



STATUTORY INSTRUMENTS.

S.I. No. 219 of 2021



HEALTH ACT 1947 (FIXED PAYMENT NOTICE AND DWELLING
EVENT PROVISIONS) (COVID-19) (NO.2) REGULATIONS 2021

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HEALTH ACT 1947 (FIXED PAYMENT NOTICE AND DWELLING
EVENT PROVISIONS) (COVID-19) (NO.2) REGULATIONS 2021

I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by sections 5, 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)) and 31C (inserted by section 4 of the Health (Amendment) Act 2020 (No. 19 of 2020)) of the Health Act 1947 (No. 28 of 1947) -

- (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 section 31A(2) of that Act,
- (b) as regards Regulation 4, having regard also to the matters specified in section 31A(6C)(b) of that Act,
- (c) as regards Regulation 5, having regard also to the matters specified in section 31A(6D)(b) of that Act, and
- (d) having consulted with the Minister for Justice,

hereby make the following regulations:

1. (1) These Regulations may be cited as the Health Act 1947 (Fixed Payment Notice and Dwelling Event Provisions) (Covid-19) (No.2) Regulations 2021.

(2) These Regulations shall come into operation on the 10th day of May 2021.

2. The Health Act 1947 (Fixed Payment Notice and Dwelling Event Provisions) (Covid-19) Regulations 2021 (S.I. No. 170 of 2021) are revoked.

3. In these Regulations, “Act of 1947” means the Health Act 1947 (No. 28 of 1947).

4. The provisions specified in column (2) of Schedule 1, each of which is a penal provision for the purposes of section 31A of the Act of 1947, are prescribed to be fixed penalty provisions and the amount specified in column (3) of that Schedule, opposite a fixed penalty provision, is prescribed as the fixed payment in respect of the fixed penalty provision concerned.

5. Regulations 5(1) and 7(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021), being penal provisions for the purposes of section 31A of the Act of 1947, are prescribed to be dwelling event provisions.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th May, 2021.*

6. The form set out in Schedule 2 is prescribed for the purposes of sections 31A(6C)(c) and 31C(1) of the Act of 1947.

Schedule 1

Regulation 4

Column 1	Column 2	Column 3
Paragraph	Fixed penalty provision	Fixed payment
1.	Regulation 7(4) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (Face Coverings on Public Transport) Regulations 2020 (S.I. No. 244 of 2020)	€80
2.	Regulation 4(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (Face Coverings in Certain Premises and Businesses) Regulations 2020 (S.I. No. 296 of 2020)	€80
3.	Regulation 4(1) of the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Face Coverings in Small Public Service Vehicles and Certain Premises) Regulations 2020 (S.I. No. 569 of 2020)	€80
4.	Regulation 3(1) of the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Face Coverings in Certain Premises and Businesses) (No. 2) Regulations 2020 (S.I. No. 571 of 2020)	€80
5.	Regulation 3(2)(b) of the Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19) (Face Coverings in Certain Premises and Businesses) (No. 2) Regulations 2020 (S.I. No. 571 of 2020)	€80
6.	Regulation 4(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021)	€2,000
7.	Regulation 5(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021)	€500
8.	Regulation 7(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021)	€150
9.	Regulation 8(1) of the Health Act 1947 (Section 31A - Temporary Restrictions) (Covid-19) (No.2) Regulations 2021 (S.I. No. 217 of 2021)	€500

Schedule 2

Regulation 6

Fixed Penalty Provision Office

Notice under section Section 31A and 31C of the Health Act 1947



An Garda Síochána

Fixed Charge Processing Office
Parnell Street
Thurles
County Tipperary

Telephone Enquiries: 1890 30 40 60
Outside Ireland: +353 504 59800
Email Enquiries: npo@garda.ie
Website: www.garda.ie/FCN

Date of Notice:
Day 28:

Reference Number

Alleged Offence

It is alleged that you have committed an offence (specify offence) on (insert date) at (insert time) at (insert location).

Payment of Fixed Payment

- In respect of the offence alleged in this notice, you may, during the period of 28 days, beginning on the date of this notice, pay a fixed payment of € (insert amount).
- A payment of a fixed payment under this notice must be accompanied by all of this notice, if payment is made in person or by post, or by quoting the reference number mentioned on it, if payment is allowed otherwise below, and in the manner stated below.
- You will not be prosecuted -
 - during the period of 28 days from the date of this notice, or
 - at all, if the correct payment, in accordance with this notice, during that period, is made in respect of the offence specified in this notice.
- You are not obliged to make the payment specified in this notice. However, you will be prosecuted for the alleged offence if you do not make payment as mentioned above.
- Refund of a payment made pursuant to this notice will not be made in any circumstance. You are entitled to disregard this notice and defend the prosecution of the alleged offence in court.

NOTE: Complete the section below if you are paying the fixed payment. Do not detach it from this notice.



Manner of Payment

A payment of a fixed payment under this notice must be accompanied by all of this notice.

IN PERSON

You can pay by cheque, postal money order, bank draft (made payable to An Post), cash or credit card at any Post Office displaying this logo **an post**

BY POST

You should allow a minimum of 5 working days for payment by post to be received in time. You can pay by cheque (only one cheque for full amount per payment is accepted), postal money order, bank draft (made payable to 'Member in Charge') or credit card (by filling out details below on the Card Payment Section) and posting to An Garda Síochána, PO Box 55, Kílrush, Co. Clare. (IT IS INADVISABLE TO SEND CASH BY POST)

BY TELEPHONE

You can pay by credit card by telephoning 1890 304 060 Monday to Friday 9am - 5pm and selecting option 2 (payment).

ONLINE

You can pay using the An Post Online service at gardapayments.anpost.ie

CARD PAYMENT SECTION

Card Type (tick 1) Visa Credit Mastercard Visa Debit
Irish Banks Only

Card Number:

Payment Amount: € _____ . _____ Expiry Date: ____ / ____

Cardholder Signature: _____

Cion Forála Pionóis Sheasta

Fógra faoi alt 31A agus 31C den
Acht Sláinte 1947

An Garda Síochána

An Oifig Príseála Muirear Seasta
Sráid Parnell
Durlas
Co Thiobraid ÁrannFiosruithe Teileafón: 1890 30 40 60
Lasmuigh d'Éireann: +353 504 59800
Fiosruithe Ríomhphoist: npo@garda.ie
Láithreán Gréasáin: www.garda.ie/FCNDáta an Fhógra:
Lá 28:

Uimhir Thagartha

Cion Líomhnaithe

Líomhnaithear go ndearna tú cion (sonraigh an cion) ar an (sonraigh an dáta) ar (sonraigh an t-am) i (sonraigh an áit).

Fógra Íocaíochta Seasta a íoc

- Maidir leis an gcion a líomhnaithear san fhógra seo, is féidir íocaíocht seasta € (cuir isteach an méid) a íoc le linn na tréimhse 28 lá ag tosú ar dháta an fhógra seo.
- Ní mór an fógra seo ina iomláine a chur le haon íocaíocht seasta a dhéantar faoin bhfógra seo má tá an íocaíocht á déanamh i bpearsa nó tríd an bpost, nó i gcás go gceadaítear an modh íocaíochta thíosluaite, ní mór an uimhir thagartha a luaitear ar an bhfógra íocaíochta seasta seo a lua.
- Ní ionchúiseofar tú
 - le linn na tréimhse 28 lá ó dháta an fhógra seo, nó
 - ar chor ar bith más rud é go ndéanfar an íocaíocht iomchuí, de réir an fhógra seo, i leith an chiona a shonraítear san fhógra seo le linn na tréimhse sin.
- Níl aon oibleagáid ort an íocaíocht a shonraítear san fhógra seo a dhéanamh. Ionchúiseofar tú i leith an chiona líomhnaithe, áfach, mura ndéanann tú an íocaíocht mar a leagtar amach thuas é.
- Ní aisíocfar aon íocaíocht a dhéanfar de bhun an fhógra seo i gcúinse ar bith. Tá sé de cheart agat neamhshuim a dhéanamh den fhógra seo agus ionchúiseamh an chiona líomhnaithe a chosaint sa chúirt.

NOTA: Comhlánaigh an chuid thíos má tá tú chun an íocaíocht seasta a íoc. Ná scoith i den fhógra seo.



An Modh Íocaíochta

Ní mór an fógra seo ina iomláine a bheith ag gabháil le híocaíocht sheasta faoin bhfógra seo.

GO PEARSANTA

Is féidir leat íoc le seic, le hordú airgid poist, le dréacht bainc (iníochta le 'An Post'), le hairgead nó le cárta creidmheasa ag Oifig Poist ar bith a bhfuil an lógó seo **an post**

TRÍD AN bPOST

Chun go bhfaighfeair í in am, ba chóir íocaíocht tríd an bpost a sheoladh ar a laghad 5 lá oibre roimh ré. Is féidir íoc le seic (ní ghlactar ach le haon seic amháin don mhéid iomlán in aghaidh na híocaíochta), le hordú airgid poist, le dréacht bainc (iníochta le 'An Comhalta i gCeannas') nó le cárta creidmheasa (trí na sonraí thíos a líonadh isteach i gCuid na híocaíochta Cárta) agus é a chur sa phost chuig An Garda Síochána, Bosca Poist 55, Cill Rois, Co. an Chláir. (NÍ MHOLTAR AIRGEAD TÍRIM A SHEOLADH TRÍD AN bPOST)

TEILEAFÓN

Is féidir leat íoc le cárta creidmheasa trí ghlaoch a chur ar 1890 304 060 Luan go hAoine 9 r.n. go dtí 5 i.n.

AR LINE

Is féidir leat íoc ach leas a bhaint as Seirbhís ar Líne An Post ag gardapayments.anpost.ie

CUID NA hÍOCAÍOCHTA CÁRTA

An Cineál Cárta (ticeáil ceann amháin) Visa Credit Mastercard Visa Debit
Bainc Éireannacha amháinUimhir an Chárta:

Méid na híocaíochta: € _____ . ____ Dáta Éaga: ____ / ____

Siniú Shealbhóir an Chárta: _____



GIVEN under my Official Seal,
9 May, 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 revoke the Health Act 1947 (Fixed Payment Notice and Dwelling Event Provisions) (Covid-19) Regulations 2021 (S.I. No. 170 of 2021), as amended. These Regulations provide for certain penal provisions in Regulations made under Section 31A of the Health Act 1947 to be fixed penalty and/or dwelling event provisions.

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

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