



STATUTORY INSTRUMENTS.

S.I. No. 189 of 2022

INFECTIONOUS DISEASES (EU DIGITAL COVID CERTIFICATES)
REGULATIONS 2022

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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by sections 5 and 31 (amended by section 34 of the Health Act 1953 (No. 26 of 1953)) of the Health Act 1947 (No. 28 of 1947), hereby make the following regulations:

1. (1) These Regulations may be cited as the Infectious Diseases (EU Digital Covid Certificates) Regulations 2022.

(2) These Regulations shall come into operation on the 1st day of April 2022.

2. In these Regulations –

“Digital Covid Certificate Regulation” means Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021¹ on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic, as amended by Commission Delegated Regulation (EU) 2021/2288 of 21 December 2021² and Commission Delegated Regulation (EU) 2022/256 of 22 February 2022³;

“EU Digital Covid Certificate” has the meaning it has in the Digital Covid Certificate Regulation;

“General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016⁴ 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;

“personal data” has the meaning it has in Article 4 of the General Data Protection Regulation;

“third country national” means a person who is –

¹ OJ No. L 211, 15.6.2021, p. 1

² OJ No. L 458, 22.12.2021, p. 459

³ OJ No. L 42, 23.2.2022, p. 4

⁴ OJ No. L 119, 4.5.2016, p. 1

- (a) not a national of a Member State,
- (b) legally staying or residing in the State, and
- (c) entitled to travel to Member States other than the State in accordance with the law of the European Union.

3. A person or body in the State that issues EU Digital Covid Certificates in accordance with –

- (a) the Digital Covid Certificate Regulation, and
- (b) the European Union (EU Digital Covid Certificates) Regulations 2021 (S.I. No. 318 of 2021),

may issue such a certificate to a third country national in accordance with that Regulation and those Regulations.

4. An obligation under the Digital Covid Certificate Regulation or the European Union (EU Digital Covid Certificates) Regulations 2021 relating to the processing of personal data (including an obligation on a natural person, a legal person, a public authority, an agency or another body that has administered a Covid-19 vaccine, or carried out a test in respect of which an EU Digital Covid Certificate is to be issued) shall apply in respect of the personal data of a third country national.

GIVEN under my Official Seal,
7 March, 2022.

STEPHEN DONNELLY,
Minister for Health.



L.S.

EXPLANATORY NOTE

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

These Regulations made under sections 5 and 31 (amended by section 34 of the Health Act 1953 (No. 26 of 1953)) of the Health Act 1947 (No. 28 of 1947) provide for the issuance of EU Digital Covid Certificates to Third Country Nationals.

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