the number of persons attending, or proposed to attend, the wedding reception does not exceed 25.]

(3) For the purposes of this Regulation, in reckoning the number of persons attending a wedding, no account shall be taken of -

(a) the persons getting married, or

(b) persons so attending in a professional capacity, in the course of their employment, or in fulfilment of a contract for services.

Amendment

F8 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 7.

Restrictions on sporting events

10. (1) Subject to paragraph (2), a person shall not organise, or cause to be organised, a sporting event in a relevant geographical location.

F9 [(2) A person may organise, or cause to be organised, a sporting event in a relevant geographical location –

(a) in the case of a sporting event that takes place before the 7th day of June 2021, where the person takes all reasonable steps to ensure that –

(i) the event is attended, or proposed to be attended, only by necessary persons, and

(ii) every person participating in, or otherwise competing in, the event –

(I) is in receipt of financial support provided by Sport Ireland under the scheme commonly known and referred to as the Sport Ireland International Carding Scheme,

- (II) competes at a senior level and is a participant in a high performance training programme of the national governing body of the sport, which body receives, from Sport Ireland, financial support commonly known and referred to as the Sport Ireland High Performance Programme Funding,
- (III) is a professional sportsperson who receives payment for training and playing sport under a contract of employment with a soccer club or the rugby football organisation commonly known and referred to as the Irish Rugby Football Union,
- (IV) is involved in the training and preparation of racehorses for events held under the authority of Horse Racing Ireland,
- (V) is involved in the training and preparation of sport horses for events held under the authority of Horse Sport Ireland,

- (VI) is involved in the training and preparation of greyhounds for events held under the authority of Rásaíocht Con Éireann,
 - (VII) is an athlete who is competing or playing in the sporting event and to whom a Sport Ireland certification relating to that event has been provided, or
 - (VIII) is a member of an inter-county team, at senior level, in a competition organised by the organisations commonly known and referred to as the Gaelic Athletic Association, the Ladies Gaelic Football Association or the Camogie Association,
- (b) in the case of a sporting event that takes place on or after the 7th day of June 2021, where the person takes all reasonable steps to ensure –
- (i) subject to paragraph (4), that the sporting event is held outdoors,

(ii) that the number of persons other than necessary persons attending the event –

(I) does not exceed 200 where the event is held, or to be held, in a relevant venue, or

(II) does not exceed 100, where the event is held, or to be held, other than in a relevant venue,

or

(c) where the sporting event is a scheduled event.]

(3) Sport Ireland may, in relation to an applicable person -

(a) after consulting with the Health Service Executive, and

(b) where it is satisfied that -

- (i) the person represents, or has the potential to represent, Ireland in sporting events at an internationally competitive level,
- (ii) it is necessary for the person to participate in one or more sporting events in order to do so, and
- (iii) satisfactory public health protocols and procedures for the purpose of preventing, limiting, minimising or slowing the spread of Covid-19 are in place in relation to all such sporting events,

provide the person with a written certification stating that he or she may attend one or more specified sporting events.

F10 [(4) The requirement in paragraph (2)(b)(i) that a sporting event be held outdoors shall not apply where –

- (a) the event is attended only by necessary persons, and

- (b) every person participating in, or otherwise competing in, the sporting event is a person referred to in subclauses (I) to (VIII) of paragraph (2)(a)(ii).

(5) For the purposes of this Regulation, in reckoning the number of persons other than necessary persons attending a sporting event, no account shall be taken of persons so attending in a professional capacity, in the course of their employment, or in fulfilment of a contract for services.]

Amendments

F9 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 8(a).

F10 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 8(b).

Restrictions on training events

11. (1) Subject to paragraph (2), a person shall not organise, or cause to be organised, a training event or a dance rehearsal event in a relevant geographical location.

(2) A person may organise a training event or a dance rehearsal event in a relevant geographical location where the person takes all reasonable steps to ensure that -

- (a) other persons attending at, or otherwise participating in, the event are organised into groups of no more than 15 persons,

- (b) a group referred to in subparagraph (a), and any person forming part of such a group, is not permitted to commingle, associate with, or otherwise come into physical contact with, another such group or any other person forming part of such other group, and
- (c) the event is held outdoors.

(3) Paragraph (1) shall not apply to a training event in which every person participating in the event -

- (a) is in receipt of financial support provided by Sport Ireland under the scheme commonly known and referred to as the Sport Ireland International Carding Scheme,
- (b) competes at a senior level and is a participant in a high performance training programme of the national governing body of the sport, which body receives, from Sport Ireland, financial support commonly known and referred to as the Sport Ireland High Performance Programme Funding,

- (c) is a professional sports person who receives payment for training and playing sport under a contract of employment with a soccer club or the rugby football organisation commonly known and referred to as the Irish Rugby Football Union,
- (d) is involved in the training and preparation of racehorses for events held under the authority of Horse Racing Ireland,
- (e) is involved in the training and preparation of greyhounds for events held under the authority of Rásaíocht Con Éireann,
- (f) is involved in the training and preparation of sport horses for events held under the authority of Horse Sport Ireland,
- (g) is a person to whom a Sport Ireland certification has been provided for the purposes of so participating,

F11 [(ga) is a person undertaking swimming lessons in a swimming pool,

(gb) is a parent or guardian of a child referred to in subparagraph (ga),]

- (h) is a member of an inter-county team, at senior level, in a competition organised by the organisations commonly known and referred to as the Gaelic Athletic Association, the Ladies Gaelic Football Association or the Camogie Association, or
 - (i) is a coach or trainer in respect of a person referred to in any of subparagraphs (a) to (h).
- (4) Sport Ireland may, in relation to an applicable person -
- (a) after consulting with the Health Service Executive, and
 - (b) where it is satisfied that -
 - (i) the person represents, or has the potential to represent, Ireland in sporting events at an internationally competitive level,
 - (ii) it is necessary for the person to participate in one or more training events in order to do so, and

- (iii) satisfactory public health protocols and procedures for the purpose of preventing, limiting, minimising or slowing the spread of Covid-19 are in place in relation to all such training events,

provide the person with a written certification stating that he or she may attend one or more specified training events.

Amendment

F11 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 9.

Carrying on or provision of certain businesses or services specified in Schedule 2

12. (1) A specified person shall ensure that members of the public are not permitted, or otherwise granted, access to a premises in a relevant geographical location where a business or service specified in Schedule 2 is carried on or otherwise provided.

(2) For the avoidance of doubt, paragraph (1) does not prohibit -

- (a) the filming or other recording of performances in a theatre, concert hall, museum or art gallery, without an audience present, for the

purposes of broadcasting such performances on the internet, radio or television,

- (b) the holding of horseracing or greyhound racing at a racecourse in accordance with these Regulations, or
- (c) the use of a premises for the purposes of -
 - (i) a meeting of a local authority,
 - (ii) a meeting of a regional assembly (within the meaning of the Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014 (S.I. No. 573 of 2014)),
 - (iii) a sitting of one or both Houses of the Oireachtas or a committee thereof (within the meaning of section 2 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 (No. 33 of 2013)),
 - (iv) a meeting of a political party registered in the Register of Political Parties (within the meaning of Part III of the Electoral

Act 1992 (No. 23 of 1992)) or a meeting of a parliamentary party of such political party,

(v) access to the premises by members of the public for the use of toilet facilities where such premises is owned or operated by a local **F12** [authority,]

(vi) a wedding held in accordance with **F13** [Regulation 9, or]

F14 [(vii) a scheduled event.]

(3) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

Amendments

F12 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 10(a).

F13 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 10(b).

F14 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 10(c).

Requirements in relation to hotels and other services

13. (1) (a) Subparagraph (b) applies notwithstanding anything contained in the Licensing Acts 1833 to 2018 or the Registration of Clubs Acts 1904 to 2008.

F15 [(b) Without prejudice to the generality of Regulation 12, a specified person shall ensure that –

(i) during the period beginning on the 2nd day of June 2021 and ending on the 6th day of June 2021 –

(I) members of the public are not permitted, or otherwise granted, access to a relevant premises, or permitted to remain on such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

(II) members of the public other than relevant guests are not permitted, or otherwise granted, access to a relevant accommodation premises other than for the

purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

(III) relevant guests not availing of overnight accommodation in a relevant accommodation premises are not, during the relevant period, permitted, or otherwise granted, access to the relevant accommodation premises concerned, or permitted to remain on such premises, other than for the purpose of ordering, or collecting, or both, food or non-alcoholic beverages for consumption off such premises,

(IV) relevant guests who are availing of overnight accommodation in a relevant accommodation premises are not, during the relevant period, permitted to purchase or otherwise acquire intoxicating liquor, and

(V) relevant guests are not permitted to purchase or otherwise acquire intoxicating liquor for consumption

on the relevant accommodation premises unless the intoxicating liquor is consumed by that relevant guest whilst such guest is seated at a table, and

(ii) on or after the 7th day of June 2021 –

(I) members of the public are not permitted, or otherwise granted, access to a part of a relevant premises that is indoors, or permitted to remain in an indoor part of such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

(II) members of the public other than relevant guests are not permitted, or otherwise granted, access to a part of a relevant accommodation premises that is indoors, or permitted to remain in an indoor part of such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

- (III) persons are not permitted to purchase or otherwise acquire intoxicating liquor for consumption –
 - (A) on a relevant premises, unless the intoxicating liquor is consumed by that person whilst such person is seated at an outdoor table, or
 - (B) on a relevant accommodation premises, unless the intoxicating liquor is consumed by a relevant guest whilst such guest is seated at a table, and
- (IV) persons are not permitted to purchase or otherwise acquire intoxicating liquor during the relevant period.]

- (c) For the avoidance of doubt, it is hereby declared that the period of 30 minutes referred to in section 7(1) and (2) of the Intoxicating Liquor Act 1962 (No. 21 of 1962), commonly referred to as drinking-up time, does not apply in relation to the relevant period.

F16 [(2) A specified person shall, in relation to a relevant premises or a relevant accommodation premises, make a record of the time and date that each relevant guest, or each member of the public, is permitted, or otherwise granted, access to such premises, and the name and telephone number of each relevant guest and each member of the public.]

(3) A specified person shall retain and make available records made under paragraph (2) for the purposes of inspection by a member of the Garda Síochána acting in the course of his or her duties under these Regulations, or by a person appointed by the Health Service Executive for the purposes of the programme commonly known as the Covid-19 Contact Management Programme, for a period of 28 days after the records have been made.

(4) For the purposes of paragraph (2), a specified person may request a relevant guest to provide the specified person with the relevant guest's name and telephone number and, where that specified person does so, the relevant guest shall comply with that request.

(5) (a) A specified person shall ensure that members of the public are not, during the specified period -

(i) permitted, or otherwise granted, access to a specified premises, or

(ii) permitted to remain on a specified premises,

except for the purpose of ordering, or collecting, or both, food or non-alcoholic beverages for consumption off the specified premises.

(b) In this paragraph -

“specified period”, in relation to specified premises to which, but for this Regulation, access by members of the public may be lawfully permitted, or otherwise granted, on and after 11.30 p.m. on a particular day, means the period -

(a) commencing at 11.30 p.m. on that day, and

(b) ending at -

(i) subject to subparagraph (ii), the later time on that day, or the later time on

the next succeeding day, as the case may be, on and after which access by members of the public would no longer be lawful even if this Regulation had never been made, or

- (ii) 6.00 a.m. on the next succeeding day in any case where such first-mentioned access would extend beyond that time but for this Regulation;

“specified premises” means a premises in a relevant geographical location where -

- (a) food or non-alcoholic beverages may be lawfully sold or supplied for consumption on such premises, or
- (b) food or beverages may be lawfully sold or supplied for consumption on such premises but

any beverage which is an intoxicating liquor
may not be so consumed.

(6) Paragraphs (1), (2) and (3) are penal provisions for the purposes of section 31A of the Act of 1947.

(7) This Regulation shall not apply to a hotel or similar accommodation that is a designated facility.

(8) In this Regulation -

F17 [“relevant accommodation premises means a premises in a relevant geographical location where a hotel or other accommodation business or service that, but for this Regulation, is otherwise permitted by law to sell or supply intoxicating liquor for consumption on the premises, is lawfully carried on or otherwise provided;]

“relevant period”, in relation to a relevant premises to which, but for this paragraph, access by relevant guests may be lawfully permitted, or otherwise granted, on and after 11.30 p.m. on a particular day, means the period -

(a) commencing at 11.30 p.m. on that day, and

- (b) ending at the later time on that day, or the later time on the next succeeding day, as the case may be, on and after which access by members of the public would no longer be lawful even if this Regulation had never been made;

F18 [“relevant guest”, in relation to a relevant accommodation premises, means –

- (a) a person availing of overnight accommodation services therein, including for social, recreational, cultural or tourist purposes, or
- (b) a person attending a wedding therein without availing of overnight accommodation services therein;]

F19 [“relevant premises” means a premises (other than a relevant accommodation premises) in a relevant geographical location where a business or service that, but for this Regulation, is otherwise permitted by law to sell or supply intoxicating liquor for consumption on the premises, is lawfully carried on or otherwise provided.]

Amendments

F15 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(a).

F16 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(b).

F17 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(c)(iii).

F18 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(c)(i).

F19 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(c)(ii).

Data Protection

14. (1) Personal data collected for the purposes of these Regulations may be processed by -

- (a) a specified person for the purposes of -
 - (i) complying with the requirements of these Regulations, or
 - (ii) providing information to the Health Service Executive for the purposes referred to in paragraph (b),
- (b) the Health Service Executive for the purposes of the identification, tracing and contacting of persons who have been in contact with

persons who have been diagnosed, or suspected of having been infected, with Covid-19, and

(c) a member of the Garda Síochána for the purposes of -

(i) monitoring compliance by a specified person with, or

(ii) enforcement of,

these Regulations.

(2) For the purposes of these Regulations, a specified person, the Health Service Executive and the Garda Síochána are designated as data controllers in relation to personal data respectively processed by them pursuant to paragraph (1).

(3) Subject to paragraph (4), personal data collected for the purposes of these Regulations shall be permanently deleted no later than 28 days after the records referred to in Regulation 13 have been collected under paragraph (2) of that Regulation.

(4) Where personal data collected in accordance with these Regulations are required for the purposes of the prevention, investigation, detection or prosecution of a criminal offence, the data -

- (a) may be processed for as long as they are required for such prevention, investigation, detection or prosecution, and
- (b) shall be permanently deleted after they are no longer required for such prevention, investigation, detection or prosecution.

(5) In this Regulation -

“General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

“personal data” has the meaning it has in the General Data Protection Regulation;

¹ OJ No. L 119, 4.5.2016, p. 1.

“processing”, in relation to personal data, has the meaning it has in the General Data Protection Regulation.

SCHEDULE 1

F20 [...]

Amendment

F20 Deleted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 12(a).

SCHEDULE 2

Regulation 12

Relevant businesses

1. Concert halls.
2. Theatres insofar as they operate before the 7th day of June 2021.
3. Art galleries (other than privately owned art galleries offering artworks for sale) except insofar as they operate to provide general admittance to members of the public.
4. Museums, except insofar as they operate to provide general admittance to members of the public.
5. Libraries, except insofar as they operate to provide lending services to members of the public.
6. Cultural indoor attractions, except insofar as they operate to provide general admittance to members of the public.

7. Circuses.
8. Nightclubs and discotheques, including those licenced under the Public Dance Halls Act 1935 (No. 2 of 1935).
9. Bingo halls, other than outdoor bingo at which persons attending do so in motor vehicles and remain in the vehicles without exiting the motor vehicles for the duration of such attendance.
10. Private Members' Clubs (howsoever described) where gaming (within the meaning of the Gaming and Lotteries Act 1956 (No. 2 of 1956)) is carried on exclusively amongst members of the Private Members' Club and is the primary purpose of such Private Members' Club.
11. Ice skating rinks other than insofar as such rinks operate outdoors on or after the 7th day of June 2021.
12. Roller skating rinks other than insofar as such rinks operate outdoors on or after the 7th day of June 2021.

13. Indoor leisure facilities, including dance studios and gyms, other than insofar as they provide facilities for use by persons taking exercise on an individual basis on or after the 7th day of June 2021.
14. Swimming pools, other than insofar as they provide facilities for use, on or after the 7th day of June 2021, by –
 - (i) persons taking exercise on an individual basis, or
 - (ii) persons for the purpose of participating in swimming lessons.
15. Bowling alleys, amusement arcades, soft play areas and other indoor children’s play areas.
16. Funfairs, including funfairs within the meaning of the Gaming and Lotteries Act 1956 (No. 2 of 1956) other than insofar as such funfairs operate outdoors on or after the 7th day of June 2021.
17. Amusement halls licensed in accordance with the Gaming and Lotteries Act 1956 (No. 2 of 1956).

18. Amusement parks and theme parks other than insofar as such parks operate outdoors on or after the 7th day of June 2021.
19. Outlets selling food or beverages whether on a retail or wholesale basis and whether in a non-specialised or specialised outlet except –
- (a) insofar as they sell food or beverages on a takeaway basis or for consumption off the premises,
 - (b) insofar as they are staff canteens operating for the exclusive use of persons working in, or at, a particular premises,
 - (c) outlets that provide hotel or other accommodation services to guests, or
 - (d) outlets that provide food or beverages for consumption on a part of the premises that is wholly outdoors on or after the 7th day of June 2021.]

Amendment

F21 Substituted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 12(b) and Schedule 1.

SCHEDULE 3

Regulation 3A

	<i>(1)</i> <i>Event</i>	<i>(2)</i> <i>Date</i>	<i>(3)</i> <i>Location</i>	<i>(4)</i> <i>Maximum number of persons</i>
1.	Outdoor concert curated by National Concert Hall	10th day of June 2021	Iveagh Gardens, Dublin	500
2.	Leinster v Dragons, rugby match	11th day of June 2021	RDS, Dublin	1,200
3.	Shamrock Rovers v Finn Harps, League of Ireland match	11th day of June 2021	Tallaght Stadium, Dublin	1,000
4.	Cork City v Cabinteely, League of Ireland match	11th day of June 2021	Turner's Cross, Cork	600
5.	Camogie national league final	20th day of June 2021	Croke Park, Dublin	3,000

6.	Opera performance	23rd day of June 2021	University of Limerick Concert Hall, Limerick	519
7.	Shamrock Rovers v Drogheda, League of Ireland match	25th day of June 2021	Tallaght Stadium, Dublin	1,000
8.	Athletics Ireland National Championships	26th day of June 2021	Morton Stadium, Dublin	400
9.	Music festival	26th day of June 2021	Phoenix Park, Dublin	3,500
10.	Indoor concert	26th day of June 2021	INEC, Kerry	200
11.	Race meeting	26th day of June 2021	Curragh racecourse, Kildare	1,000

]

Amendment

F22 Inserted (2.2.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No.2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 12(c) and Schedule 2.

GIVEN under my Official Seal,

9 May, 2021.

STEPHEN DONNELLY,

Minister for Health.