



STATUTORY INSTRUMENTS.

S.I. No. 583 of 2021



HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (RESTRICTIONS UPON TRAVEL TO THE STATE FROM
CERTAIN STATES) (NO. 5) (AMENDMENT) (NO. 5) REGULATIONS
2021

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HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS)
(COVID-19) (RESTRICTIONS UPON TRAVEL TO THE STATE FROM
CERTAIN STATES) (NO. 5) (AMENDMENT) (NO. 5) REGULATIONS
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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 Transport, the Minister for Foreign Affairs, the Minister for Housing, Local Government and Heritage, the Minister for Justice, the Minister for Enterprise, Trade and Employment 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) (Restrictions upon Travel to the State from Certain States) (No. 5) (Amendment) (No. 5) Regulations 2021.

(2) These Regulations shall come into operation on the 9th day of November 2021.

2. In these Regulation, “Principal Regulations” means the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (Restrictions upon Travel to the State from Certain States) (No. 5) Regulations 2021 (S.I. No. 135 of 2021).

3. Regulation 1 of the Principal Regulations is amended, in paragraph (3), by the substitution of “9th day of February 2022” for “8th day of November 2021”.

4. Regulation 2 of the Principal Regulations is amended -

- (a) in the definition of “exempted traveller” -
 - (i) in paragraph (g), by the substitution of “as the case may be, or” for “as the case may be,”,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 12th November, 2021.*

- (ii) by the substitution of the following paragraph for paragraph (h):
- “(h) a person who -
- (i) arrives in the State from a relevant state, or having been in a relevant state during the period of 14 days prior to so arriving, and
 - (ii) is the holder of a valid -
 - (I) proof of vaccination, or
 - (II) certificate of recovery;”,
- and
- (iii) by the deletion of paragraph (i),
- (b) by the substitution of the following definition for the definition of “proof of vaccination”:
- “‘proof of vaccination’ means a record or evidence, including evidence made up of a number of records or documents, in written or electronic form in the Irish language or the English language, or, where in a language other than the Irish or English language, an official translation into the Irish or English language, that contains the following information:
- (a) confirmation that the person to whom the record or evidence refers is a vaccinated person;
 - (b) the date or dates on which the person was vaccinated;
 - (c) the body in the state concerned –
 - (i) implementing the vaccination programme (howsoever described) on behalf of the state that administered or caused to be administered the vaccination to the person concerned, or
 - (ii) that has been authorised to issue such record or other evidence to the person concerned;”,
- (c) in the definition of “RT-PCR test”, by the substitution of “administered, and includes for the avoidance of doubt such a test by whatever name called” for “administered”,
- (d) by the substitution of the following definition for the definition of “vaccinated person”:
- “‘vaccinated person’ means -
- (a) a person to whom the medicinal product for active immunisation to prevent Covid-19 known as ‘Spikevax (previously COVID-19 Vaccine Moderna) CX-024414’ has been administered such that the second dose of the medicinal product concerned has been administered to the person not less than 14 days before his or her arrival in the State,
 - (b) 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 such that the second dose of the medicinal product concerned has been administered to the person not less than 15 days before his or her arrival in the State,

- (c) a person to whom the medicinal product authorised for active immunisation to prevent Covid-19 known as 'Comirnaty BNT162b2' has been administered such that the second dose of the medicinal product concerned has been administered to the person not less than 7 days before his or her arrival in the State,
- (d) a person to whom the medicinal product authorised for active immunisation to prevent Covid-19 known as 'COVID-19 Vaccine Janssen (Ad26.COVS-S [recombinant])' has been administered to the person not less than 14 days before his or her arrival in the State,
- (e) a person to whom the medicinal product for active immunisation to prevent Covid-19 known as 'COVID-19 Vaccine (Vero Cell) Inactivated', also known as 'CoronaVac', has been administered such that the second dose of the medicinal product concerned has been administered to the person not less than 14 days before his or her arrival in the State,
- (f) a person to whom the medicinal product for active immunisation to prevent Covid-19 known as 'Inactivated COVID-19 (VERO CELL) vaccine', also known as 'SinoPharm / BIBP' has been administered such that the second dose of the medicinal product concerned has been administered to the person not less than 14 days before his or her arrival in the State,
- (g) a person to whom any combination of the medicinal products referred to in paragraphs (a), (b), (c), (e) and (f) has been administered such that the second dose of the relevant combination has been administered to the person -
 - (i) in the case of the second dose being the medicinal product referred to in paragraph (a), not less than 14 days before his or her arrival in the State,
 - (ii) in the case of the second dose being the medicinal product referred to in paragraph (b), not less than 15 days before his or her arrival in the State,
 - (iii) in the case of the second dose being the medicinal product referred to in paragraph (c), not less than 7 days before his or her arrival in the State,
 - (iv) in the case of the second dose being the medicinal product referred to in paragraph (e), not less than 14 days before his or her arrival in the State, or

- (v) in the case of the second dose being the medicinal product referred to in paragraph (f), not less than 14 days before his or her arrival in the State, or
 - (h) a person to whom one dose of a medicinal product referred to in paragraphs (a), (b), (c), (e) or (f) has been administered no more than 180 days after the person was subject to a RT-PCR test the result of which confirmed that Covid-19, or the virus SARS-CoV-2, was detected in the person at the time of taking the test.”
- and
- (e) by the deletion of the definition of “vaccination certificate”.

5. Regulation 5 of the Principal Regulations is amended -

- (a) in paragraph (1A) -
 - (i) in subparagraph (a), by the substitution of “proof of vaccination” for “vaccination certificate”, and
 - (ii) in subparagraph (b), by the substitution of “proof of vaccination” for “vaccination certificate”,
- (b) in paragraph (2) -
 - (i) in subparagraph (c), by the substitution of “traveller.” for “traveller, or”, and
 - (ii) by the deletion of subparagraph (d), and
- (c) in paragraph (4), by the substitution of “(1) and (3)” for “(1), (1A) and (3)”.

6. Regulation 6 of the Principal Regulations is amended by the substitution of the following paragraph for paragraph (5):

- “(5) Without prejudice to paragraph (1), a relevant traveller (other than a transit traveller) who arrives in the State without having a relevant test result shall, as soon as practicable after so arriving and in any event not later than 36 hours after so arriving -
- (a) undertake a RT-PCR test,
 - (b) retain the result of the RT-PCR test for 14 days after receiving the result, and
 - (c) produce, within the 14 day period referred to in paragraph (b), on request of a member of the Garda Síochána, the result of the test so taken.”.

7. Regulation 7 of the Principal Regulations is amended, in paragraph (2) -

- (a) by the substitution of “Paragraphs (1)(b) and (1)(c)” for “Paragraph (1)(c)”, and

- (b) by the substitution of “traveller” for “traveller (other than a person who is an exempted traveller by virtue of paragraph (i) of the definition of that term)”.

8. Regulation 10 of the Principal Regulations is amended, in paragraph (1)(b) -

- (a) by the deletion of clause (iii), and
- (b) by the substitution, in clause (v), of “proof of vaccination” for “vaccination certificate”.



GIVEN under my Official Seal,
8 November, 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) (Restrictions upon Travel to the State from States) (No. 5) Regulations 2021 (S.I. No. 135 of 2021) to amend the definition of “vaccinated person” within the primary regulations to provide for heterologous vaccination courses and additional medical products for vaccination. The primary regulations are further amended to place an obligation on relevant travellers who travel to the State without a relevant test result to take a test within 36 hours of arrival.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
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