



STATUTORY INSTRUMENTS.

S.I. No. 563 of 2021



HEALTH ACT 1947 (SECTIONS 31AB AND 31AD) (COVID-19)
(OPERATION OF CERTAIN INDOOR PREMISES) (AMENDMENT) (NO.
6) REGULATIONS 2021

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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by sections 5 and 31AB and 31AD (inserted by section 3 of the Health (Amendment) (No. 2) Act 2021 (No. 24 of 2021)) of the Health Act 1947 (No. 28 of 1947) and –

- (a) having regard 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:

1. (1) These Regulations may be cited as the Health Act 1947 (Sections 31AB and 31AD) (Covid-19) (Operation of certain indoor premises) (Amendment) (No. 6) Regulations 2021.

(2) These Regulations shall come into operation on the 29th day of October 2021.

2. In these Regulations, “Principal Regulations” means the Health Act 1947 (Sections 31AB and 31AD) (Covid-19) (Operation of certain indoor premises) Regulations 2021 (S.I. No. 385 of 2021).

3. Regulation 3 of the Principal Regulations is amended –

- (a) in paragraph (1) –
 - (i) in subparagraph (g), by the substitution of “regulations;” for “regulations.”, and
 - (ii) by the insertion of the following subparagraph after subparagraph (g):

“(h) where the relevant indoor premises contains a counter or barrier across which intoxicating liquor may, but for the provisions of section 31A of the Act of 1947 or any regulations made thereunder, lawfully be served to members of the public (in these Regulations referred to as a ‘bar

counter'), arrangements have been put in place by the indoor operator to ensure that –

- (i) members of the public are permitted to approach a bar counter only for the purposes of ordering, purchasing or collecting food and beverages,
- (ii) the number of members of the public approaching the bar counter shall not be such as to prevent each such member from maintaining a distance of 1 metre between that member of the public and other persons on the premises (other than members of staff or agents of the indoor operator), and
- (iii) the bar counter is supervised by the indoor operator, or a member of staff or agent of the indoor operator.”,

(b) in paragraph (1A) –

- (i) in subparagraph (e), by the substitution of “regulations;” for “regulations.”, and
- (ii) by the insertion of the following subparagraphs after subparagraph (e):

“(f) where the relevant entertainment premises contains a bar counter, arrangements have been put in place by the indoor operator to ensure that –

- (i) members of the public are permitted to approach a bar counter only for the purposes of ordering, purchasing or collecting food and beverages,
- (ii) the number of members of the public approaching the bar counter shall not be such as to prevent each such member from maintaining a distance of 1 metre between that member of the public and other persons on the premises (other than members of staff or agents of the indoor operator), and
- (iii) the bar counter is supervised by the indoor operator, or a member of staff or agent of the indoor operator;

(g) arrangements have been put in place by the indoor operator to ensure that –

- (i) members of the public accessing (including remaining on the premises

as the case may be) the relevant entertainment premises for the purposes of attending an event, other than a wedding or an event at which all members of the public are required to remain seated for the duration of the event, are required to acquire an electronic ticket no less than one hour before so accessing (including remaining on, as the case may be) the premises, and

- (ii) arrangements have been put in place by the indoor operator such that would prevent a person without such a ticket accessing (including remaining on, as the case may be) the premises.”, and

- (c) by the substitution of the following paragraph for paragraph (2):

“(2) An indoor operator who breaches any of subparagraphs (a) to (h) of paragraph (1), or subparagraphs (a) to (f) of paragraph (1A), as the case may be, is guilty of an offence.”.



GIVEN under my Official Seal,
28 October, 2021.

STEPHEN DONNELLY,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These regulations amend SI 385 of 2021 for the purposes of providing that electronic tickets for access to relevant entertainment premises are required with certain conditions applying and that permitted persons, subject to certain conditions, may approach a bar counter in a licensed premises for the purposes of ordering, purchasing or collecting food and beverages.

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