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2 June 2020

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S.I. No. 121/2020 - Health Act 1947 (Section 31A -Temporary Restrictions) (Covid-19) Regulations 2020

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 10th April, 2020.

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 Public Expenditure and Reform and the Minister for Justice and Equality,

hereby makes the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) Regulations 2020.

(2) These Regulations shall come into operation on the 8th day of April 2020.

Operation of Regulations

2. These Regulations shall remain in operation until ~~the 8th day of June 2020,~~

Definitions

3. In these Regulations -

“Act of 1947” means the [Health Act 1947](#) (No. 28 of 1947);

“applicable person” means a person whose place of residence is located within a relevant geographical location;

“child” means a person who has not yet attained the age of 18 years;

“essential retail outlet” means a retail outlet specified in Schedule 1;

Commented [OD1]: 1. Date changed by SI 128/2020, reg 2 to 05/05/20
2. Date changed by SI 153/2020, reg 3 to 18/05/20
3. Date changed by SI 174/2020, reg 4 to 08/06/20

Deleted: the 18th day of May 2020

Deleted: the

Deleted: 12th day of April 2020

“essential service” means a service specified in Schedule 2;

“local authority” means a local authority within the meaning of [section 2](#) of the [Local Government Act 2001](#) (No. 37 of 2001);

“place of residence”, in relation to an applicable person, means -

(a) the premises that comprise the person’s home, or

(b) if the person does not have a home or is not residing in his or her home, such other premises, if any, at which he or she is currently residing, whether on a permanent or temporary basis;

“relevant geographical location” means a geographical location to which an affected areas order applies;

“vulnerable person” means -

(a) a person who normally requires assistance in carrying out his or her daily activities,

(b) a person who, although not normally requiring assistance in carrying out his or her daily activities, requires such assistance because he or she is -

(i) particularly susceptible to the risk posed to health by Covid-19, or

(ii) not in a position to leave his or her place of residence due to reasons related to the spread of Covid-19 or otherwise, or

(c) a child.

Restriction of movement of applicable persons

4. (1) An applicable person shall not leave his or her place of residence without reasonable excuse.

(2) Without prejudice to the generality of what constitutes a reasonable excuse for the purposes of paragraph (1), such reasonable excuse includes an applicable person leaving his or her place of residence (in this paragraph referred to as the “relevant residence”) to -

(a) provide, or assist in the provision of, an essential service, whether for remuneration or not,

(b) go to an essential retail outlet for the purpose of obtaining items (including food, beverages, fuel, medicinal products, medical devices or appliances, other medical or health supplies or products, essential items for the health and welfare of animals, or supplies for the essential upkeep and functioning of the relevant residence), or accessing services provided in the outlet, for the applicable person or any other person residing in the relevant residence,

(c) go to an essential retail outlet for the purpose of obtaining items (including food, beverages, fuel, medicinal products, medical devices or appliances, other medical or health supplies or products, essential items for the health and welfare of animals, or supplies for the essential upkeep and functioning of the place of residence of a vulnerable person), or accessing services provided in the outlet, for a vulnerable person,

(d) obtain money for -

- (i) the applicable person,
- (ii) any other person residing in the relevant residence, or
- (iii) a vulnerable person,

(e) attend a medical or dental appointment, or accompany, to such an appointment, any other person residing in the relevant residence or a vulnerable person,

Commented [OD4]: Addition of 'dental appointment' by SI 174/2020, reg 5(a), with effect from 18/05/20

(f) seek essential medical, health or dental assistance for -

- (i) the applicable person,
- (ii) any other person residing in the relevant residence, or
- (iii) a vulnerable person,

Deleted: attend a medical appointment or accompany, to a medical appointment, any other person residing in the relevant residence or a vulnerable person

Commented [OD5]: Deletion of 'emergency' before 'dental assistance' by SI 174/2020, reg 5(b), with effect from 18/05/20

Deleted: emergency

(g) donate blood or accompany any other person residing in the relevant residence to donate blood,

(h) seek veterinary assistance,

(i) exercise outdoors alone, or go outdoors alone for recreational purposes, within a 5 kilometre radius of the relevant residence,

Commented [OD6]: 1.2 km amended to 5km by SI 153/2020, with effect from 05/0520.
2.Provision substituted by new (i) and (a) by SI 174/2020, reg 5(b) with effect from 18/05/20

(ia) exercise outdoors, or gather together outdoors for social or recreational purposes, within a 5 kilometre radius of the relevant residence –

Commented [OD7]: (i) had previously been amended to extend to 5km by SI 153/2020, reg 3(b) with effect from 05/05/20

- (i) with other persons residing in the relevant residence,
- (ii) with a maximum of 3 other persons who do not reside in the relevant residence, or

Deleted: (i) exercise, either alone or with other persons residing in the relevant residence, within a 2 kilometre radius of that residence,¶

(iii) with a maximum of 3 other persons, where one or more of such persons resides in the relevant residence and one or more of such persons does not so reside,

(j) attend to vital family matters (including to provide care to vulnerable persons),

(k) attend the funeral of –

(i) another person who resided in the relevant residence before his or her death,

(ii) a close family member of the applicable person, or

(iii) a friend of the applicable person where –

(I) no person who resided in the place of residence of the deceased person is attending the funeral, and

(II) no family member of the deceased person is attending the funeral.

(l) fulfil a legal obligation (including attending court, satisfying bail conditions, or participating in ongoing legal proceedings), attend a court office where required, initiate emergency legal proceedings or execute essential legal documents,

(m) access an essential service, or assist any other person residing in the relevant residence or a vulnerable person to access an essential service, where the access is immediately required and the applicable person, other person residing in the relevant residence or vulnerable person, as the case may be, cannot access the service concerned from the person's place of residence,

(n) if the applicable person is a parent or guardian of a child, or a person having a right of access to a child, give effect to arrangements for access to the child by -

(i) the applicable person, or

(ii) another person who is -

(I) a parent or guardian of the child, or

(II) a person having a right of access to the child,

(o) in the case of a minister of religion or priest (or any equivalent thereof in any religion) -

(i) lead worship or services remotely through the use of information and communications technology,

(ii) minister to the sick, or

Commented [OD8]: Broadening the range of funerals that can be attended, by the addition of (ii) - SI 174/2020, reg 5(d) with effect from 18/05/20

Deleted: (k) attend the funeral of -

(iii) conduct funeral services,

(p) move to another residence where, in all the circumstances of the case, such movement is reasonably necessary, or

(q) provide emergency assistance, avoid injury or illness, or escape a risk of harm, whether to the applicable person or another person.

(3) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

Restrictions on events

5. (1) A person shall not -

(a) hold an event in a relevant geographical area unless -

(i) the event is a relevant event, and

(ii) ~~subject to Regulation 4(2)(ia), the number of~~ participants in the event is limited to not more than is reasonably necessary having regard to the nature of the purposes for which the event is held,

or

(b) participate in an event in a relevant geographical area unless -

(i) the event is a relevant event, and

(ii) the person is a relevant participant.

(2) Paragraph (1) is a penal provision for the purposes of section 31A of the Act of 1947.

(3) In this Regulation -

“relevant event” means an event held for the purposes of any matter which falls within any subparagraph of Regulation 4(2);

“relevant participant”, in relation to a relevant event, means a person who participates in the event in order to engage in any activity required to be undertaken for the purposes for which the event is held.

SCHEDULE 1

Regulation 3

Commented [OD9]: Takes account of increased numbers permitted in outdoor gatherings. Amendment by SI 174/2020, reg 6 with effect from 18/05/20

Deleted: the number of

ESSENTIAL RETAIL OUTLETS

1. Outlets selling food or beverages on a takeaway basis, or newspapers, whether on a retail or wholesale basis and whether in a non-specialised or specialised outlet.
2. Outlets selling products necessary for the essential upkeep and functioning of places of residence and businesses, whether on a retail or wholesale basis.
3. Pharmacies, chemists and retailers or wholesalers providing pharmaceuticals or pharmaceutical or dispensing services, whether on a retail or wholesale basis.
4. Outlets selling health, medical or orthopaedic goods in a specialised outlet, whether on a retail or wholesale basis.
5. Fuel service stations and heating fuel providers.
6. Outlets selling essential items for the health and welfare of animals (including animal feed and veterinary medicinal products, pet food, animal bedding and animal supplies), whether on a retail or wholesale basis.
7. Laundries and drycleaners.
8. Banks, post offices and credit unions.
9. Outlets selling safety supplies (including work-wear apparel, footwear and personal protective equipment), whether on a retail or wholesale basis.
10. Hardware outlets, builders' merchants, garden centres and outlets that provide, whether on a retail or wholesale basis -
 - (a) hardware products, supplies, tools, equipment or materials necessary for –
 - (i) home and business maintenance, or
 - (ii) construction and development,
 - (b) sanitation and farm equipment, or
 - (c) supplies and tools necessary for gardening, farming or agriculture purposes.
12. Markets that, wholly or principally, offer food for sale.
13. Optician and optometrist outlets.
14. Outlets providing hearing test services or selling hearing aids and appliances.
15. Outlets providing for the sale, supply, repair and maintenance of mechanically propelled vehicles or bicycles, and any related facilities (including tyre sales and repairs).

Deleted: builders' merchants

Deleted: (a) hardware products necessary for home and business maintenance

Deleted: essential

Deleted: 11. The following outlets insofar as they offer services on an emergency basis only:

Deleted: (a) optician and optometrist outlets;

Deleted: (b) outlets providing hearing test services or selling hearing aids and appliances;

Deleted: (c) outlets providing for the repair of mechanically propelled vehicles or for the repair of bicycles and any related facilities (including tyre sales and repairs);

Deleted: (d) outlets selling office products and services for businesses or for applicable persons working from their respective places of residence, whether on a retail or wholesale basis;

16. Outlets selling office products and services for businesses or for applicable persons working from their respective places of residence, whether on a retail or wholesale basis.

17. Outlets providing electrical, information and communications technology and telephone sales, repair and maintenance services.

SCHEDULE 2

Regulation 3

ESSENTIAL SERVICES

Agriculture, horticulture, forestry, fishing, animal welfare and related services

1. The following services relating to agriculture, horticulture, forestry, fishing, animal welfare and related services:

- (a) farming;
- (b) farm labour;
- (c) farm relief services;
- (d) crop and animal production;
- (e) fishing for commercial purposes;
- (f) aquaculture and fish farming;
- (g) horticulture;
- (h) forestry;
- (i) veterinary, animal welfare and related services;
- (j) the provision of support services relating to any of the services specified in subparagraphs (a) to (i) (including artificial insemination and animal disposal).

Manufacturing

2. The following services relating to manufacturing:

- (a) the manufacture, production or processing of food and beverage products;
- (b) the manufacture, production or processing of animal feeds;

Deleted: (e) outlets providing electrical, information and communications technology and telephone sales, repair and maintenance services for places of residence and businesses.

(c) the manufacture of work-wear apparel, personal protective equipment or footwear;

(d) the manufacture of wood pulp, paper and paperboard;

(e) the operation of sawmills and the processing of wood and cork;

(f) the printing and reproduction of newspapers and other media services;

(g) the distillation of coke and refined petroleum products;

(h) the refining of alumina;

(i) the manufacture of chemicals and chemical products;

(j) the manufacture of pharmaceutical products and preparations;

(k) the manufacture of products necessary for the supply chain of essential services;

~~(ka) the manufacture of products necessary for national and international supply chains, other than such supply chains referred to in subparagraph (k)~~

Commented [OD10]: Insertion by SI 174/2020, reg 8(a) with effect from 18/05/20

(l) the manufacture of computers, electronic and optical products (including semi-conductors);

(m) the manufacture of electrical equipment, machinery and other equipment (including agricultural and forestry machinery);

(n) the manufacture of medical devices or appliances;

(o) the manufacture of medicinal, health, dental and other personal hygiene products, equipment, appliances and supplies.

Supply, repair and installation of machinery and equipment

3. The following services relating to the supply, repair and installation of machinery and equipment:

(a) the supply, repair and installation of machinery and equipment (including mechanically propelled vehicles, industrial machinery and equipment) for essential services;

~~(b) the sale, supply, repair and maintenance of mechanically propelled vehicles or bicycles, and any related facilities (including tyre sales and repairs).~~

Commented [OD11]: Substitution by SI 174/2020, reg 8(b) with effect from 18/05/2020

Deleted: (b) the repair of mechanically propelled vehicles or the repair of bicycles and related facilities on an emergency call-out basis.

Electricity, gas, water, sewage and waste management

4. The following services relating to electricity, gas, water, sewage and waste management:

- (a) the generation, transmission, supply and distribution of electric power;
- (b) the extraction and distribution of gas;
- (c) the collection, treatment and supply of water;
- (d) the collection, treatment and disposal of sewage or wastewater;
- (e) the collection of waste, remediation activities and other waste management treatment and disposal activities (including the operation of landfill sites, waste transfer stations, waste processing centres and recycling facilities or waste recovery).

Construction and development

5. The following services relating to construction and development:

- (a) the construction or development of essential health and related projects relevant to preventing, limiting, minimising or slowing the spread of Covid-19;
- (b) the repair, maintenance and construction of critical road, rail and utility infrastructure;
- ~~(ba) construction and development work;~~
- ~~(bb) the provision of support services relating to construction and development work;~~
- ~~(c) the supply and delivery of essential or emergency maintenance and repair services to businesses and places of residence (including electrical, gas, plumbing, glazing and roofing services);~~

Commented [OD12]: Insertion by SI 174/2020, reg 8(c)(i) with effect from 18/05/2020

Commented [OD13]: Deletion by SI 174/2020, reg 8(c)(ii) with effect from 18/05/2020

Deleted: on an emergency call-out basis

Wholesale and retail trade

6. The following services relating to wholesale and retail trade:

- (a) the operation of essential retail outlets;
- (b) wholesale and distribution services necessary for ensuring the availability for sale of food, beverages, fuel, medicinal products, medical devices or appliances, other medical or health supplies or products, essential items for the health and welfare of animals, or supplies for the essential upkeep and functioning of a place of residence;
- (c) the operation of automated teller machines and related services.

Transport, storage and communications

7. The following services relating to transport, storage and communications:

- (a) the provision of land transport, including bus, rail and taxi services;
- (b) road, rail, sea and air freight;
- (c) the provision of sea and air passenger services;
- (d) the operation of ports, harbours and airports;
- (e) the operation of lighthouses;
- (f) warehousing and support activities (including cargo-handling, postal and courier activities) for the transportation of goods;
- (g) the control and critical maintenance of the transport infrastructure network (including roads);
- (h) any service required for the safe provision of a service specified in subparagraphs (a) to (g).

Accommodation and food services

8. The following services relating to accommodation and food services provision:

- (a) the operation of hotels or similar accommodation services providing essential accommodation (including accommodation for homeless persons and persons in direct provision, persons who are unable to reside in their usual place of residence due to reasons related to the spread of Covid-19 or otherwise or persons who require such accommodation for the purposes of any matter which falls within any subparagraph of Regulation 4(2)) and related services;
- (b) food and beverage service activities for supply to a business engaged in an essential service;
- (c) the provision of food or beverage takeaway or delivery services.

Information and communications

9. The following services relating to information and communications:

- (a) the production and publication of newspapers, journals and periodicals and the distribution of those publications, whether in hardcopy or digital format;

(b) the production of television and radio programmes, video, sound, digital or other electronic content and the broadcast or publication of the same to the public or a portion of the public;

(c) the provision of services necessary to deliver and support wired telecommunication activities and satellite telecommunication activities and other communications activities (including internet and cloud providers);

(d) the provision of data centre services and related services.

Financial and legal activities

10. The following services relating to financial and legal activities:

(a) financial, insurance and banking services (including post office and credit union services) provided by a financial services provider;

(b) accounting services or audit services;

(c) legal services provided by practising barristers or practising solicitors.

Professional, scientific and technical activities

11. The following services relating to professional, scientific and technical activities:

(a) the provision of engineering, technical testing activities and analysis (including the performance of physical, chemical and other analytical testing of materials and products);

(b) the provision of scientific research and development services;

(c) regulation, inspection and certification services, in accordance with law, of a particular sector by a body created by statute for that purpose.

Rental and leasing activities

12. The provision of a service for the rental or leasing of mechanically propelled vehicles or bicycles.

Administrative and support activities

13. The following services relating to administrative and support activities:

(a) payroll and payment services necessary for the operation of undertakings and bodies;

(b) employment placement and human resources services associated with the recruitment and deployment of workers engaged in the provision of essential services;

(c) data processing, website hosting and related activities;

(d) security activities to assist in either or both of the following:

(i) the delivery of essential services;

(ii) the securing of premises closed to the public;

(e) funeral, burial and related services;

(f) business support services (including information and communications technology support and sales, repair and maintenance for information and communications technology and telephones) where such services are necessary to support -

(i) any other essential service,

(ii) a person working from their place of residence where the business concerned is being operated from a place of residence, or

(iii) a business that is not an essential service, to the extent required to maintain that business in operation or to minimise any delay in the business resuming operation after these Regulations have ceased to be in operation;

(g) where such services are necessary to support any other essential service:

(i) the cleaning of buildings;

(ii) industrial cleaning activities;

(iii) the provision of key third party supports other than those referred to in paragraph (f) provided under contract to a person providing an essential service.

Public administration, emergency services and defence

14. The following services relating to public administration, emergency services and defence:

(a) the performance by the Garda Síochána, including members and civilian staff of the Garda Síochána, of its functions under the Garda Síochána Act 2005 (No. 20 of 2005);

(b) public order, rescue and emergency services (including fire, coastguard, lifeboat, mountain rescue and ambulance services);

(c) the performance by the Defence Forces of the functions conferred on them by or under any enactment;

(d) emergency call answering services;

(e) services to enable the administration of justice;

(f) prison services and child detention services;

(g) cyber-security services;

(h) the provision of social protection benefits;

(i) regulatory processes and certification required to ensure supply chains, safety of food, beverages, medicinal products, medical devices or appliances, other medical or health supplies or products, and general process safety;

(j) the operation and maintenance of botanical gardens, parks, forests, nature reserves, outdoor heritage sites, outdoor tourism sites, beaches, golf courses, outdoor tennis courts, outdoor sports pitches (but excluding playgrounds, funfairs, theme parks and circuses), and related facilities necessary for the use of, or carparks provided for, any of the foregoing;

Commented [OD14]: Substitution by SI 174/2020, reg 8(d)(i) with effect from 18/05/2020

(k) services relating to the deaths and funerals of persons;

(l) chaplaincy services;

(m) services provided or functions performed by an office holder appointed under any enactment or under the Constitution, or members of either House of the Oireachtas, the European Parliament or a local authority;

(n) services provided under the [Child Care Act 1991](#) (No. 17 of 1991);

(o) adoption services under the [Adoption Act 2010](#) (No. 21 of 2010);

(p) services provided to victims;

(q) services, including regulation services, provided by, and activities of, the Central Bank of Ireland, the Investor Compensation Company DAC (otherwise known as the Investor Compensation Company Limited) and the National Treasury Management Agency;

(qa) access by persons, for the purposes of their work in relation to the essential administration, organisation and distribution of remote learning services, to -

Deleted: the operation and maintenance of botanical gardens, parks, forests and nature reserves...

Commented [OD15]: Insertion by SI 174/2020, reg 8(d)(ii) with effect from 18/05/2020

(i) schools,

(ii) higher education institutions, or

(iii) other education and training facilities;

(r) any other service provided, or function performed, by a public body (within the meaning of the [Data Sharing and Governance Act 2019](#) (No. 5 of 2019)), where the provision of the service or performance of the function is necessary to support or manage -

(i) other essential services, or

(ii) the response of the State to the spread of Covid-19.

Human health and social work activities

15. The following services relating to human health and social work activities:

(a) hospital services;

(b) therapy services provided by a member of a designated profession within the meaning of [section 3](#) of the [Health and Social Care Professionals Act 2005](#) (No. 27 of 2005);

(c) services relating to public health, including services relating to -

(i) the identification, tracing and contacting of persons who have been in contact with persons who have been diagnosed, or are suspected of having been infected, with Covid-19, and

(ii) the testing of persons for Covid-19;

(d) laboratory services;

(e) drug treatment and addiction services;

(f) hospice services;

(g) pharmacy services;

(h) primary care and general and specialist medical practice activities;

(i) dental services;

(j) blood donation and related services;

(k) tissue or organ donation and related services;

Commented [OD16]: Deletion by SI 174/2020, reg 8(d)(iii) with effect from 18/05/2020

Deleted: emergency

(l) residential care services (including nursing care, mental health and substance abuse services, services for elderly persons and persons with disabilities) and children's residential services;

(m) homecare, home help and other health services in the community;

(n) social work and social care services, (including disability services, mental health services, child protection and welfare services, domestic, sexual and gender-based violence services) and homeless services including homeless outreach services;

(o) paramedical, ambulance and pre-hospital care services;

(p) services provided by minor injury units;

(q) maternity services;

(r) health and social work services;

(s) food safety and environmental services;

(t) the care of children for persons providing essential services, where such care is in the person's place of residence.

Community and voluntary services

16. The following services relating to community and voluntary services:

(a) services not otherwise specified in this Schedule, provided by community and voluntary workers, as part of a publicly commissioned service, deployed to assist in the delivery of essential services;

(b) volunteer services operating under the local authority emergency management framework in accordance with public health guidance.

Diplomatic missions and consular affairs

17. The provision of services essential to the functioning of diplomatic missions and consular posts in the State.



GIVEN under the Official Seal of the Minister for Health,
7 April, 2020.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

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

These regulations made under section 31A of the [Health Act 1947](#) (inserted by [section 10](#) of the [Health \(Preservation and Protection and other Emergency Measures in the Public Interest\) Act 2020](#)) provide for restriction of movement of persons from their place of residence, except where they have reasonable excuse, and for restrictions on events, for the purpose of preventing, limiting, minimising or slowing the spread of Covid-19.

The regulations come into effect on 8 April and will remain in operation until 12 April 2020.

Table of Regulations amending the Temporary Restrictions Regulations

Title	Date made	Iris Oifigiúil
S.I. No. 128/2020 - Health Act 1947 (Section 31a – Temporary Restrictions) (Covid-19) (Amendment) Regulations 2020	10/04/20	14/04/20
S.I. No. 153/2020 - Health Act 1947 (Section 31a – Temporary Restrictions) (Covid-19) (Amendment) (No. 2) Regulations 2020	02/05/20	05/05/20
S.I. No. 174/2020 - Health Act 1947 (Section 31a – Temporary Restrictions) (Covid-19) (Amendment) (No. 3) Regulations 2020	17/05/20	19/05/20

S.I. No. 120/2020 - Health Act 1947 (Affected Areas) Order 2020

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 10th April, 2020.*

The Minister for Health, in the exercise of the powers conferred on him by section 31B of the [Health Act 1947](#) (No. 28 of 1947), having regard to the matters specified in section 31A(2) of that Act and to the advice of the Chief Medical Officer of the Department of Health and having consulted with the Minister for Justice and Equality, the Minister for Finance and the Minister for Public Expenditure and Reform, hereby orders as follows:

1. This Order may be cited as the Health Act 1947 (Affected Areas) Order 2020.
2. It is hereby declared that the State (being every area or region thereof) is an area where there is known or thought to be sustained human transmission of Covid-19.



GIVEN under the Official Seal of the Minister for Health,
7 April, 2020.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

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

This Order declares that the State (being every area or region thereof) is an area where there is known or thought to be sustained human transmission of Covid-19.

Table of Regulations amending the Affected Areas Order

Title	Date made	Iris Oifigiúil

S.I. No. 181/2020 - Health Act 1947 (Section 31A -Temporary Requirements) (Covid-19 Passenger Locator Form) Regulations 2020

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 26th May, 2020.

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 Foreign Affairs and Trade, the Minister for Justice and Equality, the Minister for Business, Enterprise and Innovation and the Minister for Transport, Tourism and Sport,

hereby makes the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Health Act 1947 (Section 31A – Temporary Requirements) (Covid-19 Passenger Locator Form) Regulations 2020.

(2) These Regulations shall come into operation on the 28th day of May 2020.

Operation of Regulations

2. These Regulations shall remain in operation until the 18th day of June 2020.

Definitions

3. In these Regulations -
“airport” means any of the following airports:

- (a) Cork Airport;
- (b) Donegal Airport;
- (c) Dublin Airport;
- (d) Ireland West Airport;
- (e) Kerry Airport;
- (f) Shannon Airport;

(g) Waterford Airport;

“contact details”, in relation to an international passenger, means his or her

telephone number and email address;

“Covid-19 Passenger Locator Form” means the form set out in the Schedule;

“international passenger” means a person, other than a child, who arrives in the State at a port or airport from a place outside the State, but does not include:

(a) a person who arrives in the State from Northern Ireland;

(b) a person who arrives at the port or airport for the purposes of passing through that port or airport in order to travel to another state, and who does not leave the port or airport;

(c) an international transport worker who arrives in the State in the course of performing his or her duties;

(d) an aircraft pilot, other aircrew, maritime master or maritime crew who arrives in the State in the course of performing his or her duties;

(e) a person to whom the privileges and immunities conferred by -

(i) the Vienna Convention on Diplomatic Relations done at Vienna on the 18th day of April 1961, or

(ii) the Vienna Convention on Consular Relations done at Vienna on the 24th day of April 1963,

apply in the State;

(f) a person to whom the privileges and immunities conferred by an international agreement or arrangement apply in the State, pursuant to the Diplomatic Relations and Immunities Acts 1967 to 2006 or any other enactment;

“international transport worker” means a person -

(a) who holds a valid annex 3 certificate in accordance with the Communication from the Commission on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services¹, or

(b) who is a driver of a heavy goods vehicle;

“place of residence”, in relation to an international passenger, means the place, or places, in the State at which he or she intends to reside during the relevant period;

“port” means any of the following ports:

- (a) Cobh in the Port of Cork;
- (b) Dublin Port;
- (c) Killybegs Harbour;
- (d) Port of Cork;
- (e) Port of Galway;
- (f) Port of Waterford;
- (g) Rosslare EuroPort;

“relevant period”, in relation to an international passenger, means -

- (a) the period of 14 days from the date on which he or she arrives in the State, or
- (b) where the duration of his or her stay in the State is less than 14 days, the period of his or her stay;

“relevant person” has the meaning assigned to it by Regulation 4;

“responsible adult” means, in relation to a child who arrives in the State at a port or airport from a place outside the State, an international passenger who is travelling with the child and who is responsible, alone or jointly with another person, for that child for all or part of the journey by which the child arrives in the State.

Relevant persons

4. The following persons (each of whom, in these Regulations, is referred to as a “relevant person”) are specified as relevant persons for the purposes of these Regulations:

- (a) officers of the Minister for Justice and Equality, being immigration officers appointed by that Minister under section 3 of the Immigration Act 2004 (No. 1 of 2004);
- (b) persons appointed by the Health Service Executive under the programme commonly known as the Covid-19 Contact Management Programme.

Covid-19 Passenger Locator Form

5. (1) An international passenger shall -

(a) on or before his or her arrival in the State, complete a Covid-19 Passenger Locator Form -

(i) in respect of himself or herself, and

(ii) subject to paragraph (2), in respect of any child in relation to whom the international passenger is a responsible adult,

(b) on arrival in the State, present himself or herself to a relevant person, and

(c) give to the relevant person the Covid-19 Passenger Locator Form completed in accordance with paragraph (a).

(2) Where the requirement in paragraph (1)(a)(ii) applies to 2 or more international passengers, in relation to a child, that requirement shall be deemed to be complied with by all such international passengers where a Covid-19 Passenger Locator Form has been completed in respect of the child by any one of the international passengers.

(3) Where a relevant person suspects, with reasonable cause, that any person in an airport or port who has not completed a Covid-19 Passenger Locator Form is an international passenger, the relevant person may request that person to provide such information or documentation to the relevant person as he or she may reasonably require in order to ascertain whether or not the person is an international passenger.

(4) A person shall comply with a request under paragraph (3).

(5) Paragraphs (1) and (4) are penal provisions for the purpose of section 31A of the Health Act 1947 (No. 28 of 1947).

Provision of information to relevant person

6. (1) Where a relevant person considers it necessary to do so, he or she may request an international passenger to provide such information or documentation as may be required in order to verify any particular stated on a Covid-19 Passenger Locator Form provided by that international passenger.

(2) Where a relevant person suspects, with reasonable cause, that the information provided on a Covid-19 Passenger Locator Form is inaccurate, incomplete or misleading, he or she may request the international passenger who provided the information to clarify the information, or provide such further information or documentation as the relevant person may reasonably require to ensure that the form is completed accurately.

(3) A relevant person may, during a relevant period, request an international passenger to confirm -

(a) where the international passenger is currently residing, and

(b) where a child, in relation to whom the international passenger has completed a Covid-19 Passenger Locator Form, is currently residing.

(4) An international passenger shall comply with are quest under paragraph (1), (2) or (3).

(5) Subject to paragraph (6), where an international passenger, during a relevant period -

(a) takes up residence in a place other than the place of residence specified in the Covid-19 Passenger Locator Form,

(b) changes his or her contact details from those provided in the Covid-19 Passenger Locator Form, or

(c) is aware that a child in relation to whom he or she has completed a Covid-19 Passenger Locator Form has taken up residence in a place other than the place of residence specified in that form,

such that information provided in the Covid-19 Passenger Locator Form completed by the international passenger is no longer accurate, the international passenger shall make reasonable efforts to provide to a relevant person, in writing, accurate information as to the new place or contact details, or both, as the case may be.

(6) The information that is to be provided in accordance with paragraph (5) shall be provided to a relevant person by an international passenger -

(a) in the case of information specified in subparagraphs (5)(a) or (c), before the international passenger, or child as the case may be, has taken up residence in the new place, or as soon as practicable thereafter, or

(b) in the case of information specified in subparagraph (5)(b), as soon as is practicable after the contact details have changed.

(7) Paragraphs (4), (5) and (6) are penal provisions for the purposes of section 31A of the Health Act 1947.

Data Protection

7. (1) Personal data provided on the Covid-19 Passenger Locator Form, or otherwise provided to a relevant person under Regulation 6, may be processed by the Minister for Health, the Health Service Executive, and one or more relevant persons, for the purposes of -

(a) recording and verifying information regarding the place of residence of an international passenger, and any child in respect of whom a Covid-19

Passenger Locator Form has been completed, for a period of up to 14 days following the arrival in the State of such a passenger or child, and

(b) the identification, tracing and contacting of persons who have been in contact with persons who have been diagnosed, or are suspected of having been infected, with Covid-19.

(2) For the purposes of these Regulations the Minister for Health and the Health Service Executive -

(a) are designated as data controllers in relation to personal data processed for the purposes of these Regulations, and

(b) shall put in place appropriate data processing contracts with relevant persons processing personal data under these Regulations.

(3) Subject to paragraph (4), personal data collected for the purpose of these Regulations shall be permanently deleted no later than 28 days after the international passenger has given a Covid-19 Passenger Locator Form to a relevant person in accordance with Regulation 5.

(4) Notwithstanding paragraph (3), where personal data collected in accordance with these Regulations are required for the purposes of the prevention, investigation, detection or prosecution of a criminal offence, the data -

(a) may be processed for as long as they are required for such prevention, investigation, detection or prosecution, and

(b) shall be permanently deleted after they are no longer required for such prevention, investigation, detection or prosecution.

(5) In this Regulation –

“General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

“personal data” has the meaning it has in the General Data Protection Regulation;

“processing”, in relation to personal data, has the meaning it has in the General Data Protection Regulation.

SCHEDULE

COVID-19 Passenger Locator Form



You are recommended to keep this for information for 14 days after your arrival.

This form is to be filled in by passengers arriving to Ireland from overseas. The information you provide may be used to contact you in the next 14 days for the purposes of verifying the details given on this form. This form may also be used for the purposes of contact tracing in relation to confirmed or suspected cases of Covid-19.

Requirement to complete this form

- Passengers arriving to Ireland from overseas are required to complete this form, including Irish citizens.
- Once completed, the form should be given to an officer at your point of entry to the State.

Exemptions

- Passengers arriving in the State through a port or airport are required to complete this form with the exception of the following:
 - > Passengers arriving from Northern Ireland.
 - > Passengers leaving the State from their port or airport of arrival without otherwise exiting the port or airport.
 - > Holders of a Certificate for International Transport Workers, or drivers of a heavy goods vehicle, who are in the State in the course of performing their duties.
 - > Aircraft crew, including the pilot, who are in the State in the course of performing their duties.
 - > Ship crew, including the maritime master, who are in the State in the course of performing their duties.
 - > Foreign diplomats.

Instructions

- One form should be completed for each passenger aged 16 or older. Details of children under the age of 16 should be included on a form completed by an adult accompanying them.
- If you will be remaining in the State overnight, please complete sections 1 and 2, provide contact details in section 3 and sign and date section 4.
- If you are leaving the State today by aircraft or ferry or travelling to Northern Ireland



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please complete sections 1 and 2, tick the box in section 3 and sign and date section 4.

- If any of the information you provide on this form changes in the next 14 days, you are required to send an email with your complete and updated information to the following email address: **passengerlocatorform@plf.ie**
- You may be contacted during the 14 days following your arrival in the State to verify the information you have given in the form.

Offences and penalties

The following offences are punishable by a fine not exceeding €2,500 or imprisonment for a term not exceeding 6 months, or both.

- It is an offence not to complete this form in the manner specified.
- It is an offence to provide false or misleading information in this form.
- It is an offence not to provide an update if any of the information in section 3 of the form changes in the next 14 days or period of stay, whichever is the shorter.
- It is an offence to fail to give an officer who requests it information required to verify the details on this form.
- In addition to these offences, a member of An Garda Síochána may direct a person who is not complying with the requirements in respect of this form to so comply. Failing to comply with that direction is an offence for which you may be arrested.
- A member of An Garda Síochána who suspects that an offence has been committed may demand the name and address of the person who is suspected of committing the offence. Failure to comply with this demand or the production of a false name and/or address is an offence for which a person may be arrested.

Data Protection

- The Minister for Health and the Health Service Executive are the data controllers for the information provided on this form.
- The information provided on this form, and any updates that you send using the **passengerlocatorform@plf.ie** email address, may be used for the following purposes:
 - > To contact you to verify this information on this form in the 14 days following your arrival.
 - > This form may also be used for the purposes of contact tracing in relation to confirmed or suspected cases of Covid-19.
- Personal data contained in this form may be collected and processed by the following:
 - > Border Management Unit of the Department of Justice and Equality.
 - > Garda Immigration Officers.
 - > Health Service Executive.
- This form and any copies of it, and any updates that you send using the **passengerlocatorform@plf.ie** email address, will be destroyed 28 days after your arrival, unless the form is required for law enforcement purposes.
- If you wish to exercise your rights under the General Data Protection Regulation, you should contact the Data Protection Officer in the Health Service Executive
Email: **DPO@hse.ie**

Foirm Aimsithe Paisinéirí Covid-19



Moltar duit an t-eolas seo a choinneáil ar feadh 14 lá tar éis duit tuirling in Éirinn.

Tá an fhoirm seo le comhlánú ag paisinéirí a thagann chuig an Stát ó thar lear. Féadfar an t-eolas a chuireann tú ar fáil a úsáid chun teagmháil a dhéanamh leat sna 14 lá amach romhainn chun na sonraí a thugtar ar an bhfoirm seo a dheimhniú. Féadfar an fhoirm seo a úsáid freisin chun teagmhálaithe a lorg, i dtaca le cásanna den Covid-19 cinntithe nó amhrasta.

Ceanglas an fhoirm seo a chomhlánú

- Ceanglaítear ar phaisinéirí a thagann chuig an Stát ó thar lear an fhoirm seo a chomhlánú, saoránaigh Éireannacha san áireamh.
- Agus an fhoirm comhlánaithe, ba chóir í a thabhairt d'oifigeach ag do phointe iontrála chuig an Stát.

Diolúintí

Ceanglaítear ar phaisinéirí a thagann sa Stát trí chalafort nó trí aerfort an fhoirm seo a chomhlánú, gan seo a leanas a áireamh:

- > Paisinéirí a thagann ó Thuaisceart Éireann.
- > Paisinéirí atá ag fágáil an Stát ón gcalafort nó ón aerfort inar thuirling siad agus nach bhfágfaidh an calafort sin nó an t-aerfort sin ar shlí eile.
- > Daoine a bhfuil Deimhniú d'Oibríthe Idirnáisiúnta acu nó tiománaithe feithiclí earraí troma atá sa Stát i mbun a gcuid dualgas.
- > Criú aerárthaí (lena n-áirítear an píolótach) atá sa Stát agus iad i mbun a gcuid dualgas.
- > Criú loinge (lena n-áirítear an máistir muirí) atá sa Stát agus iad i mbun a gcuid dualgas.
- > Taidhleoirí coigríche.

Treoracha

- Ba chóir foirm amháin a chomhlánú do gach paisinéir atá 16 bliain d'aois nó níos sine. I gcás leanaí atá faoi 16 bliain d'aois, ba chóir a sonraí a chur ar fhoirm atá comhlánaithe ag duine fásta atá ag taisteal leo.
- Má tá tú ag fanacht in sa Stát thar oíche, comhlánaigh cuid 1 agus 2, le do thoil. Tabhair sonraí teagmhála i gcuid 3, agus sínigh agus cuir dáta le cuid 4.
- Má tá tú ag fágáil an Stát inniu ar aerárthach nó ar bhád farantóireachta nó ag taisteal go Tuaisceart Éireann, comhlánaigh cuid 1 agus 2 le do thoil, cuir tic sa bhosca i gcuid 3, agus sínigh agus cuir dáta le cuid 4.



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- Má athraionn aon chuid den fhaisnéis a chuireann tú ar fáil ar an bhfoirm seo sna 14 lá atá romhainn, iarrtar ort ríomhphost a sheoladh le do eolas iomlána nuashonraithe chuig an seoladh ríomhphoist seo a leanas: passengerlocatorform@plf.ie
- Féadfar teagmháil a dhéanamh leat le linn na 14 lá tar éis duit teacht go hÉirinn chun an fhaisnéis a thug tú san fhoirm a dheimhniú.

Cionta agus pionóis

- Tá na cionta seo a leanas inphionóis le fineáil nach mó ná €2,500 nó le príosúnacht ar feadh téarma nach faide ná ó mhí, nó iad araon.
- Is cion é gan an fhoirm seo a chomhlánú ar an modh a shonraítear.
- Is cion é faisnéis bhréagach nó mhíthreorach a sholáthar san fhoirm seo.
- Is cion é faisnéis nuashonrú a sholáthar má athraionn aon chuid den fhaisnéis i gcuid 3 den fhoirm seo sna 14 lá amach romhainn, nó i rith do thréimhse chónaithe, pé ceann is giorra.
- Is cion é gan an fhaisnéis a éilítear a thabhairt d'oifigeach a iarrann i chun na sonraí ar an bhfoirm seo a fhíorú.
- De bhreis ar na cionta sin, i gcás duine nach bhfuil ag comhlíonadh na gceanglas maidir leis an bhfoirm seo, féadfaidh ball den Gharda Síochána a ordú dó nó di na ceanglais sin a chomhlíonadh amhlaidh. Má mhainníonn tú an treoir sin a chomhlíonadh, is cion é sin a bhféadfar tú a ghabháil ina leith.
- Má tá amhras ar bhall den Gharda Síochána go ndearna duine cion, féadfaidh an ball sin ainm agus seoladh an duine sin a éileamh. Is cion é gan an t-éileamh sin a chomhlíonadh nó ainm agus/nó seoladh bréige a thabhairt. Féadfar duine a ghabháil i leith an chiona sin.

Cosaint Sonraí

- Is iad an tAire Sláinte agus Feidhmeannacht na Seirbhíse Sláinte na rialaitheoirí sonraí don fhaisnéis a chuirtear ar fáil ar an bhfoirm seo.
- Féadfar an fhaisnéis a chuirtear ar fáil ar an bhfoirm seo, agus aon nuashonruithe a sheolann tú chuig an seoladh ríomhphoist passengerlocatorform@plf.ie, a úsáid chun na críocha seo a leanas:
 - > Chun teagmháil a dhéanamh leat chun an fhaisnéis ar an bhfoirm seo a dheimhniú sna 14 lá tar éis duit teacht.
 - > Féadfar an fhoirm seo a úsáid freisin chun teagmhálaithe a lorg, i dtaca le cásanna den Covid-19 cinntithe nó amhrasta.
- Féadfaidh na heagraíochtaí seo a leanas sonraí pearsanta san fhoirm seo a bhailiú agus a phróiseáil:
 - > Aonad Bainistíochta Teorann na Roinne Dlí agus Cirt agus Comhionannais.
 - > Oifigigh Inimirce de chuid an Gharda Síochána.
 - > Feidhmeannacht na Seirbhíse Sláinte.
- Sciosfar an fhoirm seo agus aon chóipeanna di agus aon nuashonruithe a sheolann tú chuig an seoladh ríomhphoist passengerlocatorform@plf.ie tar éis 28 lá ó do dháta teachta, mura n-éilítear an fhoirm chun críocha forfheidhmithe dlí.
- Más mian leat do chearta a fheidhmiú faoin Rialachán Ginearálta maidir le Cosaint Sonraí, ba chóir duit teagmháil a dhéanamh leis an Oifigeach Cosanta Sonraí i bhFeidhmeannacht na Seirbhíse Sláinte ríomhphost: DPO@hse.ie

1. Personal Details: Eolas Pearsanta:Last name: *Sloinne:*First name: *Céadainm:*Date of birth: *Breithe:***2. Travel Information: Faisnéis Taistil:**Carrier name: *Ainm an iompróra:*Date of arrival: *Dáta teachta:*Time of arrival: *Am teachta:*Point of departure: *Pointe tosaigh:*Point of arrival: *Pointe is ceann scríbe:*Reason for travel (tick one): *Cúis leis an taisteal (cuir tic i gceann amháin):*Resident in Ireland: *Cónaí in Éirinn:* Visiting Family/Friends: *Cuairt ar Theaghlach nó Cairde:* Holiday/Travel: *Saoire nó Taisteal:* Work: *Obair:* Transfer flight: *Eitilt Aistrithe:* Transiting to Northern Ireland: *Idirthuras go Tuaisceart Éireann:* Relocating to Ireland: *Athlonnú go hÉirinn:* Other (please specify): *Eile (sonraigh le do thoil):* _____**3. Contact details where you can be reached: Sonraí teagmhála chun teacht ort:****Exemption / Díolúine**

If you are leaving the port or airport but will not be residing in the State overnight because you are travelling on to Northern Ireland or overseas, you do not need to provide further contact information. You may be asked for evidence in support of this.

If you wish to claim this exemption please tick here, sign and date the form in part 4.

Má tá tú ag fágáil an phoirt nó an aerfoirt gan bheith i do chónaí sa Stát thar oíche toisc go bhfuil tú ag taisteal ar aghaidh go Tuaisceart Éireann nó thar lear, ní gá duit tuilleadh faisnéise teagmhála a sholáthar. D'fhéadfaí go n-iarrfaí ort fianaise a thacaíonn leis seo a chur ar fáil.

Más mian leat an díolúine seo a éileamh cuir tic anseo. I gcuid 4, sínigh an fhoirm agus cuir dáta léi.

Mobile: *Fón Póca:*Phone: *Fón:*Email: *Rphost:*

EXPLANATORY NOTE

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

These Regulations, made under section 31A of the Health Act 1947 (inserted by section 10 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020), provide for the imposition of a requirement that international passengers (including Irish citizens) arriving in the State at a port or airport from a place outside the State complete a COVID- 19 Passenger Locator Form for the purposes of recording and verifying information regarding their contact details and place of residence for a period of up to 14 days following arrival.

Table of Regulations amending the Temporary Requirements (COVID-19 Passenger Locator Form) Regulations

Title	Date made	Iris Oifigiúil

