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*Number 46 of 2021*

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**Health and Criminal Justice (Covid-19) (Amendment) (No. 2) Act 2021**

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**HEALTH AND CRIMINAL JUSTICE (COVID-19) (AMENDMENT) (NO. 2) ACT 2021**

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[No. 46.]

*Health and Criminal Justice  
(Covid-19) (Amendment) (No. 2) Act 2021.*

[2021.]

ACTS REFERRED TO

Criminal Justice (Enforcement Powers) (Covid-19) Act 2020 (No. 14)

Health (Amendment) (No. 2) Act 2021 (No. 24)

Health (Amendment) Act 2020 (No. 19)

Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act  
2020 (No. 1)

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*Number 46 of 2021*

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**HEALTH AND CRIMINAL JUSTICE (COVID-19) (AMENDMENT) (NO. 2) ACT 2021**

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An Act to provide for the continuation in operation for a further period, which may be extended in certain circumstances, of certain provisions of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, the Criminal Justice (Enforcement Powers) (Covid-19) Act 2020, the Health (Amendment) Act 2020 and the Health (Amendment) (No. 2) Act 2021, in the public interest and having regard to the continuing manifest and grave risk to human life and public health posed by the spread of the disease known as Covid-19 (and variants of the virus that causes that disease) in order to mitigate, where practicable, the effects of the spread of that disease; and to provide for related matters. [21st December, 2021]

WHEREAS a public health emergency has arisen and continues in the State by virtue of the spread of the disease known as Covid-19;

WHEREAS the State, having regard to the need to preserve and protect public health, has introduced a range of extraordinary measures and safeguards to prevent, minimise, limit or reduce the risk of persons being infected with that disease;

WHEREAS the continuation in operation of such measures and safeguards forms part, along with the programme of vaccination against that disease, of efforts on the part of the State to preserve and protect public health;

WHEREAS, notwithstanding the fact that a programme of vaccinations for active immunisation to prevent the transmission of that disease has now been administered to a significant part of the population of the State, and the augmenting of that programme through the administration of additional vaccinations to certain categories of fully vaccinated persons, certain epidemiological indicators indicate a worsening profile of the disease in the State, with the future trajectory of that disease remaining uncertain, giving rise to an ongoing risk that the health system in the State may come under significant and sustained pressure and significant damage may be caused to the economy of the State;

WHEREAS the administration of vaccinations to a significant part of the population has resulted in the easing of many of the measures and safeguards which were for the time being in force for the purposes of preventing, minimising, limiting or reducing further transmission of that disease, there is a continued need for a range of public health protective measures and safeguards;

WHEREAS a resolution approving the continuation in operation of the amendments to the Health Act 1947 effected by Part 3 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 until the 9th day of February 2022 was passed by both Houses of the Oireachtas on the 3rd day of November 2021 in accordance with section 2(3) of that Act;

WHEREAS a resolution approving the continuation in operation of the Criminal Justice (Enforcement Powers) (Covid-19) Act 2020 until the 9th day of February 2022 was passed by both Houses of the Oireachtas on the 3rd day of November 2021 in accordance with section 17(3) of that Act;

WHEREAS a resolution approving the continuation in operation of the Health (Amendment) Act 2020 until the 9th day of February 2022 was passed by both Houses of the Oireachtas on the 3rd day of November 2021 in accordance with section 6(3) of that Act;

WHEREAS a resolution approving the continuation in operation of the Health (Amendment) (No. 2) Act 2021 until the 9th day of January 2022 was passed by both Houses of the Oireachtas on the 6th day of October 2021 in accordance with section 1(4) of that Act;

WHEREAS the continuation in operation of such measures and safeguards forms part of efforts on the part of the State to preserve and protect public health including in response to unforeseen or sudden events related to the spread of the disease;

WHEREAS the State remains, in significant respects, highly exposed to the effects of the spread of the disease, including such effects as may arise from the emergence of variants or other unforeseen epidemiological developments;

AND WHEREAS as a consequence it is necessary for the State, for compelling reasons of public interest and for the common good, to continue for a further period the measures taken and the safeguards put in place to address the emergency and to defend

and vindicate the rights of citizens to life and to bodily integrity:

**Be it enacted by the Oireachtas as follows:**

**Amendment of section 2 of Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020**

1. Section 2 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 is amended—

(a) in subsection (3), by the substitution of the following paragraph for paragraph (b):

“(b) Part 3, continue in operation for the period beginning on the 10th day of February 2022 and ending on the later of—

(i) the 31st day of March 2022, or

(ii) the date that is specified in a resolution passed by each House of the Oireachtas under subsection (6).”

and

(b) by the substitution of the following subsection for subsection (6):

“(6) Each House of the Oireachtas may, before the 31st day of March 2022, pass a resolution to continue in operation the amendments effected by Part 3 for such period, not exceeding 3 months, that ends on a date specified in the resolution.”

**Amendment of section 17 of Criminal Justice (Enforcement Powers) (Covid-19) Act 2020**

2. Section 17 of the Criminal Justice (Enforcement Powers) (Covid-19) Act 2020 is amended—

(a) by the substitution of the following subsection for subsection (3):

“(3) This Act continues in operation for the period beginning on the 10th day of February 2022 and ending on the later of—

(a) the 31st day of March 2022, or

(b) the date that is specified in a resolution passed by each House of the Oireachtas under subsection (4).”

and

(b) by the substitution of the following subsection for subsection (4):

“(4) Each House of the Oireachtas may, before the 31st day of March 2022, pass a resolution to continue this Act in operation for such period, not exceeding 3 months, that ends on a date specified in the resolution.”

**Amendment of section 6 of Health (Amendment) Act 2020**

3. Section 6 of the Health (Amendment) Act 2020 is amended—

(a) by the substitution of the following subsection for subsection (3):

“(3) This Act continues in operation for the period ending on the later of—

(a) the 31st day of March 2022, or

(b) the date that is specified in a resolution passed by each House of the Oireachtas under subsection (4).”

and

(b) by the substitution of the following subsection for subsection (4):

“(4) Each House of the Oireachtas may, before the 31st day of March 2022, pass a resolution to continue this Act in operation for such period, not exceeding 3 months, that ends on a date specified in the resolution.”

**Amendment of section 1 of Health (Amendment) (No. 2) Act 2021**

4. Section 1 of the Health (Amendment) (No. 2) Act 2021 is amended—

(a) by the substitution of the following subsection for subsection (3):

“(3) Part 2 shall continue in operation for the period ending on the later of—

(a) the 31st day of March 2022, or

(b) the date that is specified in a resolution passed by each House of the Oireachtas under subsection (4).”

and

(b) by the substitution of the following subsection for subsection (4):

“(4) Each House of the Oireachtas may, on or before the 31st day of March 2022, pass a resolution to continue Part 2 in operation for such period, not exceeding 3 months, that ends on a date specified in the resolution.”

**Short title and commencement**

5. (1) This Act may be cited as the Health and Criminal Justice (Covid-19) (Amendment) (No. 2) Act 2021.

(2) This Act, other than *section 4*, shall come into operation on the 10th day of February 2022.

(3) *Section 4* shall come into operation on the 10th day of January 2022.