



STATUTORY INSTRUMENTS.

S.I. No. 28 of 2021



CIVIL REGISTRATION ACT 2004 (CONTINUATION OF SECTIONS 8A,
19B AND 37A) (COVID-19) ORDER 2021

S.I. No. 28 of 2021

CIVIL REGISTRATION ACT 2004 (CONTINUATION OF SECTIONS 8A,
19B AND 37A) (COVID-19) ORDER 2021

WHEREAS the Emergency Measures in the Public Interest (Covid-19) Act 2020 (No. 2 of 2020) made exceptional provision, in the public interest and having regard to the manifest and grave risk to human life and public health posed by the spread of the disease known as Covid-19 and in order to mitigate, where practicable, the effect of the spread of that disease and to mitigate the adverse economic consequences resulting, or likely to result from the spread of that disease and to mitigate its impact on the administration of vital public service functions;

AND WHEREAS the said Act amended the Civil Registration Act 2004 (No. 3 of 2004) to provide for the temporarily modified operation of certain aspects of the civil registration system, including by way of allowing certain persons to provide particulars to a registrar otherwise than in person, and by allowing the staff of an tArd-Chláraitheoir to perform the functions of certain registrars in circumstances where the civil registration system is not available or able to perform its statutory functions as it ordinarily would be;

AND WHEREAS subsection (6) of section 8A of the Civil Registration Act 2004 (inserted by section 31 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) provided that the said section 8A shall, subject to subsection (7) of that section, continue in operation until 31 May 2020;

AND WHEREAS subsection (7) of the said section 8A provided that the Government may by order, at the request of the Minister for Employment Affairs and Social Protection, after consultation with any other Minister of the Government as he or she considers appropriate having regard to the functions of that Minister of the Government, and having had regard to the matters referred to in subsection (9) of the said section, declare that the period of time specified in the said subsection (6) shall continue in operation for such period or periods as may be specified;

AND WHEREAS sections 19B(5) and 37A(5) of the Civil Registration Act 2004 (inserted by sections 32 and 33, respectively, of the Emergency Measures in the Public Interest (Covid-19) Act 2020) have defined the “emergency period”, for the purposes of both of those subsections, as ending on 31 May 2020;

AND WHEREAS subsections 19B(2) and 37A(2) of the said Act provided that, before the expiration of the said “emergency period”, the Government may by order, at the request of the Minister for Employment Affairs and Social Protection, made after consultation with any other Minister of the Government

as he or she considers appropriate having regard to the functions of that Minister of the Government, and having had regard to the matters referred to in subsections 19B(4) and 37A(4) respectively, specify a date that is later than the expiration date of the emergency period set out in the respective definitions of “emergency period”, or as the case may be, the last order made under subsections 19B(2) and 37A(2) respectively, and that the emergency period shall be read as extending to, and including, the date so specified;

AND WHEREAS Article 2 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) Order 2020 (S.I. No. 194 of 2020) declared that the period of time specified in subsection 8A(6) (inserted by section 31 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004 should continue in operation for the period beginning on the 31st day of May 2020 and ending on the 31st day of August 2020;

AND WHEREAS Article 3 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) Order 2020 specified the 31st day of August 2020 as the date to which the emergency period, as defined in subsection (5) of section 19B (inserted by section 32 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004, should be extended;

AND WHEREAS Article 4 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) Order 2020 specified the 31st day of August 2020 as the date to which the emergency period, as defined in subsection (5) of section 37A (inserted by section 33 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004, shall be extended.

AND WHEREAS Article 2 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) (No.2) Order 2020 (S.I. No. 328 of 2020) declared that the period of time specified in subsection 8A(6) (inserted by section 31 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004 should continue in operation for the period beginning on the 1st day of September 2020 and ending on the 31st day of January 2021;

AND WHEREAS Article 3 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) (No.2) Order 2020 (S.I. No. 328 of 2020) specified the 31st day of January 2021 as the date to which the emergency period, as defined in subsection (5) of section 19B (inserted by section 32 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004, should be extended;

AND WHEREAS Article 4 of the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) (No.2) Order 2020 (S.I. No. 328 of 2020) specified the 31st day of January 2021 as the date to which the emergency period, as defined in subsection (5) of section 37A (inserted by section 33 of the Emergency Measures in the Public Interest (Covid-19) Act 2020) of the Civil Registration Act 2004, shall be extended;

AND WHEREAS the Minister for Employment Affairs and Social Protection, having considered it appropriate to do so, has consulted with the Minister for Public Expenditure and Reform, the Minister for Health and the Minister for Justice and Equality and, following such consultation, has made requests in accordance with subsections 8A(7), 19B(2) and 37A(2) of the Civil Registration Act 2004;

Now the Government, having had regard to -

- (a) the matters set out in section 8A(9) of the Civil Registration Act 2004, as regards the continuation of the period of time declared in Article 2 of the following Order,
- (b) the matters set out in section 19B(4) of the Civil Registration Act 2004, as regards the date specified in Article 3 of the following Order, and
- (c) the matters set out in section 37A(4) of the Civil Registration Act 2004, as regards the date specified in Article 4 of the following Order,

and in exercise of the powers conferred on them by sections 8A(7), 19B(2) and 37A(2) of the Civil Registration Act 2004 (inserted by sections 31, 32 and 33 of the Emergency Measures in the Public Interest (Covid-19) Act 2020, respectively), hereby order as follows:

1. This Order may be cited as the Civil Registration Act 2004 (Continuation of Sections 8A, 19B and 37A) (Covid-19) Order 2021.

2. It is hereby declared that the period of time specified in subsection (6) of section 8A (inserted by section 31 of the Act of 2020) of the Civil Registration Act 2004 (No. 3 of 2004) shall continue in operation for the period beginning on the 1st day of February 2021 and ending on the 30th day of September 2021.

3. The 30th day of September 2021 is hereby specified as the date to which the emergency period, as defined in subsection (5) of section 19B (inserted by section 32 of the Act of 2020) of the Civil Registration Act 2004, shall be extended.

4. The 30th day of September 2021 is hereby specified as the date to which the emergency period, as defined in subsection (5) of section 37A (inserted by section 33 of the Act of 2020) of the Civil Registration Act 2004, shall be extended.

5. In this Order, “Act of 2020” means the the Emergency Measures in the Public Interest (Covid-19) Act 2020 (No. 2 of 2020).



GIVEN under the Official Seal of the Government,
26 January, 2021.

MICHEÁL MARTIN,
Taoiseach.

EXPLANATORY NOTE

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

This Order extends, until 30 September 2021, the period during which the modified operation of certain aspects of the civil registration system will apply.

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