

## LITIGATION, DISPUTE RESOLUTION &amp; INVESTIGATIONS

# COVID-19: Regulations restricting movement signed into law

9 April 2020

Regulations to help prevent, limit, minimise or slow the risk of infection posed by COVID-19 have now been signed into law.

The [Health Act 1947 \(Section 31A-Temporary Restrictions\) \(COVID-19\) Regulations 2020](#) give legal effect to the measures announced by the Government on 27 March restricting the movement of people across the State, subject to certain exceptions. These Regulations were made by the Minister for Health under powers given to him by the [Health \(Preservation and Protection and Other Measures in the Public Interest\) Act 2020](#), and, as it stands, they remain in force until midnight on 4 May.

## Restrictions on movement

The Minister has declared the entire State to be an “affected area”, and has imposed severe restrictions on the movements of everyone within the State in an effort to limit the spread of COVID-19. An “affected area” is an area where there is known or thought to be sustained transmission of COVID-19 or from which there is a high risk of importation or infection or contamination with COVID-19 by travel from that area.

The Regulations provide that a person cannot leave his/her place of residence “without reasonable excuse” and they set out a list of what might be considered to come within this exception (see table).

One of the principal exceptions is

to provide, or assist in the provision of, an essential service, whether for remuneration or not. There are 17 categories of “essential services” covering a range of sectors including health and social care, financial and legal, construction, manufacturing, agriculture and retail and wholesale trade. These are set out in Schedule 2 of the Regulations.

Anyone who breaches these restrictions risks committing a criminal offence and faces a fine of up to €2,500 and/or 6 months in prison. The Gardaí have broad powers to enforce compliance with the Regulations.

## Restriction on events

The Regulations also make it an offence to hold events or to participate in events, except in certain limited circumstances. An “event” is very widely defined to include a gathering of people for cultural, entertainment, recreational, sporting, commercial, work, social, community, educational, religious or other reasons.

Gatherings of people for the purpose of providing or accessing an essential service or attending to any of the matters that come within the list of reasons you can leave your residence are allowed, provided the number of participants is limited to no more than is reasonably necessary in the circumstances.

## You can leave your house to:

Provide, or assist in the provision of, an essential service;

Go to an essential retail outlet for yourself, the people you live with or a vulnerable person;

Get money for yourself, the people you live with or a vulnerable person;

Attend a medical appointment, or accompany someone you live with or a vulnerable person to a medical appointment;

Seek essential medical, health or emergency dental assistance for yourself, someone you live with or a vulnerable person;

Donate blood or accompany someone you live with to donate blood;

Seek veterinary assistance;

Exercise alone or with someone you live within 2km of your residence;

Attend to vital family matters, including to provide care to vulnerable persons;

Attend the funeral of a person you lived with before their death or a close family member;

Fulfil a legal obligation, attend a court office, initiate emergency legal proceedings or to execute essential legal documents;

Access an essential service or to assist someone you live with or a vulnerable person to access an essential service, where access to the service is immediately required;

Give effect to arrangements for access to a child;

Move to another residence where necessary;

Provide emergency assistance or avoid injury, illness or a risk of harm; or

In the case of ministers of religion or priests only, to lead worship or services remotely, to minister the sick or to conduct funeral services.

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