



STATUTORY INSTRUMENTS.

S.I. No. 384 of 2021



HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO. 9) REGULATIONS 2021

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HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO. 9) REGULATIONS 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:

1. (1) These Regulations may be cited as the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) (Amendment) (No. 9) Regulations 2021.

(2) These Regulations shall come into operation on the 26th day of July 2021.

2. The Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021) are amended -

- (a) in Regulation 12, by the substitution of the following paragraph for paragraph (1):
 - “(1) 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.”,
 - and
- (b) in Regulation 13 -
 - (i) in paragraph (1)(b), by the substitution of “Without prejudice to the generality of Regulation 12, and except to

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 27th July, 2021.*

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,” for “Without prejudice to the generality of Regulation 12,”,

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

“(2) A specified person shall, in relation to a relevant premises or a relevant accommodation 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.

(2A) Names and telephone numbers recorded by a specified person for the purposes of paragraph (2) shall not be made available to a compliance officer (within the meaning of section 2 of the Act of 1947).”, and

- (iii) by the substitution of the following paragraph for paragraph (4):

“(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.”.



GIVEN under my Official Seal,
25 July, 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 the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 217 of 2021) to provide for, among others, certain technical amendments.

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