



STATUTORY INSTRUMENTS.

**S.I. No. 152 of 2024**



HEALTH ACT 1970 (SECTION 45(3)) (CLASSES OF PERSONS)  
REGULATIONS 2024

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HEALTH ACT 1970 (SECTION 45(3)) (CLASSES OF PERSONS)  
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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by section 45(3) of the Health Act 1970 (No. 1 of 1970), with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, hereby make the following Regulations:

1. These Regulations may be cited as the Health Act 1970 (Section 45(3)) (Classes of Persons) Regulations 2024.

2. In these Regulations –

“Act of 1970” means the Health Act 1970 (No. 1 of 1970);

“Act of 2023” means the Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023);

“general payment” has the same meaning as it has in section 2 of the Act of 2023;

“relevant person” has the same meaning as it has in section 2 of the Act of 2023;

“work-related payment” has the same meaning as it has in section 2 of the Act of 2023.

3. The following classes of persons are specified for the purposes of section 45(3) of the Health Act 1970 (No. 1 of 1970), namely:

(a) a relevant person –

(i) in respect of whom a general payment or both a general payment and a work related payment has been made to him or her under section 32(1)(a) of the Act of 2023,

(ii) who, immediately prior to such payment or payments, as the case may be, being made to him or her, had full eligibility under section 45(1) of the Act of 1970, and

(iii) who, but for that payment or payments, as the case may be, would continue to have such full eligibility;

(b) a relevant person –

(i) in respect of whom a general payment or, both a general payment and a work related payment has been made to him or her under section 32(1)(a) of the Act of 2023,

(ii) who immediately prior to such payment or payments, as the case may be, being made to him or her, did not have full eligibility under section 45(1) of the Act of 1970, and

- (iii) who, notwithstanding (ii), would, if he or she were to be assessed for the purposes of section 45(1) of the Act of 1970, be deemed, but for such payment or payments, as the case may be, to have full eligibility under that section.

The Minister for Public Expenditure, National Development Plan Delivery and Reform consents to the foregoing Regulations.



GIVEN under my Official Seal of the Minister for Public Expenditure, National Development Plan Delivery and Reform,  
26 June, 2024.

PASCHAL DONOHOE,  
Minister for Public Expenditure, National Development  
Plan Delivery and Reform.



GIVEN under my Official Seal,  
1 July, 2024.

STEPHEN DONNELLY,  
Minister for Health.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This Order specifies the classes of persons for whom a general payment and a work-related payment provided under the Mother and Baby Institutions Payment Scheme Act 2023 will be disregarded in the assessment of full eligibility for health services under section 45 of the Health Act 1970.

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