



STATUTORY INSTRUMENTS.

S.I. No. 329 of 2021

HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO.5) REGULATIONS 2021

HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (NO. 2) (AMENDMENT) (NO.5) 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 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 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.5) Regulations 2021.

(2) These Regulations shall come into operation on the 5th day of July 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 1 of the Principal Regulations is amended, in paragraph (2), by the substitution of “19th day of July 2021” for “5th day of July 2021”.

4. Regulation 5 of the Principal Regulations is amended -

- (a) in paragraph (1), by the substitution of “(2), (3) or (3A)” for “(2) or (3)”,
- (b) by the insertion of the following paragraph after paragraph (3):

“(3A) An exempted person may organise, or cause to be organised, an event to be held in a dwelling (including that part of the dwelling that is outdoors) in a relevant geographical location for social or recreational reasons where -

- (a) the dwelling is the exempted person’s place of residence, and
- (b) the exempted person takes all reasonable steps to ensure that all of the persons attending or proposed to attend the event are exempted persons.”, and
- (c) by the insertion of the following paragraph after paragraph (6):

“(7) In this Regulation -

“diagnosis of previous Covid-19 or SARS-CoV-2 infection” means, in relation to a person, a person who has in the previous 9 months -

- (a) been the subject of a RT-PCR test,
- (b) Covid-19 or the virus SARS-CoV-2 was detected in the person at the time of taking the test, and
- (c) not less than 11 days has passed following -
 - (i) the detection, or
 - (ii) the onset of symptoms,

whichever is the later.

“exempted person” means -

- (a) a vaccinated person, or
- (b) a person who has a diagnosis of previous Covid-19 or SARS-CoV-2 infection;

“RT-PCR test” means a reverse transcription polymerase chain reaction test, the purpose of which is to detect the presence of Covid-19, or the virus SARS-CoV-2, in the person to whom it is administered;

“symptom”, in relation to Covid-19 or the virus SARS-CoV-2, means, subject to any regulations made under section 38G of the Act of 1947 -

- (a) a fever being a temperature of 38 degrees Celsius or above,
- (b) a new cough,
- (c) shortness of breath or breathing difficulties,
- (d) loss of sense of smell or taste, or
- (e) change to sense of smell or taste;

“vaccinated person” means -

- (a) in relation to a person to whom the medicinal product for active immunisation to prevent Covid-19 known as “COVID-19 Vaccine Moderna CX-024414” has been administered, that person not less than 14 days after the second dose of the medicinal product concerned has been administered to him or her,
- (b) in relation to a person to whom the medicinal product for active immunisation to prevent Covid-19 known as “Vaxzevria (previously COVID-19 Vaccine AstraZeneca) ChAdOx1-SARS-COV-2” , also known as “Covishield”, has been administered, that person not less than 15 days after the second dose of the medicinal product concerned has been administered to him or her,
- (c) in relation to a person to whom the medicinal product authorised for active immunisation to prevent Covid-19 known as “Comirnaty BNT162b2” has been administered, that person not less than 7 days after the second dose of the medicinal product concerned has been administered to him or her, or
- (d) in relation to a person to whom the medicinal product for active immunisation to prevent Covid-19 known as “COVID-19 Vaccine Janssen (Ad26.COV2-S

[recombinant])” has been administered, that person not less than 14 days after the dose has been administered to him or her.”

5. Regulation 7 of the Principal Regulations is amended, in paragraph (1), by the substitution of “Regulation 5(2), 5(3) or 5(3A)” for “Regulation 5(2) or 5(3)”.

6. Regulation 8 of the Principal Regulations is amended by the substitution of the following paragraph for paragraph (1A):

“(1A) A person may organise, or cause to be organised, a relevant event in a relevant geographical location where -

- (a) the person takes all reasonable steps to ensure that -
 - (i) the event takes place entirely outdoors, and
 - (ii) the number of persons attending, or proposed to attend, the event -
 - (I) does not exceed 500 where the event is held, or to be held, in a relevant venue, or
 - (II) does not exceed 200 where the event is held, or to be held, other than in a relevant venue,
- or
- (b) the event is a scheduled event.”

7. Regulation 9 of the Principal Regulations is amended by the substitution of the following paragraph for paragraph (2):

“(2) A person may organise, or cause to be organised, a wedding in a relevant geographical location in a premises or premises, as the case may be, other than a dwelling where the person takes all reasonable steps to ensure that -

- (a) the number of persons attending, or proposed to attend, the wedding service does not exceed 50, and
- (b) the number of persons attending, or proposed to attend, the wedding reception does not exceed 50.”

8. Regulation 10 of the Principal Regulations is amended -

- (a) in paragraph (2)(b)(ii)(I), by the substitution of “500” for “200”, and
- (b) in paragraph (2)(b)(ii)(II), by the substitution of “200” for “100”.

9. The Principal Regulations are amended by the substitution of the Schedule to these Regulations for Schedule 3 to those Regulations.

SCHEDULE

“SCHEDULE 3

Regulation 3A

	(1) <i>Event</i>	(2) <i>Date or period</i>	(3) <i>Location</i>	(4) <i>Maximum number of persons</i>
1.	Cork City v Bray Wanderers League of Ireland match	9th day of July 2021	Turner's Cross, Cork	600
2.	Traditional music performance	10th day of July 2021	Róisín Dubh, Galway	100
3.	Irish National Opera	10th day of July 2021	Cork Opera House, Cork	470
4.	Ireland v USA international rugby test match	10th day of July 2021	Aviva Stadium, Dublin	7,000
5.	Munster Football Championship Kerry v Tipperary Semi Final	10th day of July 2021	Semple Stadium, Thurles	3,500
6.	Munster Football Championship Cork v Limerick Semi Final	10th day of July 2021	LIT Gaelic Grounds, Limerick	3,500
7.	Connacht Football Championship Semi	11th day of July 2021	McHale Park, Castlebar, Mayo	3,750

	Final			
8.	Ireland v South Africa, 1st Cricket One-Day International	11th day of July 2021	Malahide Castle, Dublin	560
9.	Shamrock Rovers v Slovan Bratislava, UEFA Champions League	13th day of July 2021	Tallaght Stadium, Dublin	1,500
10.	Ireland v South Africa, 2nd Cricket One-Day International	13th day of July 2021	Malahide Castle, Dublin	560
11.	Bohemian FC v Stjarnan, UEFA Conference League	15th day of July 2021	Aviva Stadium, Dublin	6,000
12.	Sligo Rovers v FH Hafnarfjorour, UEFA Conference League	15th day of July 2021	The Show Grounds, Sligo	1,000
13.	St Patrick's Athletic v Drogheda United, League of Ireland match	16th day of July 2021	Richmond Park, Dublin	1,000
14.	Ireland v South Africa, 3rd Cricket One-Day International	16th day of July 2021	Malahide Castle, Dublin	560

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GIVEN under the Official Seal of the Minister for Health,
4 July, 2021.

COLM DESMOND,
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 the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No. 2) Regulations 2021 (S.I. No. 217 of 2021) to make amendments to the list of “Scheduled Events”, and to provide for increases in the numbers permitted to attend wedding receptions and at outdoor relevant events. These Regulations also provide that there shall be no limit on the numbers of people who may visit together once they are all fully protected by vaccination or have had COVID-19 infection in the previous nine months.

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