



S.I. No. 217 of 2021

HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) REGULATIONS 2021

REVISED

Updated to 22 November 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) (No. 20) Regulations 2021* (S.I. No. 596 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 do 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 instruments included in this revision:

- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021 (S.I. No. 596 of 2021)*
- *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Extension of various periods of operation) Regulations 2021 (S.I. No. 585 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021 (S.I. No. 544 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021 (S.I. No. 536 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 17) Regulations 2021 (S.I. No. 513 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 16) Regulations 2021 (S.I. No. 500 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021 (S.I. No. 452 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 14) Regulations 2021 (S.I. No. 446 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 13) Regulations 2021 (S.I. No. 440 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 12) Regulations 2021 (S.I. No. 438 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 11) Regulations 2021 (S.I. No. 423 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 10) Regulations 2021 (S.I. No. 410 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021 (S.I. No. 384 of 2021)*

- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 8) Regulations 2021 (S.I. No. 382 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 7) Regulations 2021 (S.I. No. 369 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 6) Regulations 2021 (S.I. No. 341 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 5) Regulations 2021 (S.I. No. 329 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 4) Regulations 2021 (S.I. No. 322 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 3) Regulations 2021 (S.I. No. 304 of 2021)*
- *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 2) Regulations 2021 (S.I. No. 291 of 2021)*
- *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 Health Act 1947 (Section 31A(6A)) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 218 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 22 November 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,¹

¹ With regard to S.I. No. 423 of 2021, S.I. No. 438 of 2021, S.I. No. 440 of 2021 and S.I. No. 446 of 2021, the Minister for Foreign Affairs, the Minister for Housing, Local Government and Heritage, the Minister for

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.

[F1 (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 **F2** [9th day of January 2022].]

(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 (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 3.

F2 Substituted (10.11.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Extension of various periods of operation) Regulations 2021* (S.I. No. 585 of 2021), reg. 2.

Transport, the Minister for Enterprise, Trade and Employment, the Minister for Finance, the Minister for Justice, the Minister for Agriculture, Food and the Marine and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media were consulted.

Editorial Note

Previous affecting provisions:

E1 Regulation 1(2) previously amended by:

(02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 3;

(05.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No.5) Regulations 2021* (S.I. No. 329 of 2021), reg. 3;

(17.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 7) Regulations 2021* (S.I. No. 369 of 2021), reg. 3(a);

(02.08.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 10) Regulations 2021* (S.I. No. 410 of 2021), reg. 2(a);

(01.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 14) Regulations 2021* (S.I. No. 446 of 2021), reg. 2(a).

(06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(a);

(08.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 17) Regulations 2021* (S.I. No. 513 of 2021), reg. 2;

(21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 3;

Substituted as per F1 and F2.

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 -

F3 ["Act of 1927" means the Intoxicating Liquor Act 1927 (No. 15 of 1927);]

"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 **F4** [...] 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;

F5 [“relevant entertainment premises” means a premises –

- (a) where the business or service of a nightclub or discotheque (including those licensed under the Public Dance Halls Act 1935 (No. 2 of 1935)) is carried on or otherwise provided, or
- (b) a premises –
 - (i) at which a live performance takes place,
 - (ii) at which there is, on the date that the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021 (S.I. No. 544 of 2021) come into operation –
 - (I) a designated performance area, stage or booth for performers, and
 - (II) a designated dance floor, standing area or seating area used exclusively for the purposes of viewing the area, stage or booth referred to in clause (I), and
 - (iii) in relation to which one or more of the following has been granted:

- (I) an on-licence (within the meaning of the Public Health (Alcohol) Act 2018 (No. 24 of 2018));
- (II) a theatre licence (within the meaning of section 1 of the Act of 1927);
- (III) a special exemption order (within the meaning of section 5 of the Act of 1927);
- (IV) a public dancing licence (within the meaning of section 2 of the Public Dance Halls Act 1935);
- (V) a public music and singing licence (within the meaning of Part IV of the Public Health Acts Amendment Act 1890);
- (VI) an occasional licence (within the meaning of section 6 of Act of 1927);]

“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;

F6 [“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;]

F7 [“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

F3 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 4(a).

F4 Deleted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(a).

F5 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 4(b).

F6 Inserted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(b).

F7 Inserted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 4(b).

Editorial Notes

Previous amending provisions:

E2 Inserted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 4;
Substituted as per F3.

E3 Inserted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 4;
Substituted as per F5.

3A. F7 [...]

Amendment

F8 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Editorial note

E4 Previous affecting provision:

Inserted (02.06.2021) by *Health Act (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 5;
Deleted as per F8.

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. F9 [...]

Amendment

F9 Deleted (19.07.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 7) Regulations 2021* (S.I. No. 369 of 2021), reg. 3(c).

Restrictions on events in dwellings5. **F10** [...]**Amendment**

F10 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Childcare pairing arrangements6. **F11** [...]**Amendment**

F11 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Restriction on persons attending events in dwellings7. **F12** [...]**Amendment**

F12 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Restrictions on relevant events and funerals8. **F13** [...]**Amendment**

F13 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Weddings9. **F14** [...]

Amendment

F14 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Restrictions on sporting events

10. **F15** [...]

Amendment

F15 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

Restrictions on training events

11. **F16** [...]

Amendment

F16 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(b).

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

12. **F17** [(1) **F18** [Subject to Regulation (1A), and except to] the extent to which it is lawful for an indoor operator to permit or otherwise grant access to a premises in accordance with section 31AB of the Act of 1947, or in accordance with any regulations made under that section, 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.]

F19 [(1A) (a) Paragraph 1 shall not apply to the premises known as the Button Factory, Curved Street, Temple Bar, Dublin 2 in respect of an event held at that premises during the period beginning at 8.30 pm on the 30th day of September 2021 and ending at 1.00 am on the 1st day of

October 2021 where the number of persons attending the premises does not exceed 450.

- (b) For the purposes of subparagraph (a), in reckoning the number of persons attending the event referred to in that subparagraph, no account shall be taken of persons attending the event in a professional capacity, in the course of their employment, or in fulfilment of a contract for services.]

(2) **F20** [...]

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

Amendments

F17 Substituted (26.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021* (S.I. No. 384 of 2021), reg. 2(a).

F18 Substituted (29.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 16) Regulations 2021* (S.I. No. 500 of 2021), reg. 2(a)(i).

F19 Inserted (29.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 16) Regulations 2021* (S.I. No. 500 of 2021), reg. 2(a)(ii).

F20 Deleted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(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.

F21 [(b) Without prejudice to the generality of Regulation 12, and except to the extent to which it is lawful for an indoor operator to permit or otherwise grant access to a premises in accordance with section 31AB of the Act of 1947, or in accordance with any regulations made under that section, a specified person shall ensure that –

(i) members of the public are not permitted, or otherwise granted, access to a part of a relevant premises or relevant accommodation premises that is indoors, or permitted to remain in an indoor part of such premises, other than for as long as is strictly required for the purposes of –

(I) accessing an indoor toilet facility,

(II) ordering or collecting, or both, food or beverages for consumption off such premises,

(III) paying for goods sold or services provided, or both, at the premises,

(IV) accessing an outdoor seating area or smoking area, or

(V) accessing, for unavoidable reasons of an emergency nature, indoor parts of the premises to protect a person's health or

F22 [welfare,]

F23 [(ii) a person (other than, in the case of a relevant accommodation premises, a person availing of overnight accommodation services in the premises who purchases or otherwise acquires the intoxicating liquor for consumption in his or her room) is not permitted to purchase or otherwise acquire intoxicating liquor during the relevant period,

(iii) a person is not permitted to purchase or otherwise acquire intoxicating liquor unless the person is, in the case of a relevant premises other than a relevant entertainment premises, seated at a table, and

(iv) a person is not permitted to purchase or otherwise acquire intoxicating liquor unless the person is, in the case of a relevant accommodation premises other than a relevant entertainment premises -

- (I) seated at a table, or

- (II) a person availing of overnight accommodation services in the relevant accommodation premises who purchases or otherwise acquires the intoxicating liquor for consumption in his or her room.]

F24 [(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.]

F25 [(2) A specified person shall, in relation to a relevant premises or a relevant accommodation premises (other than a relevant entertainment premises) –

- (a) in the case of a party of persons being permitted, or otherwise granted, access to the premises for the purpose of the consumption of food or beverages, make a record of the time at, and date on, which the first member of the party (in this Regulation referred to as a 'lead person') was permitted, or otherwise granted, access to the premises, and that person's name and telephone number, and

- (b) in the case of a person permitted, or otherwise granted, access to the premises for the purpose of the consumption of food or beverages who is not

a member of a party of persons (in this Regulation referred to as a 'sole person'), make a record of the time at, and date on, which the person was permitted, or otherwise granted, access to the premises, and that person's name and telephone number.]

F26 [(2A) Names and telephone numbers recorded by a specified person for the purposes of paragraph (2) or (2B), as the case may be, shall not be made available to a compliance officer (within the meaning of section 2 of the Act of 1947).]

F27 [(2B) A specified person shall, in relation to a relevant entertainment premises, in the case of each person permitted, or otherwise granted, access to the premises (other than persons so accessing in a professional capacity, in the course of their employment or in fulfilment of a contract for services), make a record (using ticketing information or otherwise) of the person's name and telephone number.]

(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 Covid19 Contact Management Programme, for a period of 28 days after the records have been made.

F28 [(4) (a) For the purposes of paragraph (2)(a), a specified person may request a lead person to provide the specified person with the lead person's name and telephone number and, where that specified person does so, the lead person shall comply with that request.

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

(5) **F29** [(a) A specified person shall ensure that members of the public are not **F30** [...] -

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

(ii) permitted to remain on a specified premises,

other than for as long as is strictly required for the purposes of –

(I) accessing an indoor toilet facility,

(II) ordering or collecting, or both, food or beverages for consumption off such premises,

(III) paying for goods sold or services provided, or both, at the premises, or

(IV) accessing, for unavoidable reasons of an emergency nature, indoor parts of the premises to protect a person's health or welfare.]

(b) In this paragraph -

F31 [...]

“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 -

F32 [“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;]

F33 [...]

F34 [“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;]

F35 [“relevant period”, in relation to a relevant premises to which, but for this Regulation, access by members of the public may be lawfully permitted, or otherwise granted, on and after midnight on a particular day, means the period -

- (a) commencing at midnight on that day, and

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

F36 [“relevant premises” means a premises **F37** [(other than a relevant accommodation premises or, during the period beginning at 8.30 pm on the 30th day of September 2021 and ending at 1.00 am on the 1st day of October 2021, the premises known as the Button Factory, Curved Street, Temple Bar, Dublin 2)] 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

F21 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(a).

F22 Substituted (18.11.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021* (S.I. No. 596 of 2021), reg. 3(a).

F23 Substituted (18.11.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021* (S.I. No. 596 of 2021), reg. 3(b).

F24 Inserted (18.11.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021* (S.I. No. 596 of 2021), reg. 3(c).

F25 Substituted (23.10.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(c).

F26 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(d).

F27 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(e).

F28 Substituted (26.07.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021* (S.I. No. 384 of 2021), reg. 2(b)(iii).

F29 Substituted (01.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 4) Regulations 2021* (S.I. No. 322 of 2021), reg. 3(c).

F30 Deleted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(f)(i).

F31 Deleted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(f)(ii).

F32 Inserted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(c)(iii).

F33 Deleted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(g).

F34 Substituted (02.06.2021) 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).

F35 Inserted (18.11.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021* (S.I. No. 596 of 2021), reg. 3(d).

F36 Substituted (02.06.2021) 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).

F37 Substituted (29.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 16) Regulations 2021* (S.I. No. 500 of 2021), reg. 2(b).

Editorial Notes

Previous affecting provisions:

E5 Substituted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(a);

Substituted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(a);

Substituted as per F21.

E6 Deleted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(b);

Deleted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 5(b);

Inserted as per F24.

E7 Substituted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 11(b);

Substituted (26.07.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021* (S.I. No. 384 of 2021), reg. 2(b)(ii);

Amended (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(c);

Substituted as per F25.

E8 Inserted (26.07.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021* (S.I. No. 384 of 2021), reg. 2(b)(ii);

Amended (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(d);

Substituted as per F26.

E9 Inserted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(e);

Substituted as per F27.

E10 Deleted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(f)(i);

Deleted as per F30.

E11 Deleted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(f)(ii);

Deleted as per F31.

E12 Deleted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 5(g);

Deleted as per F33.

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;

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

¹ OJ No. L 119, 4.5.2016, p. 1.

SCHEDULE 1

F38 [...]

Amendment

F38 Deleted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 12(a).

Regulation 12

Relevant businesses

F40 [1. relevant entertainment premises.]

2. 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.]

F41 [3. Indoor theatres (insofar as such business or service is not already provided for in paragraph 1 or 2).

4. Indoor cinemas (insofar as such business or service is not already provided for in paragraph 1 or 2).]

Amendments

F39 Substituted (06.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 15) Regulations 2021* (S.I. No. 452 of 2021), reg. 2(d) and Schedule.

F40 Substituted (23.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 19) Regulations 2021* (S.I. No. 544 of 2021), reg. 6.

F41 Inserted (18.11.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 20) Regulations 2021* (S.I. No. 596 of 2021), reg. 4.

Editorial Notes

Previous affecting provisions:

E13 Substituted (02.06.2021) 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; Substituted as per F39.

E14 Substituted (21.10.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 18) Regulations 2021* (S.I. No. 536 of 2021), reg. 6; Substituted as per F40.

F42 [SCHEDULE 3

Regulation 3A

	(1) Event	(2) Date or period	(3) Location	(4) Maximum number of persons
1.	Taste of Dublin	1st , 2nd and 3rd day of September 2021 (2 sessions per day) 4th and 5th day of September 2021 (3 sessions per day)	Iveagh Gardens, Dublin	1,500 per session
2.	Theatre event	2nd and 4th day of September 2021 (2 performances per day) 3rd and 6th day of September 2021 (one performance per day)	Town Hall Theatre, Galway	200 per performance
3.	Theatre event	2nd, 3rd, 4th and 5th day of September 2021 (one performance per day)	Black Box Theatre, Galway	225 per performance

4.	Theatre event	3rd day of September 2021	O'Donoghue Theatre, NUIG, Galway	60
5.	Comedy event	2nd, 3rd and 4th day of September 2021 (one performance per day) 5th day of September 2021 (2 performances)	Olympia Theatre, Dublin	200 per performance
6.	Waterford v Dundalk FC, Premier Division League of Ireland match	3rd day of September 2021	The Regional Sports Centre, Waterford	2,500
7.	St. Patrick's Athletic v Longford Town, Premier Division League of Ireland match	3rd day of September 2021	Richmond Park, Dublin	2,500
8.	Drogheda United v Sligo Rovers, Premier Division League of Ireland match	3rd day of September 2021	Head in the Game Park, Drogheda	1,300
9.	Finn Harps v Shamrock Rovers, Premier Division, League of Ireland match	3rd day of September 2021	Finn Park, Donegal	2,100
10.	Cabinteely v Galway United, First Division League of Ireland match	3rd day of September 2021	Stradbroom, Dublin	800
11.	Cork City v Athlone Town, First Division League of Ireland match	3rd day of September 2021	Turner's Cross, Cork	3,500
12.	Shelbourne FC v Wexford, First Division League of Ireland match	3rd day of September 2021	Tolka Park, Dublin	1,600
13.	UCD v Bray Wanderers, First Division League of Ireland match	3rd day of September 2021	UCD Bowl, Dublin	1,500

14.	Treaty United v Cobh Ramblers, First Division League of Ireland match	3rd day of September 2021	Markets Field, Limerick	2,000
15.	Wexford Youths v Athlone Town, FAI Women's Senior Cup Quarter Final	4th day of September 2021	Ferrycarrig Park, Wexford	1,100
16.	Shelbourne FC v Cork City Women's, FAI Womens Senior Cup Quarter Final	4th day of September 2021	Tolka Park, Dublin	1,600
17.	Galway Women's FC v DLR Waves, FAI Women's Senior Cup Quarter Final	4th day of September 2021	Eamon Deacy Park, Galway	1,800
18.	Ireland v Azerbaijan FIFA World Cup 2022 qualifier	4th day of September 2021	Aviva Stadium, Dublin	28,000
19.	Munster v Munster, Rugby, Pre-Season Friendly	4th day of September 2021	Thomond Park, Limerick	10,000
20.	Leinster v Ulster, Vodafone Women's Interpro Series	4th day of September 2021	Energia Park, Dublin	2,000
21.	Treaty United v Peamount United, FAI Women's Senior Cup Quarter Final	5th day of September 2021	Jackman Park, Limerick	500
22.	Cork v Kilkenny, Camogie Minor Final	5th day of September 2021	LIT Gaelic grounds, Limerick	1,500
23.	All Ireland Ladies Football Championship Finals	5th day of September 2021	Croke Park, Dublin	40,000
24.	Ireland v Mexico, Women's U17 International Friendly	5th day of September 2021	Turner's Cross, Cork	2,500

1

Amendment

F42 Substituted (01.09.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 14) Regulations 2021* (S.I. No. 446 of 2021), reg. 2(c) and Schedule.

Editorial note

E15 Previous affecting provisions:

Inserted (02.06.2021) by *Health Act 1947 (Section 31A – Temporary Restrictions) (Covid19) (No. 2) (Amendment) Regulations 2021* (S.I. No. 267 of 2021), reg. 12(c) and Schedule 2;

Substituted by (18.06.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 2) Regulations 2021* (S.I. No. 291 of 2021), reg. 2 and Schedule;

Substituted (25.06.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 3) Regulations 2021* (S.I. No. 304 of 2021), reg. 2(b) and Schedule;

Substituted (01.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 4) Regulations 2021* (S.I. No. 322 of 2021), reg. 4 and Schedule;

Substituted (05.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 5) Regulations 2021* (S.I. No. 329 of 2021), reg. 9 and Schedule;

Substituted (10.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 6) Regulations 2021* (S.I. No. 341 of 2021), reg. 3 and Schedule;

Substituted (17.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 7) Regulations 2021* (S.I. No. 369 of 2021), reg. 3(d) and Schedule;

Substituted (24.07.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 8) Regulations 2021* (S.I. No. 382 of 2021), reg. 3 and Schedule;

Substituted (02.08.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 10) Regulations 2021* (S.I. No. 410 of 2021), reg. 2(c) and Schedule;

Substituted (17.08.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 11) Regulations 2021* (S.I. No. 423 of 2021), reg. 2(b) and Schedule;

Substituted (25.08.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 12) Regulations 2021* (S.I. No. 438 of 2021), reg. 2 and Schedule;

Substituted (27.08.2021) by *Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 13) Regulations 2021* (S.I. No. 440 of 2021), reg. 2 and Schedule;

Substituted as per F42.

GIVEN under my Official Seal,

9 May, 2021.

STEPHEN DONNELLY,

Minister for Health.