



STATUTORY INSTRUMENTS.

S.I. No. 7 of 2022



HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) REGULATIONS 2022

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HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (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 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) Regulations 2022.

(2) These Regulations shall come into operation on the 8th day of January 2022.

2. The Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 217 of 2021) are amended, in Regulation 13(5) –

- (a) in subparagraph (a), by the substitution of “Subject to subparagraph (aa), a specified person” for “A specified person”,
and
- (b) by the insertion of the following subparagraphs after subparagraph (a):
 - “(aa) Subparagraph (a) shall not apply in respect of a specified premises at any time when subparagraph (ac) applies to that premises.
 - (ab) Subparagraph (ac) applies to a specified premises –
 - (i) which is also a relevant venue, and
 - (ii) when a relevant event or a sporting event (including an event in a relevant

entertainment premises) is taking place outdoors on that premises in accordance with Regulation 13C.

(ac) A specified person shall ensure that a person attending an event referred to in subparagraph (ab) on a specified premises is not, during the specified period –

- (i) permitted, or otherwise granted access to the specified premises, or
- (ii) permitted to remain on the specified premises,

other than for as long as is strictly required for the purposes of –

- (I) attending the outdoor event,
- (II) where the premises also comprises an indoor part, for the purposes of –
 - (A) accessing an indoor toilet facility,
 - (B) accessing, for unavoidable reasons of an emergency nature, that indoor part of the premises to protect a person's health or welfare, and
 - (C) in the case of a person attending the event who is a necessary person or a person so attending in a professional capacity referred to in Regulation 13C(3), accessing an area only in so far as is necessary for the purposes of acting in such capacity as a necessary person or in a professional capacity with respect to the event.”.



GIVEN under my Official Seal,
7 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 S.I. 217 of 2021 to clarify that relevant outdoor or sporting events in relevant venues which are also specified premises are not subject to the 8pm curfew imposed upon the specified premises. This only permits the outdoor event to continue after 8pm and does not affect the prohibition on the purchase and consumption of food and beverages after 8pm in specified premises.

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