



STATUTORY INSTRUMENTS.

S.I. No. 596 of 2021



HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO. 20) REGULATIONS 2021

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HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO. 20) REGULATIONS 2021

The Minister for Health, in exercise of the powers conferred on him 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 Finance, the Minister for Foreign Affairs, the Minister for Housing, Local Government and Heritage, the Minister for Justice, the Minister for Transport, the Minister for Enterprise, Trade and Employment and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,

hereby makes 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. 20) Regulations 2021.

(2) These Regulations shall come into operation on the 18th day of November 2021.

2. In these Regulations, “Principal Regulations” means the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 217 of 2021).

3. Regulation 13 of the Principal Regulations is amended -

- (a) in subclause (1)(b)(i)(V), by the substitution of “welfare,” for “welfare, and”, and
- (b) by the substitution of the following clauses for clause (1)(b)(ii):
 - “(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.”,
- (c) by the insertion of the following paragraph after paragraph (b):
 - “(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.”, and
- (d) in paragraph (8), by the insertion of the following definition:
 - “‘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;”.

4. Schedule 2 to the Principal Regulations is amended by the insertion of the following paragraphs after paragraph 2:

- “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).”.



GIVEN under the Official Seal of the Minister for Health,
17 November, 2021.

FERGAL GOODMAN,
A person authorised under section 15 of the Ministers and
Secretaries Act 1924 to authenticate the seal of the
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 217 of 2021 to restrict opening time to midnight for premises licensed to provide intoxicating liquor for sale or supply for consumption on the premises.

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