



STATUTORY INSTRUMENTS.

**S.I. No. 267 of 2021**

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

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

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 2021.

(2) These Regulations shall come into operation on the 2nd day of June 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 “5th day of July 2021” for “2nd day of June 2021”.

4. Regulation 3 of the Principal Regulations is amended –

- (a) in paragraph (a) of the definition of “necessary person”, by the deletion of “referred to in Regulation 10(2)(b)”, and
- (b) by the insertion of the following definitions:

“ ‘relevant venue’ means a fixed or temporary venue, including a stadium, arena, grandstand, park, pitch or

golf course, that would, but for the restrictions on attendance at events provided for by these Regulations, be capable of accommodating at least 5,000 persons outdoors;

‘scheduled event’ has the meaning assigned to it by Regulation 3A;”.

5. The Principal Regulations are amended by the insertion of the following Regulation after Regulation 3:

“3A. An event referred to in column (1) of Schedule 3 shall be deemed to be a scheduled event where –

- (a) it takes place on the date specified in column (2) of that Schedule opposite the mention of that event,
- (b) it takes place at the location referred to in column (3) of that Schedule opposite the mention of that event, and
- (c) the number of persons attending the event does not exceed the number specified in column (4) of that Schedule opposite the mention of that event and in reckoning that number of persons no account shall be taken of –
  - (i) persons attending the event in a professional capacity, in the course of their employment, or in fulfilment of a contract for services, or
  - (ii) in the case of a sporting event, necessary persons.”.

6. Regulation 8 of the Principal Regulations is amended –

- (a) by the substitution of the following paragraph for paragraph (1):

“(1) A person shall not organise, or cause to be organised, a relevant event in a relevant geographical location other than in accordance with paragraph (1A).”, and

- (b) by the insertion of the following paragraph after paragraph (1):

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

- (a) in the case of a relevant event held, or to be held, before the 7<sup>th</sup> day of June 2021, 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 does not exceed 15,

(b) in the case of a relevant event held, or to be held, on or after the 7th day of June 2021, 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 200 where the event is held, or to be held, in a relevant venue, or

(II) does not exceed 100 where the event is held, or to be held, other than in a relevant venue,

or

(c) 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) in the case of a wedding that takes place before the 7th day of June 2021 –

(i) the number of persons attending, or proposed to attend, the wedding service does not exceed 50, and

(ii) the number of persons attending, or proposed to attend, the wedding reception –

- (I) does not exceed 6, where the reception is held indoors, or
- (II) does not exceed 15, where the reception is held outdoors, or
- (b) in the case of a wedding that takes place on or after the 7th day of June 2021 –
  - (i) the number of persons attending, or proposed to attend, the wedding service does not exceed 50, and
  - (ii) the number of persons attending, or proposed to attend, the wedding reception does not exceed 25.”.

8. Regulation 10 of the Principal Regulations is amended –

- (a) by the substitution of the following paragraph for paragraph (2):
 

“(2) A person may organise, or cause to be organised, a sporting event in a relevant geographical location –

  - (a) in the case of a sporting event that takes place before the 7th day of June 2021, where the person takes all reasonable steps to ensure that –
    - (i) the event is attended, or proposed to be attended, only by necessary persons, and
    - (ii) every person participating in, or otherwise competing in, the event –
      - (I) is in receipt of financial support provided by Sport Ireland under the scheme commonly known and referred to as the Sport Ireland International Carding Scheme,
      - (II) competes at a senior level and is a participant in a high performance

- training programme of the national governing body of the sport, which body receives, from Sport Ireland, financial support commonly known and referred to as the Sport Ireland High Performance Programme Funding,
- (III) is a professional sportsperson who receives payment for training and playing sport under a contract of employment with a soccer club or the rugby football organisation commonly known and referred to as the Irish Rugby Football Union,
- (IV) is involved in the training and preparation of racehorses for events held under the authority of Horse Racing Ireland,
- (V) is involved in the training and preparation of sport horses for events held under the authority of Horse Sport Ireland,
- (VI) is involved in the training and preparation of greyhounds for events held under

the authority of Rásáiocht Con Éireann,

(VII) is an athlete who is competing or playing in the sporting event and to whom a Sport Ireland certification relating to that event has been provided, or

(VIII) is a member of an inter-county team, at senior level, in a competition organised by the organisations commonly known and referred to as the Gaelic Athletic Association, the Ladies Gaelic Football Association or the Camogie Association,

(b) in the case of a sporting event that takes place on or after the 7th day of June 2021, where the person takes all reasonable steps to ensure –

(i) subject to paragraph (4), that the sporting event is held outdoors,

(ii) that the number of persons other than necessary persons attending the event –

(I) does not exceed 200 where the event is held, or to be held, in a relevant venue, or

(II) does not exceed 100, where the

event is held, or to be held, other than in a relevant venue,

or

(c) where the sporting event is a scheduled event.”, and

(b) by the insertion of the following paragraphs after paragraph (3):

“(4) The requirement in paragraph (2)(b)(i) that a sporting event be held outdoors shall not apply where –

(a) the event is attended only by necessary persons, and

(b) every person participating in, or otherwise competing in, the sporting event is a person referred to in subclauses (I) to (VIII) of paragraph (2)(a)(ii).

(5) For the purposes of this Regulation, in reckoning the number of persons other than necessary persons attending a sporting event, no account shall be taken of persons so attending in a professional capacity, in the course of their employment, or in fulfilment of a contract for services.”.

9. Regulation 11 of the Principal Regulations is amended, in paragraph (3), by the insertion of the following subparagraphs after subparagraph (g):

“(ga) is a person undertaking swimming lessons in a swimming pool,  
(gb) is a parent or guardian of a child referred to in subparagraph (ga),”.

10. Regulation 12 of the Principal Regulations is amended, in paragraph (2)(c) –

- (a) in clause (v), by the substitution of “authority,” for “authority, or”,
- (b) in clause (vi), by the substitution of “Regulation 9, or” for “Regulation 9.”, and
- (c) by the insertion of the following clause after clause (vi):

“(vii) a scheduled event.”.

11. Regulation 13 of the Principal Regulations is amended –

(a) in paragraph (1), by the substitution of the following subparagraph for subparagraph (b):

“(b) Without prejudice to the generality of Regulation 12, a specified person shall ensure that

(i) during the period beginning on the 2nd day of June 2021 and ending on the 6th day of June 2021 –

(I) members of the public are not permitted, or otherwise granted, access to a relevant premises, or permitted to remain on such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

(II) members of the public other than relevant guests are not permitted, or otherwise granted, access to a relevant accommodation premises other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,

(III) relevant guests not availing of overnight accommodation in a relevant accommodation premises are not, during the relevant

period, permitted, or otherwise granted, access to the relevant accommodation premises concerned, or permitted to remain on such premises, other than for the purpose of ordering, or collecting, or both, food or non-alcoholic beverages for consumption off such premises,

(IV) relevant guests who are availing of overnight accommodation in a relevant accommodation premises are not, during the relevant period, permitted to purchase or otherwise acquire intoxicating liquor, and

(V) relevant guests are not permitted to purchase or otherwise acquire intoxicating liquor for consumption on the relevant accommodation premises unless the intoxicating liquor is consumed by that relevant guest whilst such guest is seated at a table, and

(ii) on or after the 7th day of June 2021 –

- (I) members of the public are not permitted, or otherwise granted, access to a part of a relevant premises that is indoors, or permitted to remain in an indoor part of such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,
- (II) members of the public other than relevant guests are not permitted, or otherwise granted, access to a part of a relevant accommodation premises that is indoors, or permitted to remain in an indoor part of such premises, other than for the purpose of ordering, or collecting, or both, food or beverages for consumption off such premises,
- (III) persons are not permitted to purchase or otherwise acquire intoxicating liquor for consumption –
  - (A) on a relevant premises, unless the intoxicating liquor is

consumed  
by that  
person  
whilst such  
person is  
seated at an  
outdoor  
table, or

(B) on a  
relevant  
accommo-  
dation  
premises,  
unless the  
intoxicating  
liquor is  
consumed  
by a  
relevant  
guest whilst  
such guest  
is seated at  
a table, and

(IV) persons are not  
permitted to  
purchase or  
otherwise acquire  
intoxicating liquor  
during the relevant  
period.”,

(b) by the substitution of the following paragraph for paragraph (2):

“(2) A specified person shall, in relation to a relevant premises or a relevant accommodation premises, make a record of the time and date that each relevant guest, or each member of the public, is permitted, or otherwise granted, access to such premises, and the name and telephone number of each relevant guest and each member of the public.”,

(c) in paragraph (8) –

(i) by the substitution of the following definition for the definition of “relevant guest”:

“ ‘relevant guest’, in relation to a relevant accommodation premises, means –

(a) a person availing of  
overnight accommodation  
services therein, including  
for social, recreational,

- cultural or tourist purposes, or
- (b) a person attending a wedding therein without availing of overnight accommodation services therein;”;
- (ii) by the substitution of the following definition for the definition of “relevant premises”:
- “ ‘relevant premises’ means a premises (other than a relevant accommodation premises) in a relevant geographical location where a business or service that, but for this Regulation, is otherwise permitted by law to sell or supply intoxicating liquor for consumption on the premises, is lawfully carried on or otherwise provided.”, and
- (iii) by the insertion of the following definition:
- “ ‘relevant accommodation premises’ means a premises in a relevant geographical location where a hotel or other accommodation business or service that, but for this Regulation, is otherwise permitted by law to sell or supply intoxicating liquor for consumption on the premises, is lawfully carried on or otherwise provided;”.

12. The Principal Regulations are amended –

- (a) by the deletion of Schedule 1 to those Regulations,
- (b) by the substitution of Schedule 1 to these Regulations for Schedule 2 to those Regulations, and
- (c) by the insertion of Schedule 2 to these Regulations as Schedule 3 to those Regulations.

## SCHEDULE 1

### “SCHEDULE 2

*Regulation 12*

#### **Relevant businesses**

1. Concert halls.
2. Theatres insofar as they operate before the 7th day of June 2021.
3. Art galleries (other than privately owned art galleries offering artworks for sale) except insofar as they operate to provide general admittance to members of the public.
4. Museums, except insofar as they operate to provide general admittance to members of the public.
5. Libraries, except insofar as they operate to provide lending services to members of the public.
6. Cultural indoor attractions, except insofar as they operate to provide general admittance to members of the public.
7. Circuses.
8. Nightclubs and discotheques, including those licenced under the Public Dance Halls Act 1935 (No. 2 of 1935).
9. Bingo halls, other than outdoor bingo at which persons attending do so in motor vehicles and remain in the vehicles without exiting the motor vehicles for the duration of such attendance.
10. Private Members’ Clubs (howsoever described) where gaming (within the meaning of the Gaming and Lotteries Act 1956 (No. 2 of 1956)) is carried on exclusively amongst members of the Private Members’ Club and is the primary purpose of such Private Members’ Club.
11. Ice skating rinks other than insofar as such rinks operate outdoors on or after the 7th day of June 2021.
12. Roller skating rinks other than insofar as such rinks operate outdoors on or after the 7th day of June 2021.
13. Indoor leisure facilities, including dance studios and gyms, other than insofar as they provide facilities for use by persons taking exercise on an individual basis on or after the 7th day of June 2021.
14. Swimming pools, other than insofar as they provide facilities for use, on or after the 7th day of June 2021, by—
  - (i) persons taking exercise on an individual basis, or

- (ii) persons for the purpose of participating in swimming lessons.
15. Bowling alleys, amusement arcades, soft play areas and other indoor children's play areas.
  16. Funfairs, including funfairs within the meaning of the Gaming and Lotteries Act 1956 (No. 2 of 1956) other than insofar as such funfairs operate outdoors on or after the 7th day of June 2021.
  17. Amusement halls licensed in accordance with the Gaming and Lotteries Act 1956 (No. 2 of 1956).
  18. Amusement parks and theme parks other than insofar as such parks operate outdoors on or after the 7th day of June 2021.
  19. Outlets selling food or beverages whether on a retail or wholesale basis and whether in a non-specialised or specialised outlet except –
    - (a) insofar as they sell food or beverages on a takeaway basis or for consumption off the premises,
    - (b) insofar as they are staff canteens operating for the exclusive use of persons working in, or at, a particular premises,
    - (c) outlets that provide hotel or other accommodation services to guests, or
    - (d) outlets that provide food or beverages for consumption on a part of the premises that is wholly outdoors on or after the 7th day of June 2021.”.

**SCHEDULE 2**

## “SCHEDULE 3

*Regulation 3A*

	<i>(1) Event</i>	<i>(2) Date</i>	<i>(3) Location</i>	<i>(4) Maximum number of persons</i>
1.	Outdoor concert curated by National Concert Hall	10th day of June 2021	Iveagh Gardens, Dublin	500
2.	Leinster v Dragons, rugby match	11th day of June 2021	RDS, Dublin	1,200
3.	Shamrock Rovers v Finn Harps, League of Ireland match	11th day of June 2021	Tallaght Stadium, Dublin	1,000
4.	Cork City v Cabinteely, League of Ireland match	11th day of June 2021	Turner's Cross, Cork	600
5.	Camogie national league final	20th day of June 2021	Croke Park, Dublin	3,000
6.	Opera performance	23rd day of June 2021	University of Limerick Concert Hall, Limerick	519
7.	Shamrock Rovers v Drogheda, League of Ireland match	25th day of June 2021	Tallaght Stadium, Dublin	1,000
8.	Athletics Ireland National Championships	26th day of June 2021	Morton Stadium, Dublin	400
9.	Music festival	26th day of June 2021	Phoenix Park, Dublin	3,500
10.	Indoor concert	26th day of June 2021	INEC, Kerry	200
11.	Race meeting	26th day of June 2021	Curragh racecourse, Kildare	1,000

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GIVEN under my Official Seal,  
1 June, 2021.

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) (No. 2) Regulations 2021 (S.I. No. 217 of 2021) to provide for the easing of restrictions on events and the operation of businesses and services. The regulations provide for a list of permitted Scheduled Events. The Regulations shall remain in operation until 05 July 2021.

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