



STATUTORY INSTRUMENTS.

S.I. No. 750 of 2024



HEALTH (PROVISION OF INFORMATION FOR HEALTH
EXAMINATION AND TREATMENT SERVICE) REGULATIONS 2024

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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by section 72 of the Health Act 1970 (No. 1 of 1970), hereby make the following regulations:

1. These Regulations may be cited as the Health (Provision of Information for Health Examination and Treatment Service) Regulations 2024.

2. In these Regulations –

“General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

“personal data” has the meaning it has in the General Data Protection Regulation;

“processing”, in relation to personal data, has the meaning it has in the General Data Protection Regulation;

“school” means a recognised school within the meaning of section 2 of the Education Act 1998 (No. 51 of 1998).

3. Where the Health Service Executive has made available without charge a health examination and treatment service for pupils who attend any primary school or who are taught at home in accordance with section 66 of the Health Act 1970 (No. 1 of 1970), the Health Service Executive may request information from a school manager or governing body of a school regarding such pupils attending that school.

4. The information requested in accordance with Regulation 3 may include:

- (a) the name, address, date of birth and sex of the pupil;
- (b) the birth surname of the mother of the pupil;
- (c) the name, phone number and email address of the parent or guardian of the pupil;
- (d) the personal public service number (if any) (within the meaning of section 262 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005)) of the pupil;

¹ OJ No. L119, 4.5.2016, p. 1.

- (e) the name of the school which the pupil attends;
- (f) the school roll number for the pupil.

5. Where the Health Service Executive requests information in accordance with Regulation 3, a school manager or governing body shall provide such information requested in writing within 10 days of such request being made.

6. Personal data, including special categories of personal data, provided under these Regulations may be processed by the Health Service Executive in accordance with the General Data Protection Regulation and the Data Protection Act 2018 (No. 7 of 2018) where necessary and proportionate for the performance of its functions under Regulation 3.

7. For the purposes of these Regulations, the Health Service Executive is designated as a data controller in relation to personal data processed by it pursuant to Regulation 6.

8. Personal data processed for the purposes referred to in Regulation 6 shall not be retained for any period beyond which it is required and shall be permanently deleted after it is no longer required.



GIVEN under my Official Seal,
17 December, 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 regulation will permit the sharing of data by schools to the HSE for the purpose of carrying out health examinations under the School Health Programme.

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