



STATUTORY INSTRUMENTS.

S.I. No. 4 of 2022



HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (RESTRICTIONS UPON TRAVEL TO THE STATE FROM
CERTAIN STATES) (NO. 5) (AMENDMENT) REGULATIONS 2022

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(COVID-19) (RESTRICTIONS UPON TRAVEL TO THE STATE FROM
CERTAIN STATES) (NO. 5) (AMENDMENT) REGULATIONS 2022

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 Transport, the Minister for Foreign Affairs, the Minister for Housing, Local Government and Heritage, the Minister for Justice, the Minister for Enterprise, Trade and Employment and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,

hereby make the following regulations:

1. These Regulations may be cited as the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (Restrictions upon Travel to the State from Certain States) (No. 5) (Amendment) Regulations 2022.

2. These Regulations shall come into operation on the 6th day of January 2022.

3. In these Regulations, “Principal Regulations” means 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).

4. Regulation 2 of the Principal Regulations is amended –

- (a) in the definition of “exempted traveller” –
 - (i) in paragraph (f), by the substitution of “State,” for “State, or”,
 - (ii) in paragraph (g), by the substitution of “be, or” for “be;”, and
 - (iii) by the insertion of the following paragraph after paragraph (g):

“(ga) a person who –

- (i) arrives in the State from a relevant state, or having been in a relevant state during the period of 14 days prior to so arriving, and
 - (ii) is the holder of a valid –
 - (I) proof of vaccination, or
 - (II) certificate of recovery;”, and
- (b) by the substitution of the following definition for the definition of “relevant test result”:

“ ‘relevant test result’ means –

- (a) in relation to a person, any record or evidence, in written or electronic form, confirming that –
 - (i) the person has been subject to a RT-PCR test,
 - (ii) such test was administered to the person no more than 72 hours before the person arrives in the State, and
 - (iii) Covid-19, or the virus SARS-CoV-2, was not detected in the person at the time of taking the test, or
- (b) in relation to a person who has been infected with Covid-19, or the virus SARS-CoV-2, any record or evidence, in written or electronic form, confirming that –
 - (i) the person has been subject to a RT-PCR test,
 - (ii) such RT-PCR test was administered to the person no less than 11 days prior to the date on which the person arrives in the State and no more than 180 days prior to the date on which the person so arrives, and
 - (iii) Covid-19, or the virus SARS-CoV-2, was detected in the person at the time of taking the RT-PCR test;”.

5. Regulation 5 of the Principal Regulations is amended, in paragraph (1A), by the substitution of “A person who is an exempted traveller by virtue of paragraph (ga) of the definition of that term who” for “A relevant traveller who is the holder of a valid proof of vaccination or a valid certificate of recovery and”.

6. Regulation 6 of the Principal Regulations is amended –

- (a) by the deletion of paragraphs (5A), (5B) and (5C), and

(b) in paragraph (6), by the substitution of “(1), (3) and (5)” for “ (1), (3), (5) and (5A)”.

7. Regulation 7 of the Principal Regulations is amended by the substitution of the following paragraph for paragraph (2):

“(2) Paragraphs (1)(b) and (1)(c) shall not apply in relation to a person whose arrival in the State is organised, effected or facilitated by a travel organiser where the person declares to the travel organiser, or an officer, employee or agent of the travel organiser, that he or she is an exempted traveller.”.



GIVEN under my Official Seal,
6 January, 2022.

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) (Restrictions upon Travel to the State from States) (No. 5) Regulations 2021 (S.I. No. 135 of 2021) to remove the requirement for overseas travellers to Ireland who are vaccinated or recovered from COVID-19 to present evidence of a negative or non-detected COVID-19 test result carried out prior to departure.

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