



STATUTORY INSTRUMENTS.

S.I. No. 234 of 2020



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

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

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) (No. 3) Regulations 2020.
- (2) These Regulations shall come into operation on the 29th day of June 2020.

Operation of Regulations

2. These Regulations shall remain in operation until the 20th day of July 2020.

Revocation

3. The Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) Regulations 2020 (S.I. No. 206 of 2020) are revoked.

Definitions

4. In these Regulations –
“Act of 1947” means the Health Act 1947 (No. 28 of 1947);
“relevant geographical location” means a geographical location to which an affected areas order applies.

Restriction on events

5. (1) Subject to paragraph (2), a person shall not organise, or cause to be organised, an event for cultural, entertainment, recreational, sporting, social, community or educational reasons in a relevant geographical location other than where one or more of the following applies:

- (a) in the case of an indoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) does not exceed 50 persons;
- (b) in the case of an outdoor event, the maximum number of persons attending, or proposed to attend, the event (for whatever reason) does not exceed 200 persons;
- (c) the person so organising, or so causing to be organised, the event takes all reasonable steps to ensure that the number of persons attending, or proposed to attend, the event (for whatever reason) does not exceed, in the case of an indoor event, 50 persons, and in the case of an outdoor event, 200 persons.

(2) This Regulation shall not apply to an event held, or proposed to be held, in a private dwelling.

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

Carrying on or provision of certain businesses or services

6. (1) A relevant person shall take all reasonable steps to ensure that members of the public are not permitted, or otherwise granted, access to a premises in a relevant geographical location, or to a part of such premises, where a business or service of a type specified in paragraph (2) is carried on or otherwise provided.

(2) The following types of businesses and services are specified for the purposes of paragraph (1):

- (a) a nightclub or discotheque, including those licenced under the Public Dance Halls Act 1935 (No. 2 of 1935);
- (b) a casino or Private Members' Club at which gambling activities are carried out and which is operated on a commercial basis;
- (c) any other business or service that is selling or supplying intoxicating liquor for consumption on the premises and that, but for this Regulation, is otherwise permitted by law to do so, other than where such intoxicating liquor is –
 - (i) ordered by or on behalf of the member of the public being permitted, or otherwise granted, access to the premises, at the same time as a substantial meal is so ordered, during the meal or after the meal has ended, and
 - (ii) consumed by that member during the meal or after the meal has ended.

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

(4) In this Regulation –

“relevant person”, in relation to a premises, or part of such premises, where a business or service of a type specified in paragraph (2) is carried on or otherwise provided, means –

- (a) the occupier,
- (b) the manager, or
- (c) any other person for the time being in charge,

of the premises, or part of the premises, concerned;

“substantial meal” means a meal –

- (a) such as might be expected to be served as a main midday or main evening meal or as a main course at either such meal, and
- (b) that is of a kind, having regard to all the circumstances, for which it would be reasonable to charge a sum that is not less than €9.



GIVEN under the Official Seal of the Minister for Health,
26 June, 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 revoke the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (No. 2) Regulations 2020 (S.I. No. 206 of 2020), provide for restrictions on the numbers of persons attending indoor or outdoor events, and restrict access by the public to certain businesses and services. These are any business or service selling or supplying intoxicating liquor for consumption on the premises unless a substantial meal is also ordered. Access by the public to nightclubs, discotheques, casinos or Privates Members Clubs at which gambling activities are carried out and which are operated on a commercial basis is also restricted.

Penal provisions apply.

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