



STATUTORY INSTRUMENTS.

S.I. No. 174 of 2020



HEALTH ACT 1947 (SECTION 31A – TEMPORARY RESTRICTIONS)
(COVID-19) (AMENDMENT) (NO. 3) REGULATIONS 2020

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HEALTH ACT 1947 (SECTION 31A – TEMPORARY RESTRICTIONS)
(COVID-19) (AMENDMENT) (NO. 3) REGULATIONS 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, the Minister for Business, Enterprise and Innovation and the Minister for Justice and Equality,

hereby makes the following regulations:

1. These Regulations may be cited as the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Amendment) (No. 3) Regulations 2020.

2. These Regulations shall come into operation on the 18th day of May 2020.

3. In these Regulations, “Principal Regulations” means the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) Regulations 2020 (S.I. No. 121 of 2020) (amended by the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Amendment) (No. 2) Regulations 2020 (S.I. No. 153 of 2020)).

4. Regulation 2 of the Principal Regulations is amended by the substitution of “the 8th day of June 2020” for “the 18th day of May 2020”.

5. Regulation 4 of the Principal Regulations is amended, in paragraph (2) -

- (a) by the substitution of the following subparagraph for subparagraph (e):
 - “(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,”
- (b) in subparagraph (f), by the deletion of “emergency”,

- (c) by the substitution of the following subparagraphs for subparagraph (i):
- “(i) exercise outdoors alone, or go outdoors alone for recreational purposes, within a 5 kilometre radius of the relevant residence,
 - (ia) exercise outdoors, or gather together outdoors for social or recreational purposes, within a 5 kilometre radius of the relevant residence -
 - (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
 - (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,” and
- (d) by the substitution of the following subparagraph for subparagraph (k):
- “(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.”

6. Regulation 5 of the Principal Regulations is amended, in paragraph (1)(a)(ii), by the substitution of “subject to Regulation 4(2)(ia), the number of” for “the number of”.

7. Schedule 1 to the Principal Regulations is amended -

- (a) in paragraph 10 -
- (i) by the substitution of “builders’ merchants, garden centres” for “builders’ merchants”,
 - (ii) by the substitution of the following subparagraph for subparagraph (a):
 - “(a) hardware products, supplies, tools, equipment or materials necessary for -
 - (i) home and business maintenance, or

- (ii) construction and development,”; and
 - (iii) in subparagraph (c), by the substitution of “necessary for” for “essential for”,
 - (b) by the deletion of paragraph 11, and
 - (c) by the addition of the following paragraphs:
 - “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).

 - 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.”.
8. Schedule 2 to the Principal Regulations is amended -
- (a) in paragraph 2, by the insertion of the following subparagraph after subparagraph (k):
 - “(ka) the manufacture of products necessary for national and international supply chains, other than such supply chains referred to in subparagraph (k);”,
 - (b) in paragraph 3, by the substitution of the following subparagraph for subparagraph (b):
 - “(b) the sale, supply, repair and maintenance of mechanically propelled vehicles or bicycles, and any related facilities (including tyre sales and repairs).”,
 - (c) in paragraph 5 -
 - (i) by the insertion of the following subparagraphs after subparagraph (b):
 - “(ba) construction and development work;

- (bb) the provision of support services relating to construction and development work;”, and
- (ii) in subparagraph (c), by the deletion of “on an emergency call-out basis”,
- (d) in paragraph 14 -
 - (i) by the substitution of the following subparagraph for subparagraph (j):
 - “(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;”, and
 - (ii) by the insertion of the following subparagraph after subparagraph (q):
 - “(qa) access by persons, for the purposes of their work in relation to the essential administration, organisation and distribution of remote learning services, to -
 - (i) schools,
 - (ii) higher education institutions, or
 - (iii) other education and training facilities.”, and
- (e) in paragraph 15(i), by the deletion of “emergency”.



GIVEN under the Official Seal of the Minister for Health,
17 May, 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), amend the Health Act 1947 (Section 31A -Temporary Restrictions) (Covid-19) Regulations 2020 (S.I. No. 121 of 2020). S.I. No. 121 of 2020 provides for the 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. These Regulations amend S.I. No. 121 of 2020 to provide for the limited easing of some restrictions and to extend the date of operation of S.I. No. 121 of 2020 until 8 June 2020.

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