Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 26 *of* 1953

HEALTH ACT 1953

REVISED

Updated to 3 February 2026

This Revised Act is an administrative consolidation of the *Health Act 1953*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Credit Review Act 2026* (1/2026), enacted 3 February 2026, and all statutory instruments up to and including the *Gambling Regulation Act 2024 (Commencement) Order 2026* (S.I. No. 31 of 2026), made 3 February 2026, were considered in the preparation of this Revised Act.

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Number 26 *of* 1953.

HEALTH ACT 1953

REVISED

Updated to 3 February 2026

ARRANGEMENT OF SECTIONS

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Section

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58. Regulations as to filling materials.
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ACTS REFERRED TO

Number 26 *of* 1953

HEALTH ACT 1953

REVISED

Updated to 3 February 2026

AN ACT TO AMEND AND EXTEND THE HEALTH ACT, 1947, AND CERTAIN OTHER ENACTMENTS. [29*th October*, 1953.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

PART I

PRELIMINARY AND GENERAL

Short title and collective citation.

1.—(1) This Act may be cited as the Health Act, 1953.

(2) The Principal Act and this Act may be cited together as the Health Acts, 1947 and 1953.

Commencement.

2.—Save as otherwise specifically provided thereby, this Act shall come into operation on such day or days as, by order or orders made by the Minister under this section, may be fixed therefor either generally or with reference to any particular purpose or provision and different days may be so fixed for different purposes and different provisions.

Principal Act and construction of that Act and this Act.

3.—(1) In this Act "the Principal Act" means the Health Act, 1947 (No. 28 of 1947).

(2) The Principal Act and this Act shall be construed together as one Act.

(3) Without prejudice to the generality of subsection (2) of this section, a reference in the Principal Act to that Act shall, save where the context otherwise requires, be construed as including a reference to this Act.

General saver.

4.—(1) Nothing in this Act or any instrument thereunder shall be construed as imposing an obligation on any person to avail himself or any service provided under this Act or to submit himself or any person for whom he is responsible to health examination or treatment.

(2) Any person who avails himself of any service provided under this Act shall not be under any obligation to submit himself or any person for whom he is responsible to a health examination or treatment which is contrary to the teaching of his religion.

Repeals.

5.—The enactments mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

PART II

INSTITUTIONS

Extension of meaning of "institution."

6.—F1**[...]**

District institutions and dispensaries.

7.—F2**[...]**

Conduct and management of health institution.

8.—F3**[...]**

Direction with respect to institutional services.

9.—F4**[...]**

Extern institutions.

10.—F5**[...]**

Transfer of officers on discontinuation of health institution.

11.—F6**[...]**

Religious Services.

12.—F7**[...]**

Exemption from local inquiry.

13.—F8**[...]**

PART III

HEALTH SERVICES

General medical services.

14.—F9**[...]**

Institutional and specialist services.

15.—(1) F10**[...]**

(2) F10**[...]**

(3) F10**[...]**

(4) F10**[...]**

(5) F10**[...]**

(6) F10**[...]**

(7) F10**[...]**

(8) F10**[**...**]**

(9) F11**[**...**]**

(10) F10**[**...**]**

Medical care for mothers. **16.**—F12**[**...**]**

Infant welfare services. **17.**—F13**[**...**]**

Child welfare services. **18.**—F14**[**...**]**

School health examination and treatment service. **19.**—F15**[**...**]**

Dental, ophthalmic and aural services, for children. **20.**—F16**[**...**]**

Dental, ophthalmic and aural services for middle income group. **21.**—F17**[**...**]**

Regulations in relation to services. **22.**—F18**[**...**]**

Maternity cash grants. **23.**—F19**[**...**]**

Milk for mothers and children. **24.**—F20**[**...**]**

Institutional services at choice of patient, etc. **25.**—F21**[**...**]**

Institutional services for persons not entitled to services under section 15. **26.**—F22**[**...**]**

Declaration as to means. **27.**—F23**[**...**]**

Notification of change of circumstances. **28.**—F24**[**...**]**

Determination of doubt as to responsible health authority.

29.—F25**[...]**

Charge where person not entitled obtains service.

30.—F26**[...]**

Recovery of charges.

31.—F27**[...]**

Affording of facilities for health examination of children at schools.

32.—F28**[...]**

False statements, etc.

33.—F29**[...]**

PART IV

Miscellaneous Amendments of Principal Act

Amendment of section 31 of Principal Act.

34.—Section 31 of the Principal Act is hereby amended by the addition thereto of the following subsection:

"(10) Regulations under this section may, in particular, require the vaccination against smallpox of persons engaged in work at or about airports or seaports, and—

(*a*) the obligation to contain the provision referred to in paragraph (*b*) of subsection (7) of this section shall not apply as respects such regulations, and

(*b*) section 32 of this Act shall not apply in relation to such vaccination."

Amendment of section 38 of Principal Act.

35.—An order made after the commencement of this section under subsection (1) of section 38 of the Principal Act shall have no effect unless, in addition to being signed by the chief medical officer, it is also signed by another registered medical practitioner.

Amendment of section 44 of Principal Act.

36.—(1) Section 44 of the Principal Act is hereby amended by the insertion in paragraph (*a*) of subsection (1) of "or a disease suspected to be an infectious disease by the chief medical officer of the health authority in whose functional area such person ordinarily resides" after "infectious disease".

(2) F30**[...]**

(3) Sections 28 and 33 of this Act shall apply in relation to the service made available under section 44 of the Principal Act in like manner as they apply in relation to the services made available under Part III of this Act.

Amendment of section 48 of Principal Act.

37.—Subsection (1) of section 48 of the Principal Act is hereby amended—

(*a*) by the substitution of the words "medical officer of health" for the words "district medical officer" in both places where the latter words occur, and

(*b*) by the substitution of the words "the area or district for which he acts" for the words "his district".

Regulations under Part V of Principal Act.

38.—(1) Regulations under Part V of the Principal Act may provide for all or any of the following matters:

(*a*) the licensing or registration of—

(i) persons engaged in the manufacture, preparation, importation, storage, distribution or sale of food for human consumption,

(ii) premises, vehicles or stalls in or at which food is manufactured, prepared, stored, distributed or exposed for sale for human consumption,

(*b*) the description of premises, vehicles or stalls so licensed or registered,

(*c*) the prohibition of the manufacture, preparation, importation, storage, distribution, exposure for sale or sale of food otherwise than by licensed or registered persons or in or at licensed or registered premises, vehicles or stalls (as the case may be),

(*d*) the cancellation or suspension of licences or registrations,

(*e*) matters ancillary to the foregoing matters.

(2) Where regulations under Part V of the Principal Act include, by virtue of subsection (1) of this section, provision for the keeping of registers by health authorities—

(*a*) any register kept pursuant to the regulations by a health authority shall be deemed to be in proper custody when in the custody of an officer of the health authority authorised in that behalf by the health authority and shall be admissible in evidence without further proof, on production from the proper custody,

(*b*) *prima facie* evidence of any entry in any register kept pursuant to the regulations by a health authority may be given in any Court or any legal proceedings by the production of a copy of such entry purporting to be certified to be a true copy by an officer of the health authority authorised in that behalf, and it shall not be necessary to prove the signature of such officer, or that he was in fact such officer or was so authorised,

(*c*) a certificate purporting to be under the hand of an officer of a health authority authorised in that behalf that a specified person, premises, vehicle or stall was not, during a specified period, registered in a specified register kept pursuant to the regulations by the health authority shall be accepted in any Court or any legal proceedings as *prima facie* evidence of the facts so certified, and it shall not be necessary to prove the signature of such officer, or that he was in fact such officer or was so authorised.

(3) Regulations under Part V of the Principal Act may provide for functions to be performed for the purposes of the regulations by Justices of the District Court or Peace Commissioners, being functions relating to any of the following matters:

(*a*) the making of orders in relation to the destruction or other disposal of food which is diseased, contaminated or otherwise unfit for human consumption,

(*b*) the reviewing of orders prohibiting the importation or the removal from the place of importation of articles of food or animals or materials intended for use in the manufacture of food,

(*c*) the annulment or confirmation of orders relating to the cancellation or suspension of licences or registrations or the prohibition of the user of premises, stalls or vehicles for any specified purpose,

(*d*) the direction of health authorities to license or register persons, premises, vehicles or stalls in specified circumstances.

(4) Where any repairs, structural alterations or additions to premises are required by any authority enforcing regulations under Part V of the Principal Act to comply with those regulations—

(*a*) the repairs, structural alterations or additions may be carried out notwithstanding any covenant, agreement or condition in any lease or other contract of tenancy under which the premises are held,

(*b*) before the repairs, structural alterations or additions are carried out, the person required to carry them out shall—

(i) if he is not the rated occupier of the premises, inform the rated occupier, and

(ii) if he holds the premises under a lease or other contract of tenancy, inform the immediate landlord or his agent.

(5) In sections 56 and 57 of the Principal Act, the word "food" shall be construed, in addition to referring to any individual food, as referring to any class whatsoever of food.

(6) This section and the repeal by section 5 of this Act of section 55 of the Principal Act shall be deemed to have come into operation on the day on which Part V of the Principal Act came into operation.

Amendment of section 65 of Principal Act.

39.—Section 65 of the Principal Act is hereby amended—

(*a*) by the deletion of the definition of "substance" in subsection (1) and the substitution therefor of the following:

"the word 'substance' means a natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour, including a preparation or manufactured article or article which has been subjected to any artificial treatment or process;"

(*b*) by the addition at the end of subsection (3) of the following paragraph—

"(*j*) the enforcement and execution of the regulations—

(i) by officers of the Minister,

(ii) by health authorities and their officers,

(iii) with the consent of the Minister for Finance, by officers of Customs and Excise,

(iv) with the consent of the Minister for Industry and Commerce, by officers of that Minister."

(*c*) by the addition at the end of subsection (5) of the words "or by the health authority in whose functional area the offence is committed.".

Amendment of section 66 of Principal Act.

40.—Section 66 of the Principal Act is hereby amended by the addition at the end of subsection (9) of the words "or by the health authority in whose functional area the offence is committed.".

Amendment of section 98 of Principal Act.

41.—Section 98 of the Principal Act is hereby amended—

(*a*) F31**[**...**]**

(*b*) by the deletion in subsection (4) of the words "the National Health Council or of";

(*c*) F31**[**...**]**

Amendment of section 103 of Principal Act.

42.—F32**[**...**]**

Amendment of section 104 of Principal Act.

43.—Subsection (2) of section 104 of the Principal Act is hereby amended by the insertion of "or other means of transport" before "provided".

Prosecution of certain offences.

44.—An offence under Part V, Part VIII or Part IX of the Principal Act may be prosecuted by the health authority in whose functional area the offence is committed.

PART V.

Miscellaneous.

Joint action by health authorities.

45.—(1) F33**[**...**]**

(2) F33**[**...**]**

(3) F33**[**...**]**

(4) F33**[**...**]**

(5) F33**[**...**]**

(6) F34**[**...**]**

(7) F34**[**...**]**

(8) F33**[**...**]**

(9) F33**[**...**]**

(10) F33**[**...**]**

Balrothery and Rathdown Boards of Assistance.

46.—F35**[**...**]**

Arrangements between health authorities and other authorities.

47.—F36**[**...**]**

Consultative health committees.

48.—F37**[...]**

Agreement for provision of service.

49.—F38**[...]**

Rehabilitation and maintenance of disabled persons.

50.—F39**[...]**

Dispensary districts.

51.—F40**[...]**

District medical officers.

52.—F41**[...]**

Holders of certain offices under public assistance authorities.

53.—F42**[...]**

Shelter and maintenance in county home.

54.—(1) In this section "institutional assistance" means shelter and maintenance in a county home or similar institution.

(2) A person who is unable to provide shelter and maintenance for himself or his dependants shall, for the purposes of this section, be eligible for institutional assistance.

(3) It shall be the duty of a health authority, subject to and in accordance with the provisions of this section and the regulations thereunder, to give to every person in their functional area who is eligible for institutional assistance such institutional assistance as appears to them to be necessary or proper in each particular case.

(4) The Minister may make regulations governing the giving of institutional assistance and such regulations may, in particular, provide for requiring persons to contribute in specified cases towards the cost of providing them with institutional assistance.

(5) Every person maintained by a health authority in a county home or similar institution who behaves in a disorderly manner in such home or institution, or causes unreasonable disturbance to other persons maintained in such home or institution or to persons employed therein, shall be guilty of an offence under this subsection and shall be liable on summary conviction thereof to imprisonment for a term not exceeding twenty-one days.

(6) Where the Minister directs by order that a specified class of persons shall not be sheltered or maintained under this section by or on behalf of a health authority in a specified institution, the authority shall not (except in cases of urgent necessity) shelter or maintain, or arrange for the shelter or maintenance of, any persons of that class in that institution.

(7) (*a*) Where a person maintained by a health authority in a county home or similar institution does work on behalf of the authority, he shall be deemed, in relation to the doing of the work, to be for the purposes of the Workmen's Compensation Acts, 1934 to 1953, a workman in the employment of the authority, but, save as aforesaid, the doing of the work by such person shall not operate to create or imply the relation of master and servant or a contract of service between the authority and such person.

(*b*) In any proceedings under the Workmen's Compensation Acts, 1934 to 1953, brought by virtue of paragraph (*a*) of this subsection, the applicant shall be deemed to have

worked for remuneration and the amount of the remuneration shall be estimated by the Court by reference to the value of the work.

Boarding out etc., of children.

55.—F43**[...]**

Removal of child boarded out, etc.

56.—F44**[...]**

Local authority for purposes of Part I of Children Act, 1908.

57.—F45**[...]**

Regulations as to filling materials.

58.—(1) The Minister may make regulations—

(*a*) prescribing a standard of cleanliness for filling material either generally or as respects a particular type of filling material,

(*b*) prohibiting the sale or keeping for sale, or use or keeping for use for the purpose of making bedding, cushions, articles of upholstery, toys or similar articles, of filling material which does not conform with the prescribed standard,

(*c*) prohibiting the sale or keeping for sale of any bedding, cushion, article of upholstery, toy or similar article containing filling material which does not conform with the prescribed standard.

(2) Regulations under this section—

(*a*) may provide for the enforcement and execution of the regulations by officers of the Minister, by health authorities and their officers and, with the consent of the Minister for Local Government, by officers of sanitary authorities,

(*b*) may provide for the empowering of specified persons (being authorised officers for the purpose of Part IX of the Principal Act) to seize and remove, and to detain and destroy or have otherwise suitably disposed of, filling material which does not conform with the prescribed standard,

(*c*) may provide for the giving and taking (without payment) of samples and the carrying out of tests, examinations and analyses of such samples,

(*d*) may prescribe the classes of persons to be responsible for the carrying out of tests, examinations and analyses of samples of filling material and the means by and the manner in which any such test, examination or analysis is to be made,

(*e*) may prescribe the certificate or other evidence to be given of the result of any such test, examination or analysis and the classes of persons by and to whom any such certificate or evidence is to be given,

(*f*) may provide that any certificate or other evidence prescribed under paragraph (*e*) of this subsection and given in respect of the test, examination or analysis of a sample shall as respects that sample be evidence for all purposes of the result of the test, examination or analysis,

(*g*) may provide for the licensing or registration of premises in which filling material is kept for sale or for use for the purpose of making bedding, cushions, articles of upholstery,

toys or similar articles and for the prohibition of the keeping for sale or for the said use of filling material in premises which are not licensed or registered,

(*h*) may provide for conditions governing the grant, retention or renewal of licences or registrations,

(*i*) may provide for the imposition of charges in respect of the grant, retention or renewal of licences or registrations,

(*j*) may provide for the marking or labelling in a specified manner of bedding, cushions, articles of upholstery, toys or similar articles containing filling material,

(*k*) may provide for the keeping of records by persons engaged in the manufacture, preparation, importation, storage, distribution or sale of filling material or bedding, cushions, articles of upholstery, toys or similar articles containing filling material and for the production of such records for inspection by officers concerned in the enforcement or execution of the regulations.

(3) Where regulations made under subsection (1) of this section provide that any particular certificate or other evidence shall be evidence for all purposes of the result of a test, examination or analysis of a sample, such certificate or other evidence shall, as respects that sample, be accepted by all Courts of Justice as evidence of the result of such test, examination or analysis and shall also be accepted by all Courts of Justice as evidence that such test, examination or analysis was carried out under and in accordance with the regulations.

(4) Where a person is charged with having, in contravention of regulations made under this section, kept for sale any filling material or any bedding, cushion, article of upholstery, toy or similar article and it is shown that the material or article was in the possession of such person, the material or article shall, until the contrary is proved, be deemed to have been kept by him for sale.

(5) Where a person is charged with having, in contravention of regulations made under this section, kept any filling material for use for the purpose of making bedding, cushions, articles of upholstery, toys or similar articles and it is shown that the material was in the possession of such person, the material shall, until the contrary is proved, be deemed to have been kept by him for that use.

(6) If the defendant in any prosecution for an offence under this section proves—

(*a*) that he purchased—

(i) filling material as of a standard of cleanliness which would not have contravened any regulation under this section, or

(ii) an article as containing only filling material of such a standard and with a written warranty to that effect, and

(*b*) that he had no reason to believe at the time when he committed the offence with which he is charged that the filling material did not conform with the prescribed standard of cleanliness, and

(*c*) that at the said time the filling material was in the same state as when he purchased it,

the defendant shall be discharged from the prosecution, but shall be liable to pay the costs incurred by the prosecutor unless he gave due notice to the prosecutor that he proposed to rely on the said defence.

(7) A statement by the manufacturer, importer or seller of any filling material or any bedding, cushion, article of upholstery, toy or similar article containing filling material which is a statement as to the standard of cleanliness of the filling material and which is in an invoice or on a label attached to the filling material or article or on the container in which the filling material is sold shall be deemed for the purposes of paragraph (*a*) of subsection (6) of this section to be a warranty.

(8) Where it appears to the authority or officer enforcing regulations made under this section that an offence has been committed in respect of which proceedings might be taken under this section against some person but that such person could establish a defence under subsection (6) of this section by proving that the offence complained of was due to an act or default of some other person, such authority or officer may take proceedings against that other person without taking proceedings against the first-mentioned person.

(9) A person who contravenes a regulation under this section or who wilfully obstructs the execution of a regulation under this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding one hundred pounds or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(10) An offence under this section may be prosecuted by the health authority in whose functional area the offence is committed.

(11) In this section, the expression "filling material" includes—

(*a*) rag flock which is produced wholly or in part by tearing up woven, knitted, felted or spun material or other like articles whether new or old, and

(*b*) hair, fibre, down, feathers, wood shavings, sawdust, straw, and other similar materials, whether new or old, used in the making of bedding, cushions, articles of upholstery, toys, or similar articles, and

(*c*) linings, webbings and coverings (other than outer coverings) used in the making of bedding, cushions, articles of upholstery, toys or similar articles.

Control of use, etc., of radio-active substances and irradiating apparatus.

59.—(1) In this section—

the word "substance" means a natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour, including a preparation or manufactured article or article which has been subjected to any artificial treatment or process;

the expression "radio-active substance" means a substance which consists of or contains any radio-active chemical element, whether natural or artificial;

the expression "medical radio-active substance" means a radio-active substance which may be used as a prophylactic, diagnostic or therapeutic agent in the prevention or treatment of any human ailment, infirmity, injury or defect;

the expression "medical irradiating apparatus" means irradiating apparatus which may be used as a prophylactic, diagnostic or therapeutic agent in the prevention or treatment of any human ailment, infirmity, injury or defect.

(2) The Minister may make regulations for the control of the storage, use, exportation or other disposal of medical radio-active substances generally or of any particular medical radio-active substance.

(3) The Minister may make regulations for the control of the manufacture, importation, distribution, sale, offering or keeping for sale, use, exportation or other disposal of medical irradiating apparatus generally or of any specified class of such apparatus.

(4) The Minister may F46**[**, after consultation with the Radiological Protection Institute of Ireland,**]** make regulations for—

(*a*) the prevention of danger to the health of persons occupied in the use of F46**[**medical**]** radio-active substances or F46**[**medical**]** irradiating apparatus and of other persons whose health may be endangered by such use,

(*b*) F47**[**...**]**

(5) Regulations under this section may, in particular, make provision for all or any of the following matters:

(*a*) the enforcement and execution of the regulations—

(i) by officers of the Minister,

(ii) by health authorities and their officers,

(iii) with the consent of the Minister for Finance, by officers of Customs and Excise,

(iv) with the consent of the Minister for Industry and Commerce, by officers of that Minister,

(v) with the consent of the Minister for Agriculture, by officers of that Minister,

F46**[**(vi) by members of the staff of the Radiological Protection Institute of Ireland,**]**

(*b*) the prohibition of the storage, use, exportation or other disposal of medical radio-active substances either absolutely or save subject to specified conditions (including the grant of a licence for such storage, use, exportation or other disposal),

(*c*) the prohibition of the manufacture, importation, distribution, sale, offering or keeping for sale, use, exportation or other disposal of irradiating apparatus either absolutely or save subject to specified conditions (including the grant of a licence for such manufacture, importation, distribution, sale, offering or keeping for sale, use, exportation or other disposal),

(*d*) the determination of the classes of persons to whom licences under the regulations are to be granted,

(*e*) the prescribing of conditions governing the grant, retention or renewal of licences under the regulations,

(*f*) the refusal or revocation of licences under the regulations,

(*g*) the giving and the taking, with or without payment (as the regulations may provide), of samples of radio-active substances,

(*h*) the imposition of charges (whether fixed, variable or partly fixed and partly variable) in respect of the grant, retention or renewal of licences under the regulations.

(6) Regulations under this section shall not prohibit absolutely the use by a registered medical practitioner in medical practice or by a registered dentist in dental practice of any radio-active substance or any irradiating apparatus, or require a registered medical practitioner or registered

dentist to hold a licence for the use of radio-active substances or irradiating apparatus in medical practice or dental practice, as the case may be, or for the storage of such quantities of radio-active substances as may be reasonably required for his practice.

(7) A person who contravenes a regulation under this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five hundred pounds and to forfeiture of any substance or apparatus in relation to which the offence was committed.

(8) An offence under this section may be prosecuted by the Minister or by the health authority in whose functional area the offence is committed.

Prohibition or control of use of certain vermini-cides.

60.—(1) The Minister may make regulations for the prohibition or control of the use in the destruction of animals of substances containing live cultures of organisms pathogenic to man.

(2) Regulations under this section may, in particular, make provision for all or any of the following matters:

(*a*) the enforcement and execution of the regulations—

(i) by officers of the Minister,

(ii) by health authorities and their officers,

(*b*) the prohibition of the use in the destruction of animals of substances containing live cultures of organisms pathogenic to man save subject to specified conditions (including the grant of a licence for such use),

(*c*) the determination of the classes of persons to whom licences under the regulations are to be granted,

(*d*) the prescribing of conditions governing the grant, retention and renewal of licences under the regulations,

(*e*) the refusal or revocation of licences under the regulations,

(*f*) the imposition of charges in respect of the grant, retention or renewal of licences under the regulations.

(3) A person who contravenes a regulation under this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds.

(4) An offence under this section may be prosecuted by the Minister or by the health authority in whose functional area the offence is committed.

Control of use of fumigants.

61.—(1) The Minister, after consultation with the Minister for Agriculture, may by order declare, as respects a specified fumigant, that—

(*a*) all uses of the fumigant shall be restricted, or

(*b*) the use of the fumigant for a specified purpose or in specified circumstances shall be restricted.

(2) Where an order under this section declares that all uses of a fumigant shall be restricted, a person shall not use the fumigant save with the permission of the chief medical officer for the

area in which the fumigant is used and in accordance with any directions which the officer may give for the purpose of safeguarding public health.

(3) Where an order under this section declares that the use of a fumigant for a specified purpose or in specified circumstances shall be restricted, a person shall not use the fumigant for that purpose or in those circumstances (as the case may be) save with the permission of the chief medical officer for the area in which the fumigant is used and in accordance with any directions which the officer may give for the purpose of safeguarding public health.

(4) A person who contravenes subsection (2) or subsection (3) of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds.

(5) An offence under this section may be prosecuted by the health authority in whose functional area the offence is committed.

Facilities for teaching of clinical medicine or conduct of medical research.

62.—(1) Where a college which awards any of the qualifying diplomas mentioned in the Second Schedule to the Medical Practitioners Act, 1927 (No. 25 of 1927), or a college of a university which awards any such diploma, requires facilities for the teaching of clinical medicine or for the conduct of medical research in a health institution—

(*a*) the Minister, if he so thinks proper, may by order declare the institution to be a teaching institution,

(*b*) on the institution being declared to be a teaching institution—

(i) it shall be the duty of the health authority by whom the institution is maintained to provide in the institution such facilities for the teaching of clinical medicine or for the conduct of medical research as the Minister may direct from time to time,

(ii) F48**[...]**

(2) In this section "medicine" shall be construed as including surgery and midwifery, and "medical" shall be construed accordingly.

Courses of instruction for medical officers.

63.—(1) In this section, the expression "medical officer" means an officer of a health authority whose office is an office the holder of which is required to be a registered medical practitioner.

(2) A health authority, with the approval of the Minister, may do all things necessary to provide from time to time courses of instruction for medical officers (including medical officers of other authorities).

(3) Where a health authority provide a course of instruction under this section, they may, at their discretion, permit registered medical practitioners who are not medical officers to attend at such course.

(4) The Minister shall notify the Medical Registration Council of courses of instruction approved under this section.

(5) Nothing in this section shall be construed as imposing an obligation on a medical officer to attend at a course of instruction provided under this section.

Schools for training of nurses.

64.—(1) In this section—

the expression "nursing school" means a school for the training of persons to be nurses;

the expression "student nurse" means a person being trained to be a nurse.

(2) A health authority may, with the consent of the Minister, and shall, if the Minister so directs, provide and maintain a nursing school in connection with a health institution maintained by them and may, subject to such conditions as they think fit, admit persons to such school as student nurses.

(3) A health authority who maintain a nursing school under this section may, with the consent of the Minister, pay remuneration to a student nurse of the school.

Assistance for certain bodies.

65.—(1) F49**[**...**]**

(2) F50**[**...**]**

Dispensary residences under Public Assistance Act, 1939.

66.—(1) Every residence which, immediately before the commencement of this section, was maintained under section 43 of the Public Assistance Act, 1939, by the council of a county or corporation of a county borough as a public assistance authority shall, on and after such commencement, be deemed to have been provided by such council or corporation under section 105 of the Principal Act.

(2) Where section 105 of the Principal Act applies to a board of assistance or board of public assistance by virtue of an order under section 45 or section 46 of this Act commencing on the commencement of this section, every residence which, immediately before the commencement of this section, was maintained under section 43 of the Public Assistance Act, 1939, by such board shall, on and after such commencement, be deemed to have been provided by such board under section 105 of the Principal Act.

(3) Where a residence is in course of erection under section 43 of the Public Assistance Act, 1939, by a public assistance authority immediately before the commencement of this section, such residence shall be completed in like manner as if this Act had not been passed and, when it is completed, subsection (1) or subsection (2) of this section (as may be appropriate) shall apply in relation thereto.

Apportionment of expenditure on central health service.

67.—(1) In this section "central health service" means a service provided in accordance with law by a Minister of State for the benefit of two or more authorities to whom this section applies.

(2) Where expenditure is incurred by the Minister or any other Minister of State on the provision of any central health service, the Minister may by order apportion the whole or part of the expenditure among the authorities concerned in such manner as he thinks reasonable.

(3) An authority to whom this section applies shall pay to the Minister any amount apportioned to them by an order under this section and such amount shall thereupon be paid into or disposed of for the benefit of the Exchequer in accordance with the directions of the Minister for Finance.

(4) Where a health authority fail to pay an amount apportioned to them by an order under this section, the amount may be deducted by the Minister from any sum payable to them under the Health Services (Financial Provisions) Act, 1947.

(5) Each of the following authorities shall be an authority to whom this section applies:

(*a*) a health authority,

(*b*) a mental hospital authority under the Mental Treatment Act, 1945 (No. 19 of 1945).

Inspection of provisions and water for crew of Irish ships.

68.—(1) An authorised officer may, as respects an Irish ship, carry out any inspection under section 206 of the Merchant Shipping Act, 1894, or section 26 of the Merchant Shipping Act, 1906, in like manner and with the like powers as if he had been duly appointed under the said section 206.

(2) Any offence which is to be prosecuted consequent on an inspection carried out in pursuance of this section by an authorised officer may be prosecuted by the health authority.

(3) In this section—

"Irish ship" has the same meaning as in the Merchant Shipping Act, 1947 (No. 46 of 1947);

"authorised officer" means an officer of a health authority appointed in writing by the F51**[**chief executive officer thereof**]** to be an authorised officer for the purposes of this section.

Restriction of application of Public Assistance Act, 1939.

69.—The Public Assistance Act, 1939, shall cease to have effect as respects the provision of—

(*a*) medical assistance as defined therein, and

(*b*) general assistance as defined therein given by way of admission to an institution,

and the said Act shall be construed accordingly.

Amendment of Tuberculosis (Establishment of Sanatoria) Act, 1945.

70.—(1) In this section "the Act" means the Tuberculosis (Establishment of Sanatoria) Act, 1945 (No. 4 of 1945).

(2) Section 6 of the Act is hereby amended by the insertion after subsection (2) of the following subsection:

"(2a) Notwithstanding subsection (1) of this section, when the establishment under this Act of a sanatorium has, in the opinion of the Minister, been completed, the Minister, if he so thinks proper, may transfer his estate or interest in the land on which the sanatorium has been established and the equipment of the sanatorium to a joint board established by an order under section 45 of the Health Act, 1953, and, in the case of any such transfer, subsection (2) of this section shall have effect with the substitution of 'joint board' for 'county authority or county authorities'".

(3) The following section shall be added to the Act after section 17:

Disposal of surplus land.

"18. (1) Where the Minister has acquired land under this Part of this Act and, as respects such land or any part thereof—

(*a*) the Minister has not transferred his estate or interest therein under subsection (2) or subsection (2a) of section 6 of this Act, and

(*b*) it appears to the Minister that such land or part is no longer required for the purposes of the establishment of a sanatorium,

the Minister may dispose of such land or part in such manner as he thinks proper.

(2) All moneys received by the Minister in respect of the disposal of land under this section shall be paid by the Minister to the Hospitals Trust Board and shall form part of the Hospitals Trust Fund."

Amendment of Mental Treatment Act, 1945.

71.—F52**[...]**

Amendment of Health Services (Financial Provisions) Act, 1947.

72.—(1) In this section—

"the Act" means the Health Services (Financial Provisions) Act, 1947;

"standard expenditure", "health service" and "net health expenditure" have the same meanings as in the Act.

(2) Where the boundary between the functional areas of two health authorities has been altered (whether before or after the commencement of this section), the Minister may adjust the sums which are the standard expenditures for the authorities—

(*a*) by such amounts as he considers proper in respect of the year in which the alteration has become operative, and

(*b*) by such amounts as he considers proper in respect of each subsequent year,

and the sums so adjusted shall, subject to any subsequent adjustment under this section or under section 3 of the Act become and be, in respect of the years to which they relate, the standard expenditures for the authorities.

(3) The Minister may, in respect of a particular year and for a particular body, fix a sum which shall be the maximum expenditure which may be included in respect of a health service or part of a health service in the calculation of the net health expenditure of that body in respect of that year.

(4) The Minister, to correct errors or omissions, may at any time amend a certificate of net health expenditure given by him under the Act.

(5) Where, with reference to the Act, any doubt, dispute or question arises, or, in the opinion of the Minister, is likely to arise as to—

(*a*) whether a particular item of expenditure or class of items of expenditure is or is not capital expenditure, or

(*b*) the year to which any item of expenditure or any receipt is to be attributed,

the doubt, dispute or question shall be decided by the Minister.

Section 5.

SCHEDULE.

Enactments Repealed.

Number and Year (1)	Short title (2)	Extent of Repeal (3)
No. 27 of 1939.	Public Assistance Act, 1939.	Sections 21, 22, 31 to 38, 40 to 51, 79, 81 and 82.
No. 19 of 1945.	Mental Treatment Act, 1945.	Sections 232, 233 and 234.
No. 28 of 1947.	Health Act, 1947.	Sections 12, 13, 14, 17, 18, 21 to 28 and 41; Subsections (4) and (8) of section 44; Sections 55, 67, 73 and 101.

Number 26 *of* 1953

HEALTH ACT 1953

REVISED

Updated to 3 February 2026

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Health Acts 1947 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024), s. 1(2)). The Acts in this group are:

- *Health Act 1947* (28/1947)
- *Health Act 1953* (26/1953) (citation only)
- *Health (Fluoridation of Water Supplies) Act 1960* (46/1960) (citation only)
- *Health Act 1970* (1/1970)
- *Misuse of Drugs Act 1977* (12/1977), s. 36 and s. 42 in so far as it amends the *Health Acts 1947 to 1970* (citation only)
- *Health (Family Planning) Act 1979* (20/1979)
- *Health (Amendment) Act 1986* (10/1986)
- *Health (Amendment) Act 1987* (3/1987)
- *Health (Nursing Homes) Act 1990* (23/1990)
- *Health (Amendment) Act 1991* (15/1991), other than s. 8
- *Health (Amendment) Act 1994* (11/1994)
- *Health (Amendment) Act 1996* (15/1996)
- *Health (Amendment) (No. 2) Act 1996* (23/1996)
- *Health (Amendment) (No. 3) Act 1996* (32/1996), other than ss. 21, 22
- *Health (Provision of Information) Act 1997* (9/1997)
- *Health (Eastern Regional Health Authority) Act 1999* (13/1999)
- *Health (Miscellaneous Provisions) Act 2001* (14/2001), except in so far as it relates to the *Tobacco (Health Promotion and Protection) Act 1988* (citation only)
- *Health Act 2004* (42/2004)
- *Health (Amendment) Act 2005* (3/2005), in so far as it amends the *Health Acts 1947 to 2004*
- *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), Part 5 (ss. 25-29)
- *Health (Repayment Scheme) Act 2006* (17/2006)
- *Hepatitis C Compensation Tribunal (Amendment) Act 2006* (22/2006), except s. 6

- *Health (Nursing Homes) (Amendment) Act 2007* (1/2007)
- *Health Act 2007* (23/2007)
- *Medical Practitioners Act 2007* (25/2007), s. 57(9) (citation only)
- *Health Act 2008* (21/2008)
- *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 64
- *Health (Amendment) Act 2010* (15/2010) (citation only)
- *Health (Amendment) (No. 2) Act 2010* (20/2010)
- *Child Care (Amendment) Act 2011* (19/2011), ss. 35, 36 (citation only)
- *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013)
- *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 30 (citation only)
- *Health Service Executive (Governance) Act 2013* (23/2013)
- *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013) (citation only)
- *Local Government Reform Act* (1/2014), the amendment to the *Health (Fluoridation of Water Supplies) Act 1960* provided for in s. 5(6) and sch. 2 part 6
- *Health Service Executive (Financial Matters) Act 2014* (17/2014)
- *Health (General Practitioner Service) Act 2014* (28/2014)
- *Health (General Practitioner Service) Act 2015* (19/2015)
- *Health (General Practitioner Service) Act 2018* (13/2018)
- *Health Service Executive (Governance) Act 2019* (17/2019), other than Part 3 (ss. 33-37)
- *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), Part 2 (s. 5) (citation only)
- *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), other than s. 7 (citation only)
- *Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024), (ss. 2-4)

Acts included in the group but now repealed are:

- *Health Act 1954* (23/1954)
- *Health and Mental Treatment Act 1957* (16/1957), s. 1
- *Health and Mental Treatment (Amendment) Act 1958* (37/1958), s.1
- *Health (Homes For Incapacitated Persons) Act 1964* (8/1964)
- *Health and Mental Treatment (Amendment) Act 1966* (2/1966), s. 1
- *Health (Mental Services) Act 1981* (17/1981)
- *Health (Family Planning) (Amendment) Act 1985* (4/1985)
- *Health (Amendment) Act 2004* (19/2004)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), Part 2 (s. 4)