



STATUTORY INSTRUMENTS.

S.I. No. 296 of 2020



HEALTH ACT 1947 (SECTION 31A – TEMPORARY RESTRICTIONS)
(COVID-19) (FACE COVERINGS IN CERTAIN PREMISES AND
BUSINESSES) REGULATIONS 2020

S.I. No. 296 of 2020

HEALTH ACT 1947 (SECTION 31A – TEMPORARY RESTRICTIONS)
(COVID-19) (FACE COVERINGS IN CERTAIN PREMISES AND
BUSINESSES) REGULATIONS 2020

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 Business, Enterprise and Innovation and the Minister for Justice and Equality,

hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Face Coverings in Certain Premises and Businesses) Regulations 2020.

(2) These Regulations shall come into operation on the 10th day of August 2020.

Operation of Regulations

2. These Regulations shall remain in operation until the 5th day of October 2020.

Definitions

3. In these Regulations -

“face covering” means a covering of any type which when worn by a person covers the person’s nose and mouth;

“reasonable excuse” shall be construed in accordance with Regulation 5;

“relevant geographical location” means a geographical location to which an affected areas order applies;

“relevant premises” means an indoor premises, or a part of such a premises, to which the public has access -

- (a) where goods are sold directly to the public,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th August, 2020.*

- (b) that is specified in Part A of the Schedule, or
- (c) in which a service specified in Part B of the Schedule is provided or a business specified in Part B of the Schedule is carried on,

but does not include an indoor premises or a part of such a premises -

- (i) that is a post office, credit union or bank,
- (ii) in which the principal activity is the sale of food or beverages for consumption on the premises, or
- (iii) in which the principal activity is the provision of medical or dental services or other healthcare services (other than retail pharmacy businesses (within the meaning of the Pharmacy Act 2007 (No. 20 of 2007)), optician and optometrist outlets and outlets providing hearing test services or selling hearing aids and appliances);

“responsible person”, in relation to a relevant premises, means each of the following:

- (a) the occupier of the relevant premises,
- (b) the manager of the relevant premises, and
- (c) any other person for the time being in charge of the relevant premises;

“worker”, in relation to a relevant premises, means a person working at the relevant premises under a contract of employment or a contract for service.

Requirement to wear face covering

4. (1) A person shall not, without reasonable excuse, enter or remain in a relevant premises in a relevant geographical location without wearing a face covering.

(2) Paragraph (1) shall not apply to -

- (a) a person under the age of 13 years,
- (b) a responsible person or a worker where -
 - (i) there is a screen that separates the responsible person or worker from other persons, or
 - (ii) the responsible person or worker takes all reasonable steps to maintain a distance of at least two metres between himself or herself and other persons,

or

- (c) a member of the Garda Síochána in the course of performing his or her duties.

(3) Paragraph (1) is a penal provision for the purposes of section 31A of the Health Act 1947 (No. 28 of 1947).

(4) A responsible person shall take reasonable steps to engage with persons entering or in the relevant premises to inform them of the requirements of paragraph (1) and to promote compliance with those requirements.

Reasonable excuse

5. Without prejudice to the generality of what constitutes reasonable excuse for the purposes of Regulation 4(1), a person has reasonable excuse if -

- (a) the person cannot put on, wear or remove a face covering -
 - (i) because of any physical or mental illness, impairment or disability, or
 - (ii) without severe distress,
- (b) the person needs to communicate with a person who has difficulties communicating (in relation to speech, language or otherwise),
- (c) the person removes the face covering to provide emergency assistance or to provide care or assistance to a vulnerable person,
- (d) the person removes the face covering to avoid harm or injury, or the risk of harm or injury,
- (e) the person removes the face covering in order to, and only for the time required to, take medication,
- (f) the person removes the face covering at the request of a responsible person, or of a worker, in order to enable him or her to ascertain the person's age by reference to photographic identification for the purposes of the sale of goods or services in respect of which there is a minimum age requirement or where the responsible person, or worker, has lawful authority to verify the person's identity, or
- (g) the person removes the face covering at the request of a responsible person, or of a worker, in order to assist the responsible person or worker to provide him or her with healthcare or healthcare advice.

Schedule

Regulation 3

Part A
Specified Premises

1. Shopping centres.
2. Libraries.
3. Cinemas and cinema complexes.
4. Theatres.
5. Concert halls.
6. Bingo halls.
7. Museums.

Part B

Specified Services and Businesses

1. Cosmetic nail care or nail styling.
2. Hair care or hair styling.
3. Tattoo and piercing services.
4. Travel agents and tour operators.
5. Laundries and dry cleaners.
6. Licensed bookmakers (within the meaning of the Betting Act 1931 (No. 27 of 1931)).



GIVEN under my Official Seal,
8 August, 2020.

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 require the wearing of face coverings in certain premises. A person shall not, without reasonable excuse, enter or remain in a premises where goods are sold directly to the public or a premises set out in the Schedule to the Regulations, without wearing a face covering.

The Regulations do not apply to children aged under 13 years.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2,
D02 DR67.

Teil: 076 110 6834
r-post: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2,
D02 DR67.

Tel: 076 110 6834
E-mail: publications@opw.ie

€ 3.00

