Changes to Legislation: as of 11 November 2026, this Act is up to date with all changes known to be in force.



Number 1 *of* 1970

HEALTH ACT 1970

REVISED

Updated to 30 October 2026

This Revised Act is an administrative consolidation of the *Health Act 1970*. 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 *Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Act 2026* (38/2026), enacted 27 October 2026, and all statutory instruments up to and including the *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026 (Commencement) Order 2026* (S.I. No. 550 of 2026), made 30 October 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

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REVISED

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FIFTH SCHEDULE

Each of the Hospitals Specified Hereunder is Specified as a Hospital for the Purposes of this Schedule.

SIXTH SCHEDULE

Each of the Hospitals Specified Hereunder is Specified as a Hospital for the Purposes of this Schedule.

ACTS REFERRED TO

Health Act, 1947	1947, No. 28.
Children (Amendment) Act, 1957	1957, No. 28.
Rats and Mice (Destruction) Act, 1919	1919, c. 72.
Blind Persons Act, 1920	1920, c. 49.
State Lands (Workhouses) Act, 1930	1930, No. 9.
State Lands (Workhouses) Act, 1962	1962, No. 8.
Registration of Maternity Homes Act, 1934	1934, No. 14.

Midwives Act, 1944	1944, No. 10.
Nurses Act, 1950	1950, No. 27.
Poisons Act, 1961	1961, No. 12.
Health Services (Financial Provisions) Act, 1947	1947, No. 47.
Vital Statistics and Births, Deaths and Marriages Registration Act, 1952	1952, No. 8.
Local Government Act, 1955	1955, No. 9.
Local Government (Superannuation) Act, 1956	1956, No. 10.
Local Government Act, 1941	1941, No. 23.
Local Authorities (Officers and Employees) Act, 1926	1926, No. 39.
Medical Practitioners Act, 1927	1927, No. 25.
Public Hospitals Act, 1933	1933, No. 18.
Central Criminal Lunatic Asylum (Ireland) Act, 1845	1845, c. 107.
Social Welfare Act, 1952	1952, No. 11.
Illegitimate Children (Affiliation Orders) Act, 1930	1930, No. 17.
Local Government (Ireland) Act, 1871	1871, c. 109.
Local Government (Ireland) Act, 1898	1898, c. 37.
Local Government (Ireland) Act, 1902	1902, c. 38.
Health Act, 1953	1953, No. 26.
Dangerous Drugs Act, 1934	1934, No. 1.
Rats and Mice (Destruction) Act, 1919	1919, c. 72.
Mental Treatment Act, 1945	1945, No. 19.
Local Government Act, 1946	1946, No. 24.
Public Assistance Act, 1939	1939, No. 27.
City and County Management (Amendment) Act, 1955	1955, No. 12.

Number 1 *of* 1970

HEALTH ACT 1970

REVISED

Updated to 30 October 2026

AN ACT TO AMEND AND EXTEND THE HEALTH ACTS, 1947 TO 1966, AND CERTAIN OTHER ENACTMENTS, TO PROVIDE FOR THE ESTABLISHMENT OF BODIES FOR THE ADMINISTRATION OF THE HEALTH SERVICES, AND FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [24*th February*, 1970.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

C1 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

C2 Functions transferred (1.01.2005, establishment day) by *Health Act 2004* (42/2004), s. 59, S.I. No. 885 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Transfer of functions of specified bodies to Executive.

59.—(1) The functions that, immediately before the establishment day, were the functions of a specified body under or in connection with the enactments referred to in Schedule 3 are, by this Act, transferred to the Executive on that day.

(2) If a provision of an enactment referred to in Schedule 3, or a provision of an instrument made under such enactment, does not come into effect until on or after the establishment day, a function that on the passing of that enactment or the making of that instrument was assigned under or in connection with that provision to a specified body is, by this Act, transferred to the Executive on the commencement of that provision.

(3) The functions transferred by this Act to the Executive include the functions specified in any enactment referred to in Schedule 3 as a function of the following:

(*a*) the chief executive officer of a health board;

(*b*) the Regional Chief Executive of the Eastern Regional Health Authority;

(*c*) the area chief executive of an Area Health Board.

(4) This section does not apply in relation to the functions of the Hospital Bodies Administrative Bureau.

...

SCHEDULE

Transfer of Functions and References to Functional Areas

Section 59 and 67.

1. Health Acts 1947 to 2001

...

Editorial Notes:

E1 Previous affecting provision: health board established under Act deemed to be and have been a fit person for purposes of the *Children Act 1908* (8 Edw. 7 ch. 67), s. 38 (9.11.1989) by *Children Act 1989* (18/1989), s. 1, commenced on enactment; *Children Act 1908* (8 Edw. 7 ch. 67) repealed (1.05.2002) by *Children Act 2001* (24/2001), s. 5 and sch. 2, S.I. No. 151 of 2002.

PART I

PRELIMINARY AND GENERAL

Short title, collective citation, construction and commencement.

1.—(1) This Act may be cited as the Health Act, 1970.

(2) The Health Acts, 1947 to 1966, and this Act may be cited together as the Health Acts, 1947 to 1970.

(3) The Health Acts, 1947 to 1966, and this Act shall be construed together as one Act.

(4) Save as otherwise specifically provided for, 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.

Annotations

Editorial Notes:

E2 A table of provisions and commencement dates is available linked from the Act at http://www.irishstatutebook.ie/eli/isbc/1970_1.html.

E3 Power pursuant to section exercised (1.04.1976) by *Health Act, 1970, (Commencement) Order 1976* (S.I. No. 78 of 1976).

3. Section 42 of the Act shall come into operation on the 1st day of April, 1976.

4. Section 3 of the Act shall come into operation on the 1st day of April, 1976, for the purpose of effecting the repeal of the enactments specified in column (2) of the Schedule to this Order to the extent specified in column (3) of the said Schedule.

SCHEDULE

Number and Year	Short Title	Extent of Repeal
(1)	(2)	(3)
No. 18 of 1933	Public Hospitals Act, 1933	Section 14 (except subsection (6)), sections 15 to 19 and section 24 (3) and 24 (4)

No. 9 of 1940	Public Hospitals (Amendment) Act, 1940	Sections 2 to 4

E4 Power pursuant to section exercised (1.07.1973) by *Health Act, 1970 (Commencement) Order 1973* (S.I. No. 159 of 1973).

3. Sections 68 and 69 of the Act shall come into operation on the 1st day of July, 1973.

4. Section 3 of the Act shall come into operation on the 1st day of July, 1973, for the purpose of effecting the repeal of Section 50 of the Health Act, 1953 (No. 26 of 1953).

E5 Power pursuant to section exercised (1.10.1972) by *Health Act, 1970 (Commencement) (No. 2) Order 1972* (S.I. No. 240 of 1972).

3. Section 64 of the Act shall come into operation on the 1st day of October, 1972.

4. Section 3 of the Act shall come into operation on the 1st day of October, 1972, for the purpose of effecting the repeal of Section 23 of the Health Act, 1953 (No. 26 of 1953).

E6 Power pursuant to section exercised (1.04.1972) by *Health Act, 1970 (Commencement) Order 1972* (S.I. No. 87 of 1972).

3. Section 58, subsections (1), (2) and (4) of section 59 and subsection (1) of section 67 of the Act shall come into operation on the 1st day of April, 1972.

4. Section 3 of the Act shall come into operation on the 1st day of April, 1972 for the purpose of effecting the repeal of sections 14 and 51 of the Health Act, 1953 (No. 26 of 1953).

E7 Power pursuant to section exercised (1.10.1971) by *Health Act, 1970 (Commencement) (No. 2) Order 1971* (S.I. No. 271 of 1971).

3. Sections 52 (2), 56 (3) and 59 (3) of the Act shall come into operation on the 1st day of October, 1971.

4. Section 3 of the Act shall come into operation on the 1st day of October, 1971 for the purpose of effecting the repeal of section 15(9) of the Health Act, 1953 (No. 26 of 1953).

E8 Power pursuant to section exercised (1.04.1971) by *Health Act, 1970 (Commencement) Order 1971* (S.I. No. 90 of 1971).

3. Section 3 of the Act shall come into operation on the 1st day of April, 1971, for the purpose of effecting the repeal of the enactments specified in column (2) of the Schedule to this Order to the extent specified in column (3) of the said Schedule.

4. Sections 6, 34 to 40, 44 to 46, 48 to 51, 52(1), 53 to 55, 56(1), 56(2), 56(4), 56(5), 57, 60 to 63, 65, 66, 67(2), 67(3), 67(4), 70 to 75, 77 and 79 to 86 of the Act and the Third Schedule shall come into operation on the 1st day of April, 1971.

SCHEDULE

Number and Year	Short Title	Extent of Repeal
(1)	(2)	(3)
No. 19 of 1945	Mental Treatment Act, 1945	Sections 5, 19, 96, 97 and 106, 248 (4) and 248 (5).
No. 28 of 1947	Health Act, 1947	Parts II and VII, sections 99, 102 and 104.
No. 27 of 1950	Nurses Act, 1950	Section 60.
No. 26 of 1953	Health Act, 1953	Parts II and III (except sections 14, 16 (9) and 23), sections 45 to 49, sections 52, 53 and 71.
No. 23 of 1954	Health Act, 1954	The whole Act.
No. 16 of 1957	Health and Mental Treatment Act, 1957	The whole Act.
No. 37 of 1958	Health and Mental Treatment (Amendment) Act, 1958.	The whole Act.

No. 9 of 1960	Health Authorities Act, 1960	The whole Act except sections 15 (8), 15 (9), 24 and the Fourth Schedule.
No. 18 of 1961	Nurses Act, 1961	Section 4 (3).
No. 2 of 1966	Health and Mental Treatment (Amendment) Act, 1966	The whole Act.

E9 Power pursuant to section exercised (12.03.1970) by *Health Act, 1970 (Commencement) Order 1970* (S.I. No. 47 of 1970).

2. Sections 1, 2, 4, 5, 7 to 33, 41, 43, 76 and 78 and the Second Schedule of the Health Act, 1970, shall come into operation on twelfth day of March, 1970.

Interpretation.

2.—(1) In this Act a reference to a Part, section or schedule is to a Part, section or schedule of this Act, unless it is indicated that reference to some other enactment is intended.

(2) In this Act a reference to a subsection, paragraph, subparagraph or rule is to the subsection, paragraph, subparagraph or rule of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

(3) A reference in this Act to any enactment shall be construed as a reference to that enactment as amended or extended by any subsequent enactment.

Repeals.

3.—The enactments specified in column (2) of the First Schedule are hereby repealed to the extent specified in column (3) of the Schedule.

PART II

ADMINISTRATION

CHAPTER I

Health Boards

Establishment of health boards.

4.—(1) F1**[**...**]**

(2) F2**[**...**]**

(3) F2**[**...**]**

(4) F2**[**...**]**

(5) F1**[**...**]**

(6) F1**[**...**]**

Annotations

Amendments:

F1 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4 part 1, S.I. No. 887 of 2004.

F2 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

Editorial Notes:

E10 Previous affecting provision: subs. (1) amended (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 4 and table, S.I. No. 378 of 2004; subs. (1) repealed as per F-note above.

E11 Previous affecting provision: application of section restricted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 7(6), commenced on enactment; section repealed as per F-notes above.

E12 Previous affecting provision: subss. (3) and (4) amended (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4 and sch. 1, S.I. No. 400 of 1993; subss. (3) and (4) repealed as per F-note above.

E13 Previous affecting provision: power pursuant to section exercised (5.03.1990) by *Health Boards (Amendment) Regulations 1990* (S.I. No. 61 of 1990); section repealed as per F-note above.

E14 Previous affecting provision: power pursuant to section exercised (1.10.1970) by *Health Boards Regulations 1970* (S.I. No. 170 of 1970), in effect as per reg. 3; certain provisions (regs. 5-11, paras. (1), (2) of each), continued in force insofar as the repeal of certain provisions relate to this section (15.06.2004) by *Health (Amendment) Act 2004* (19/2014), s. 3, S.I. No. 378 of 2004; section repealed as per F-notes above.

General provisions regarding health boards.

5.—(1) F3**[**...**]**:

(*a*) F3**[**...**]**

(*b*) F3**[**...**]**

(*c*) F3**[**...**]**

(*d*) F4**[**...**]**

(*e*) F4**[**...**]**

(2) F4**[**...**]**

(3) F4**[**...**]**

F5**[**(4) The seal of the board shall be authenticated by the signature of the chief executive officer of the board, or any person for the time being performing the functions of chief executive officer of the board, and the signature of another officer of the board authorised to act in that behalf.**]**

Annotations

Amendments:

F3 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

F4 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

F5 Inserted (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 5, S.I. No. 378 of 2004.

Editorial Notes:

E15 Previous affecting provision: application of section restricted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 7(6), commenced on enactment; s. 7 repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Functions of health boards.

6.—F6**[**...**]**

Annotations

Amendments:

F6 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E16 Previous affecting provision: subs. (3) substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 17(a), commenced on enactment; section repealed as per F-note above.

E17 Previous affecting provision: power pursuant to section exercised (1.09.1996 and 1.11.1998) by *Health (Official Control of Food) Regulations 1996* (S.I. No. 241 of 1996), in effect as per reg. 2; revoked (1.04.1998) by *European Communities (Official Control of Foodstuffs) Regulations 1998* (S.I. No. 85 of 1998), reg. 30, in effect as per art. 2.

E18 Previous affecting provision: power pursuant to section exercised (1.09.1996) by *Health (Official Control of Food) Approved Laboratories Order 1996* (S.I. No. 242 of 1996), in effect as per art. 2; revoked (6.04.1998) by *European Communities (Official Control of Foodstuffs) (Approved Laboratories) Order 1998* (S.I. No. 95 of 1998), art. 4(1), in effect as per art. 2.

E19 Previous affecting provision: power pursuant to section exercised (7.12.1995) by *Health (Extraction Solvents in Foodstuffs) Regulations 1995* (S.I. No. 283 of 1995), in effect as per reg. 2; revoked (25.05.2000) by *European Communities (Extraction Solvents in Foodstuffs and Food Ingredients) Regulations 2000* (S.I. No. 141 of 2000), reg. 23(1).

E20 Previous affecting provision: power pursuant to section exercised (12.03.1993) by *Medical Preparations (Licensing, Advertisement & Sale) (Amendment) Regulations 1993* (S.I. No. 70 of 1993); revoked (19.02.1996) by *Medical Preparations (Licensing and Sale) Regulations 1996* (S.I. No. 43 of 1996), reg. 15, in effect as per reg. 16.

E21 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Cylamate in Food) (Amendment) Regulations 1992* (S.I. No. 73 of 1992), in effect as per reg. 1(ii); revoked (31.12.1995) by *European Communities (General Provisions on The Control of Additives, and in Particular Colours and Sweeteners For Use in Foodstuffs) Regulations 1995* (S.I. No. 344 of 1995), reg. 23, in effect as per reg. 2.

E22 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Arsenic and Lead in Food) (Amendment) Regulations 1992* (S.I. No. 72 of 1992), in effect as per reg. 1(ii); section repealed as per F-note above.

E23 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Mineral Hydrocarbons in Food) (Amendment) Regulations 1992* (S.I. No. 71 of 1992), in effect as per reg. 1(ii); section repealed as per F-note above.

E24 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Solvents in Food) (Amendment) Regulations 1992* (S.I. No. 70 of 1992), in effect as per reg. 1(ii); revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E25 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Anti-oxidant in Food) (Amendment) Regulations 1992* (S.I. No. 69 of 1992), in effect as per reg. 1(ii); revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E26 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Anti-oxidant in Food) (Amendment) Regulations 1992* (S.I. No. 68 of 1992), in effect as per reg. 1(ii); revoked (31.12.1995) by *European Communities (General Provisions on The Control of Additives, and in Particular Colours and Sweeteners For Use in Foodstuffs) Regulations 1995* (S.I. No. 344 of 1995), reg. 23, in effect as per reg. 2.

E27 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Erucic Acid in Food) (Amendment) Regulations 1992* (S.I. No. 67 of 1992), in effect as per reg. 1(ii); revoked by *European Communities (Certain Contaminants in Foodstuffs) Regulations 2010* (S.I. No. 218 of 2010), reg. 33(d), as inserted (23.06.2016) by *European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2016* (S.I. No. 329 of 2016), reg. 3(p).

E28 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Preservatives in Food) (Amendment) Regulations 1992* (S.I. No. 66 of 1992), in effect as per reg. 1(ii); revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E29 Previous affecting provision: power pursuant to section exercised (22.04.1992) by *Health (Vinyl Chloride in Food) (Amendment) Regulations 1992* (S.I. No. 65 of 1992), in effect as per reg. 1(ii); section repealed as per F-note above.

E30 Previous affecting provision: power pursuant to section exercised (31.01.1992) by *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) (Amendment) Regulations 1992* (S.I. No. 24 of 1992), in effect as per reg. 1(2); revoked (11.04.1994) by *Health (Emulsifiers, Stabilisers, Thickeners and Gelling Agents in Food) Regulations 1994* (S.I. No. 78 of 1994), reg. 10, in effect as per reg. 2.

E31 Previous affecting provision: power pursuant to section exercised (31.12.1991) by *Health (Official Control of Food) Regulations 1991* (S.I. No. 332 of 1991), in effect as per reg. 2; revoked (11.04.1994) by *Health (Official Control of Food) Regulations 1996* (S.I. No. 241 of 1996), reg. 26, in effect as per reg. 2.

E32 Previous affecting provision: power pursuant to section exercised (31.12.1991) by *Health (Foods For Particular Nutritional Uses) Regulations 1991* (S.I. No. 331 of 1991), in effect as per reg. 2(2); revoked (23.07.2002) by *European Communities (Foodstuffs Intended For Particular Nutritional Uses) Regulations 2002* (S.I. No. 379 of 2002), reg. 31, in effect as per reg. 2.

E33 Previous affecting provision: power pursuant to section exercised (25.04.1990) by *Health (Emulsifiers, Stabilisers, Thicking and Gelling Agents in Food) (Amendment) Regulations 1990* (S.I. No. 102 of 1990); revoked (11.04.1994) by *Health (Emulsifiers, Stabilisers, Thickeners and Gelling Agents in Food) Regulations 1994* (S.I. No. 78 of 1994), reg. 10, in effect as per reg. 2.

E34 Previous affecting provision: power pursuant to section exercised (13.10.1989) by *Health (Preservatives in Food) (Amendment) Regulations 1989* (S.I. No. 263 of 1989); revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E35 Previous affecting provision: power pursuant to section exercised (1.05.1989) by *Food Hygiene (Amendment) Regulations 1989* (S.I. No. 62 of 1989), in effect as per reg. 1(2); section repealed as per F-note above.

E36 Previous affecting provision: power pursuant to section exercised (1.08.1985) by *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) (Amendment) Regulations 1985* (S.I. No. 186 of 1985), in effect as per reg. 3; revoked (11.04.1994) by *Health (Emulsifiers, Stabilisers, Thickeners and Gelling Agents in Food) Regulations 1994* (S.I. No. 78 of 1994), reg. 10, in effect as per reg. 2.

E37 Previous affecting provision: power pursuant to section exercised (1.05.1984) by *Health (Vinyl Chloride in Food) Regulations 1984* (S.I. No. 95 of 1984), in effect as per reg. 2; section repealed as per F-note above.

E38 Previous affecting provision: power pursuant to section exercised (1.09.1982) by *Health (Foods For Particular Nutritional Uses) Regulations 1982* (S.I. No. 272 of 1982), in effect as per reg. 2; revoked (31.12.1991) by *Health (Foods For Particular Nutritional Uses) Regulations 1991* (S.I. No. 331 of 1991), reg. 2(1), in effect as per reg. 2(2).

E39 Previous affecting provision: power pursuant to section exercised (1.10.1981) by *Health (Preservatives in Food) Regulations 1981* (S.I. No. 337 of 1981); revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E40 Previous affecting provision: power pursuant to section exercised (1.10.1981) by *Health (Colouring Agents in Food) (Amendment) Regulations 1981* (S.I. No. 336 of 1981), in effect as per reg. 3; revoked (31.12.1995) by *European Communities (General Provisions on The Control of Additives, and in Particular Colours and Sweeteners For Use in Foodstuffs) Regulations 1995* (S.I. No. 344 of 1995), reg. 23, in effect as per reg. 2.

E41 Previous affecting provision: power pursuant to section exercised (1.03.1980) by *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) Regulations 1980* (S.I. No. 35 of 1980), in effect as per reg. 3; revoked (11.04.1994) by *Health (Emulsifiers, Stabilisers, Thickeners and Gelling Agents in Food) Regulations 1994* (S.I. No. 78 of 1994), reg. 10, in effect as per reg. 2.

E42 Previous affecting provision: power pursuant to section exercised (1.06.1978) by *Health (Colouring Agents in Food) (Amendment) Regulations 1978* (S.I. No. 140 of 1978), in effect as per reg. 2; revoked (31.12.1995) by *European Communities (General Provisions on The Control of Additives, and in Particular Colours and Sweeteners For Use in Foodstuffs) Regulations 1995* (S.I. No. 344 of 1995), reg. 23, in effect as per reg. 2.

E43 Previous affecting provision: power pursuant to section exercised (1.05.1978) by *Health (Erucic Acid in Food) Regulations 1978* (S.I. No. 123 of 1978), in effect as per reg. 2; revoked by *European Communities (Certain Contaminants in Foodstuffs) Regulations 2010* (S.I. No. 218 of 2010), reg. 33(c), as inserted (23.06.2016) by *European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2016* (S.I. No. 329 of 2016), reg. 3(p).

E44 Previous affecting provision: power pursuant to subs. (3) exercised (1.10.1974) by *Meath County Infirmary (Abolition) Order 1974* (S.I. No. 284 of 1974); section repealed as per F-note above.

E45 Previous affecting provision: power pursuant to section exercised (1.07.1974) by *Health (Colouring Agents in Food) Regulations 1973* (S.I. No. 149 of 1973), in effect as per reg. 2; revoked (31.12.1995) by *European Communities (General Provisions on The Control of Additives, and in Particular Colours and Sweeteners For Use in Foodstuffs) Regulations 1995* (S.I. No. 344 of 1995), reg. 23, in effect as per reg. 2.

E46 Previous affecting provision: power pursuant to section exercised (1.07.1974) by *Health (Antioxidant in Food) Regulations 1973* (S.I. No. 148 of 1973), in effect as per reg. 2; revoked (25.03.1997) by *European Communities Detailed Provisions on the Control of Additives, Other Than Colours and Sweeteners For Use in Foodstuffs) Regulations 1997* (S.I. No. 128 of 1997), reg. 13(1), in effect as per reg. 2.

E47 Previous affecting provision: power pursuant to section exercised (1.07.1974) by *Health (Preservatives in Food) Regulations 1973* (S.I. No. 147 of 1973), in effect as per reg. 2; revoked (1.10.1981) by *Health (Preservatives in Food) Regulations 1981* (S.I. No. 337 of 1981), reg. 3(1), in effect as per reg. 2.

E48 Previous affecting provision: power pursuant to section exercised (8.12.1972) by *Health (Solvents in Food) Regulations 1972* (S.I. No. 304 of 1972); section repealed as per F-note above.

E49 Previous affecting provision: power pursuant to section exercised (8.012.1972) by *Health (Antioxidant in Food) (Amendment) Regulations 1972* (S.I. No. 303 of 1972), in effect as per reg. 2; rendered obsolete by revocation of *Health (Antioxidant in Food) Regulations 1972* (S.I. No. 42 of 1972) (1.07.1974) by *Health (Antioxidant in Food) Regulations 1973* (S.I. No. 148 of 1973), reg. 3, in effect as per reg 2.

E50 Previous affecting provision: power pursuant to section exercised (8.12.1972) by *Health (Preservatives in Food) (Amendment) Regulations 1972* (S.I. No. 302 of 1972); revoked (1.07.1974) by *Health (Preservatives in Food) Regulations 1973* (S.I. No. 147 of 1973), reg. 3(1), in effect as per reg. 2.

E51 Previous affecting provision: power pursuant to section exercised (8.12.1972) by *Health (Colouring Matter in Food) (Amendment) Regulations 1972* (S.I. No. 301 of 1972); revoked (1.07.1974) by *Health (Colouring Agents in Food) Regulations 1973* (S.I. No. 149 of 1973), reg. 3(1), in effect as per reg. 2.

E52 Previous affecting provision: power pursuant to section exercised (1.09.1972) by *Health (Mineral Hydrocarbons in Food) Regulations 1972* (S.I. No. 45 of 1972), in effect as per reg. 2; section repealed as per F-note above.

E53 Previous affecting provision: power pursuant to section exercised (1.09.1972) by *Health (Arsenic and Lead in Food) Regulations 1972* (S.I. No. 44 of 1972), in effect as per reg. 2; section repealed as per F-note above.

E54 Previous affecting provision: power pursuant to section exercised (1.09.1972) by *Health (Preservatives in Food) Regulations 1972* (S.I. No. 43 of 1972), in effect as per reg. 2; revoked (1.07.1974) by *Health (Preservatives in Food) Regulations 1973* (S.I. No. 147 of 1973), reg. 3(1), in effect as per reg. 2.

E55 Previous affecting provision: power pursuant to section exercised (1.09.1972) by *Health (Antioxidant in Food) Regulations 1972* (S.I. No. 42 of 1972), in effect as per reg. 2; revoked (1.07.1974) by *Health (Antioxidant in Food) Regulations 1973* (S.I. No. 148 of 1973), reg. 3(1), in effect as per reg. 2.

E56 Previous affecting provision: power pursuant to section exercised (1.09.1972) by *Health (Colouring Matter in Food) Regulations 1972* (S.I. No. 41 of 1972), in effect as per reg. 2; revoked (1.07.1974) by *Health (Colouring Agents in Food) Regulations 1973* (S.I. No. 149 of 1973), reg. 3(1), in effect as per reg. 2.

E57 Previous affecting provision: power pursuant to section exercised (6.12.1971) by *Food Hygiene (Amendment) Regulations 1971* (S.I. No. 322 of 1971); section repealed as per F-note above.

E58 Previous affecting provision: power pursuant to subs. (3) exercised (1.04.1971) by *Health Boards (Functions of Chief Executive Officers) Order 1971* (S.I. No. 107 of 1971); section repealed as per F-note above.

Local committees. **7.**—F7**[**...**]**

Annotations

Amendments:

F7 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Editorial Notes:

E59 Local Committees established under section dissolved (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 16(3), commenced on enactment.

E60 Previous affecting provision: subss. (3), (4) amended (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4(1) and sch. 1, S.I. No. 400 of 1993; section repealed as per F-note above.

E61 Previous affecting provision: power pursuant to section exercised (7.03.1977) by *Health (Local Committees) Regulations 1977* (S.I. No. 68 of 1977); section repealed as per F-note above.

E62 Previous affecting provision: power pursuant to section exercised (4.02.1972) by *Health (Local Committees) Regulations 1972* (S.I. No. 31 of 1972); section repealed as per F-note above.

Committees of health boards. **8.**—F8**[**...**]**

Annotations

Amendments:

F8 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

Editorial Notes:

E63 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

Expenses of members of boards and committees.

9.—F9**[**...**]**

Annotations

Amendments:

F9 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

Editorial Notes:

E64 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

Allowances to chairmen and vice-chairmen of health boards.

10.—F10**[**...**]**

Annotations

Amendments:

F10 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

Editorial Notes:

E65 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

Joint action by health boards.

11.—F11**[**...**]**

Annotations

Amendments:

F11 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E66 Previous affecting provision: power pursuant to section exercised (18.05.2000) by *National Breast Screening Board (Establishment), 1998 (Amendment) (No. 2) Order 2000* (S.I. No. 139 of 2000); section repealed as per F-note above.

E67 Previous affecting provision: power pursuant to section exercised (22.03.2000) by *General Medical Services (Payments) Board (Establishment) (Amendment) Order 2000* (S.I. No. 75 of 2000); section repealed as per F-note above.

E68 Previous affecting provision: power pursuant to section exercised (26.03.1999) by *National Breast Screening Board (Establishment), 1998 (Amendment) Order 1999* (S.I. No. 84 of 1999); section repealed as per F-note above.

E69 Previous affecting provision: power pursuant to section exercised (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998); section repealed as per F-note above.

E70 Previous affecting provision: power pursuant to section exercised (20.12.1994) by *General Medical Services (Payments) Board (Establishment) Order, 1972 (Amendment) Order 1994* (S.I. No. 442 of 1994); section repealed as per F-note above.

E71 Previous affecting provision: power pursuant to section exercised (29.08.1990) by *General Medical Services (Payments) Board (Establishment) Order, 1972 (Amendment) Order 1990* (S.I. No. 223 of 1990); section repealed as per F-note above.

E72 Previous affecting provision: power pursuant to section exercised (3.11.1988) by *Health (Superannuation Provisions) Order 1988* (S.I. No. 278 of 1988); section repealed as per F-note above.

E73 Previous affecting provision: power pursuant to section exercised (28.07.1972) by *General Medical Services (Payments) Board (Establishment) Order 1972* (S.I. No. 184 of 1972); section repealed as per F-note above.

E74 Previous affecting provision: subs. (3)(g), (h) inserted (28.07.1972) by *Local Government (Superannuation) Act 1980* (8/1980), s. 8, S.I. No. 279 of 1988; section repealed as per F-note above.

Removal of board from office.

12.—F12**[**...**]**

Annotations

Amendments:

F12 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004.

CHAPTER II

Officers and Servants, etc.

Chief executive officers of health boards.

13.—F13**[**...**]**

Annotations

Amendments:

F13 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E75 Previous affecting provision: subs. (8) amended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment; section repealed as per F-note above.

E76 Previous affecting provision: subss. (2)(a), (b), (d) and (9) amended and subs. (8) substituted (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 6(1)(a)-(d), (2) and table, S.I. 378 of 2004; section repealed as per F-note above.

E77 Previous affecting provision: application of subss. (1), (3) and (8) restricted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 13(5), commenced on enactment; section repealed as per F-note above.

E78 Previous affecting provision: subss. (6), (7) repealed (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 6(1)(a), commenced on enactment; section repealed as per F-note above.

E79 Previous affecting provision: subs. (4) substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 17(b), commenced on enactment; section repealed as per F-note above.

E80 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

Other officers and servants of health boards.

14.—F14**[...]**

Annotations

Amendments:

F14 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E81 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Application of Local Authorities (Officers and Employees) Acts, 1926 and 1940.

15.—F15**[...]**

Annotations

Amendments:

F15 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E82 Previous affecting provision: subs. (1) amended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment; section repealed as per F-note above.

E83 Previous affecting provision: application of subs. (1) restricted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 12(3), commenced on enactment; section repealed as per F-note above.

E84 Previous affecting provision: subs. (2) amended (1.01.1984) by *Local Authorities (Officers and Employees) Act 1983* (1/1983), s. 7(2)(b), S.I. No. 371 of 1983; section repealed as per F-note above.

E85 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Delegation by chief executive officer.

16.—(1) F16**[...]**

(2) F16**[...]**

(3) F16**[**...**]**

(4) F16**[**...**]**

(5) F16**[**...**]**

(6) F16**[**...**]**

(7) F17**[**...**]**

Annotations

Amendments:

F16 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

F17 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Editorial Notes:

E86 Previous affecting provision: application of subs. (1) restricted (1.01.1998) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 12(8), S.I. No. 209 of 1997; subsection repealed as per F-note above.

E87 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Performance of duties of officers.

17.—(1) F18**[**...**]**

(2) F18**[**...**]**

(3) F18**[**...**]**

(4) F19**[**...**]**

(5) F19**[**...**]**

Annotations

Amendments:

F18 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

F19 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E88 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), in effect as per reg. 2; revoked (1.01.2008) by *Health Services Regulations 2007* (S.I. No. 837 of 2007), reg. 3, in effect as per reg. 2.

E89 Previous affecting provision: power pursuant to section exercised (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2003), in effect as per reg. 2; revoked (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), reg. 3, in effect as per reg. 2.

E90 Previous affecting provision: power pursuant to section exercised (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), in effect as per reg. 2; revoked (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2004), reg. 3, in effect as per reg. 2.

E91 Previous affecting provision: power pursuant to section exercised (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), in effect as per reg. 2; revoked (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), reg. 3, in effect as per reg. 2.

E92 Previous affecting provision: power pursuant to section exercised (1.03.2001) by *Health Services Regulations 2001* (S.I. No. 66 of 2001), in effect as per reg. 2; revoked (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), reg. 3, in effect as per reg. 2.

E93 Previous affecting provision: certain functions under subs. (5)(b) transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

E94 Previous affecting provision: power pursuant to subs. (4)(e) exercised (1.04.1972) by *Health Services Regulations 1972* (S.I. No. 88 of 1972), in effect as per reg. 3; section repealed as per F-notes above.

Qualifications for offices under health boards.

18.—F20**[...]**

Annotations

Amendments:

F20 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E95 Previous affecting provision: section amended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment; section repealed as per F-note above.

E96 Previous affecting provision: section applied with modifications and references construed (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-note above.

E97 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Age limits.

19.—F21**[...]**

Annotations

Amendments:

F21 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E98 Previous affecting provision: section substituted (25.03.2004) by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004), s. 2(7) and sch. 2 part 1, commenced on enactment; section repealed as per F-note above.

E99 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 12(5); section repealed as per F-note above.

E100 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

E101 Previous affecting provision: power pursuant to section exercised (24.03.1971) by *Health (Officers Age Limit) Order 1971* (S.I. No. 109 of 1971); section repealed as per F-note above.

Superannuation. **20.**—F22**[...]**

Annotations

Amendments:

F22 Repealed (10.12.1987) by *Local Government (Superannuation) Act 1980* (8/1980), s. 11 and sch. 2, S.I. No. 312 of 1987 and (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Editorial Notes:

E102 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-note above.

Suspension and removal of chief executive officer. **21.**—(1) F23**[...]**

(2) F24**[...]**

(3) F24**[...]**

(4) F23**[...]**

(5) F23**[...]**

Annotations

Amendments:

F23 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

F24 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3(1), S.I. No. 378 of 2004.

Editorial Notes:

E103 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-notes above.

E104 Previous affecting provision: application of section restricted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 14(4), commenced on enactment; section repealed as per F-notes above.

E105 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-notes above.

Suspension of other officers of health boards. **22.**—F25**[...]**

Annotations

Amendments:

F25 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3(1), S.I. No. 378 of 2004.

Editorial Notes:

E106 Previous affecting provision: subs. (1) amended (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 7 and table, S.I. No. 378 of 2004; section repealed as per F-note above.

E107 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-note above.

E108 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Removal of officers and servants.

23.—(1) F26**[**...**]**

(2) F26**[**...**]**

(3) F26**[**...**]**

(4) F27**[**...**]**

(5) Removals of officers and servants under this section shall be carried out in accordance with regulations made by the Minister and such regulations shall provide—

(*a*) that effect shall not be given to any proposal for removal unless prescribed notice has been sent to the officer or servant of the reasons for the proposal, and

(*b*) that any representations made by him or on his behalf on the proposal which are received within a prescribed period shall be considered.

Annotations

Amendments:

F26 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 32(1) and sch. 2 part 1, commenced on enactment.

F27 Repealed (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3(1), S.I. No. 378 of 2004.

Editorial Notes:

E109 Power pursuant to subs. (5) exercised (18.08.1972) by *Social Welfare (Removal of Officers) Regulations 1972* (S.I. No. 200 of 1972), in effect as per reg. 3.

E110 Previous affecting provision: subs. (1) amended (15.06.2004) by *Health Amendment) Act 2004* (19/2004), s. 8 and table, S.I. No. 378 of 2004; subsection repealed as per F-note above.

E111 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section substantially repealed as per F-note above.

E112 Previous affecting provision: functions under subs. (4) declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; subsection repealed as per F-note above.

E113 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section substantially repealed as per F-note above.

E114 Previous affecting provision: power pursuant to subs. (5) exercised (1.05.1971) by *Health (Removal of Officers and Servants) Regulations 1971* (S.I. No. 110 of 1971), in effect as per reg. 3; section substantially repealed as per F-note above.

Committees for certain removals.

24.—F28**[...]**

Annotations

Amendments:

F28 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E115 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-note above.

E116 Previous affecting provision: power pursuant to subs. (3) exercised (30.06.1973) by *Health (Removal of Officers and Servants) (Amendment) Regulations 1973* (S.I. No. 180 of 1973); section repealed as per F-note above.

E117 Previous affecting provision: power pursuant to subs. (3) exercised (3.07.1972) by *Health (Removal of Officers and Servants) (Amendment) Regulations 1972* (S.I. No. 165 of 1972); section repealed as per F-note above.

E118 Previous affecting provision: power pursuant to subss. (3), (8), (10) exercised (18.08.1972) by *Social Welfare (Removal of Officers) Regulations 1972* (S.I. No. 200 of 1972), in effect as per reg. 3; section repealed as per F-note above.

E119 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

E120 Previous affecting provision: power pursuant to subss. (3), (8), (10) exercised (1.05.1971) by *Health (Removal of Officers and Servants) Regulations 1971* (S.I. No. 110 of 1971), in effect as per reg. 3; section repealed as per F-note above.

Arrangements between health boards and local authorities.

25.—F29**[...]**

Annotations

Amendments:

F29 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E121 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

Arrangements by health boards for provision of services.

26.—F30**[...]**

Annotations

Amendments:

F30 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E122 Previous affecting provision: application of subs. (1) restricted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 7(6), commenced on enactment; section repealed as per F-note above.

E123 Previous affecting provision: subs. (2) substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 17(c), commenced on enactment; section repealed as per F-note above.

CHAPTER III

Finance

Accounts of health boards.

27.—F31**[**...**]**

Annotations

Amendments:

F31 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Audits of health board accounts.

28.—F32**[**...**]**

Annotations

Amendments:

F32 Repealed (1.01.1994) by *Comptroller and Auditor General (Amendment) Act 1993* (8/1993), s. 20 and sch. 4 item 13, S.I. No. 273 of 1993.

Editorial Notes:

E124 Previous affecting provision: certain functions under section transferred (1.08.1972) by *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972); section repealed as per F-note above.

Abstract of health board accounts.

29.—F33**[**...**]**

Annotations

Amendments:

F33 Repealed (1.01.1994) by *Comptroller and Auditor General (Amendment) Act 1993* (8/1993), s. 20 and sch. 4 item 13, S.I. No. 273 of 1993.

Health board estimates.

30.—F34**[...]**

Annotations

Amendments:

F34 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Limitations on expenditure by health board.

31.—F35**[...]**

Annotations

Amendments:

F35 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Grants and local contributions to health boards.

32.—(1) F36**[...]**

(2) F37**[...]**

(3) F37**[...]**

(4) F37**[...]**

(5) F37**[...]**

(6) F37**[...]**

(7) F37**[...]**

(8) F37**[...]**

(9) F38**[...]**

(10) F37**[...]**

Annotations

Amendments:

F36 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

F37 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

F38 Repealed (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4 and sch. 1, S.I. No. 400 of 1993.

Editorial Notes:

E125 Previous affecting provision: section applied with modifications (16.11.1993) by *Social Welfare (Consolidation) Act 1993* (27/1993), s. 187(4), S.I. No. 335 of 1993; repealed (11.04.2005) by *Social Welfare and Pensions Act 2005* (4/2005), s. 26 and sch. 4 item 25, S.I. No. 182 of 2005.

E126 Previous affecting provision: section applied with modifications (28.02.1981) by *Social Welfare (Consolidation) Act 1981* (1/1981), s. 218(4), S.I. No. 63 of 1981; repealed (16.11.1993) by *Social Welfare (Consolidation) Act 1993* (27/1993), s. 300 and sch. 5, S.I. No. 335 of 1993.

E127 Previous affecting provision: section applied with modifications (1.07.1977) by *Social Welfare (Supplementary Welfare Allowances) Act 1975* (28/1975), s. 20(4), S.I. No. 156 of 1977; repealed (28.02.1981) by *Social Welfare (Consolidation) Act 1981* (1/1981), s. 310 and sch. 6, S.I. No. 63 of 1981.

Borrowing and acceptance of gifts by health boards.

33.—F39**[**...**]**

Annotations

Amendments:

F39 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E128 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 20; section repealed as per F-note above.

E129 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; section repealed as per F-note above.

E130 Previous affecting provision: subs. (1) substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996) s. 17(d), commenced on enactment; section substituted as per F-note above.

CHAPTER IV

Dissolution of Certain Bodies, etc.

Dissolutions of certain health authorities and consequential provisions.

34.—F40**[**...**]**

Annotations

Amendments:

F40 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E131 Previous affecting provision: section applied with modifications (3.09.1998) by *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998), art. 12(5); section repealed as per F-note above.

E132 Previous affecting provision: power pursuant to section exercised (1.04.1971) by *Health Authorities (Dissolution) Order 1971* (S.I. No. 117 of 1971), in effect as per art. 2; section repealed as per F-note above.

Dissolutions of joint boards under section 45 of Health Act, 1953.

35.—F41**[...]**

Annotations

Amendments:

F41 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E133 Previous affecting provision: power pursuant to section exercised (1.04.1971) by *Joint Health Boards (Dissolution) Order 1971* (S.I. No. 118 of 1971), in effect as per art. 2; section repealed as per F-note above.

Transfers of certain property.

36.—F42**[...]**

Annotations

Amendments:

F42 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Transfer of certain officers and continuance of certain contracts of service.

37.—F43**[...]**

Annotations

Amendments:

F43 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

PART III

HOSPITALS, ETC.

Provision and maintenance of hospitals, etc.

38.—(1) A health board may, with the consent of the Minister, provide and maintain any hospital, sanatorium, home, laboratory, clinic, health centre or similar premises required for the provision of services under the Health Acts, 1947 to 1970.

(2) The Minister may give to a health board such direction as he thinks fit in relation to the provision or maintenance of any premises provided and maintained under *subsection (1)* and in relation to the arrangements for providing services therein, and the health board shall comply with any such direction.

(3) A health board may and, if directed by the Minister, shall discontinue the provision and maintenance of any premises provided and maintained by it under *subsection (1)*.

(4) A health board shall not exercise its powers under *subsection (3)* in relation to the discontinuance of the provision and maintenance of a hospital, sanatorium or home save with the consent of the Minister.

(5) The Minister shall not give a direction under *subsection (3)* in relation to the discontinuance of the provision and maintenance of a hospital, sanatorium or home save after having caused a local inquiry to be held into the desirability of the discontinuance.

(6) Where, on a discontinuance under *subsection (3)*, a person who held an office under the health board in the premises affected is offered a similar office by the board, the first-mentioned office shall, for the purposes of the superannuation of the person, be deemed not to have been abolished.

Annotations

Modifications (not altering text):

C3 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E134 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; s. 3 repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Religious services.

39.—(1) A health board shall make arrangements with the appropriate authorities for the performance of religious services in each hospital, sanatorium and home maintained by it.

(2) The amount of any payment made to a person by a health board under an arrangement under this section shall be subject to the approval of the Minister.

Annotations

Modifications (not altering text):

C4 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Acquisition of land for voluntary bodies.

F44**[40.**—(1) A health board may, on the request of a body which provides or proposes to provide institutional services or any other service similar or ancillary to a service which the health board may provide, and subject to any general directions given by the Minister, provide for the body any land which is shown by the body, to the satisfaction of the health board, to be required for the efficient performance of the functions of the body.**]**

F44**[**(2) Where a health board decides to provide land under this section for a body, it may acquire the land either by agreement, subject to any general directions given by the Minister, or compulsorily under Part VIII of the Health Act, 1947, and may lease such land to or for the benefit of the body.**]**

(3) Where a health board is requested by a body to provide under this section any land for the body, the board may, as a condition precedent to its so providing the land, require the body to undertake to defray the whole or part of the cost of so providing the land.

Annotations

Amendments:

F44 Substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996, s. 17(e), (f), commenced on enactment.

Modifications (not altering text):

C5 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E135 Previous affecting provision: functions under section declared reserved functions (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 3(1)(a) and sch. 1, commenced on enactment; s. 3 repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004.

Bodies for co-ordination and development of hospital services.

41.—(1) F45**[**...**]**

(2) F46**[**...**]**

(3) F45**[**...**]**

(4) F45**[**...**]**

(5) F45**[**...**]**

(6) F45**[**...**]**

(7) F45**[**...**]**

(8) F45**[**...**]**

(9) F46**[**...**]**

(10) F46**[**...**]**

(11) F45**[**...**]**

(12) F45**[**...**]**

(13) F45**[**...**]**

(14) F45**[**...**]**

(15) F45**[**...**]**

(16) F45**[**...**]**

Annotations

Amendments:

F45 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

F46 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Editorial Notes:

E136 Previous affecting provision: functions under subs. (1)(b)(i), (ii) transferred from Comhairle na nOspidéal to HSE and duty to consult with colleges transferred (1.01.2005, establishment day) by *Health Act 2004* (42/2004), s. 57, S.I. No. 885 of 2004; section repealed as per F-notes above.

E137 Previous affecting provision: power pursuant to section exercised (11.12.1978) by *Health (Hospital Bodies) Regulations, 1972, (Amendment) Regulations 1978* (S.I. No. 338 of 1978), in effect as per reg. 2; section repealed as per F-notes above.

E138 Previous affecting provision: power pursuant to section exercised (1.07.1972) by *Health (Hospital Bodies) Regulations 1972* (S.I. No. 164 of 1972), in effect as per reg. 2; section repealed as per F-notes above.

Dissolution of Hospitals Commission.

42.—F47**[**...**]**

Annotations

Amendments:

F47 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Editorial Notes:

E139 Previous affecting provision: power pursuant to section exercised (1.04.1976) by *Hospitals Commission (Dissolution) Order 1976* (S.I. No. 79 of 1976), in effect as per art. 2; section repealed as per F-note above.

Amendment of Public Hospitals Act, 1933.

43.—(1) The definition of "hospital" in section 1 of the Act of 1933 is hereby amended by the insertion of "or for providing services for hospitals" after "medical research".

(2) Section 14 (5) of the Act of 1933, in its operation in relation to appointments made between the commencement of this section and the commencement of *section 42*, shall be construed as if "such period as may be specified by the Minister" were substituted for "two years".

(3) In this section "the Act of 1933" means the Public Hospitals Act, 1933.

Administration of Central Mental Hospital.

44.—(1) The Minister may, by order made with the consent of the Minister for Finance, arrange for the transfer of the administration of the Central Mental Hospital to the health board (in this section referred to as the relevant health board) the functional area of which includes the county of Dublin.

(2) Where an order has been made under this section—

(*a*) the Central Mental Hospital shall be administered by the relevant health board and its officers and servants, as if it were a hospital maintained by the board under *section 38* and

(*b*) a reference in any enactment to the resident governor and physician of the Central Mental Hospital shall be construed as a reference to the officer of the relevant health board who is for the time being the senior medical officer of that Hospital.

(3) Any person who, immediately before the commencement of this section, was an officer of the Minister employed in the Central Mental Hospital and who opts within the period of six months beginning on such commencement to be appointed to an office under the relevant health board shall be so appointed by the chief executive officer as from the commencement of an order under this section.

(4) Notwithstanding the provisions of the Central Criminal Lunatic Asylum (Ireland) Act, 1845, the Minister may, with the consent of the Minister for Finance, arrange for functions relating to the repairing, enlarging, improving, upholding or furnishing of the Central Mental Hospital to be performed by the relevant health board.

Annotations

Modifications (not altering text):

C6 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 1 of 1970	Health Act 1970	Sections 44, 45, 52, 53, 56 and 59
...	...	...

C7 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E140 Power pursuant to section exercised (18.08.1971) by *Central Mental Hospital Order 1971* (S.I. No. 236 of 1971).

PART IV

Health Services

Annotations

Modifications (not altering text):

C8 Application of Part restricted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 9, S.I. No. 134 of 1991.

Residency and Council Regulation (EEC) No. 1408/71.

9.—The provisions of Part IV of the Act of 1970 (as amended by this Act) relating to a person being ordinarily resident in the State are without prejudice to the due application of the provisions of Council Regulation (EEC) No. 1408/71 of 14 June 1971(1) (as replaced by the text in Annex I to Council Regulation (EEC) No. 2001/83 of 2 June 1983 (2)) and of any provision made before, on or after the passing of this Act which amends, extends, replaces or consolidates (with or without modification) Council Regulation 1408/71.

(1) O.J. No. L 149 of 5.7.1971, p.2.

(2) O.J. No. L 230 of 22.8.1983, p.6.

Chapter I

Eligibility

Full eligibility.

45.—(1) A person in either of the following categories F48**[**and who is ordinarily resident in the State**]** shall have full eligibility for the services under this Part—

(*a*) adult persons F49**[**who, in the opinion of the Health Service Executive, are**]** unable without undue hardship to arrange general practitioner medical and surgical services for themselves and their dependants,

(*b*) dependants of the persons referred to in *paragraph (a)*.

F50**[**(2) F51**[**Subject to *subsection (2A)*, in deciding**]** whether or not a person comes within the category mentioned in *subsection (1)(a)*, the Health Service Executive shall have regard to the person's overall financial situation (including the means of the spouse F52**[**or civil partner within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010**]**, if any, of that person in addition to the person's own means) in view of the person's reasonable expenditure in relation to himself or herself and his or her dependants, if any.**]**

F53**[**(2A) In having regard under *subsection (2)* to a person's overall financial situation, the Health Service Executive shall disregard any relevant sums (within the meaning of section 216A of the Taxes Consolidation Act 1997) arising to the person (or the person's spouse or civil partner within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010) where the relevant sums qualify for relief under section 216A of the Taxes Consolidation Act 1997.**]**

(3) The Minister may, with the consent of the Minister for Finance, by regulations specify a class or classes of persons who shall be deemed to be within the categories mentioned in *subsection (1)*.

(4) A draft of regulations which it is proposed to make under this section shall be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving of the draft has been passed by each House.

(5) Section 5(5) of the Health Act, 1947, shall not apply to regulations under this section.

F54**[**(5A) Notwithstanding any other enactment, with effect from 2 March 2009 a person also shall have full eligibility for the services under this Part if the person attained the age of 70 years before 1 January 2009 and is ordinarily resident in the State, so long as the person's gross income does not exceed the relevant gross income limit under *section 45A*.**]**

F55**[**(5B) A person who is a child within the meaning of section 186C of the Social Welfare Consolidation Act 2005 and in respect of whom an allowance is being paid under Chapter 8A of Part 3 of that Act shall have full eligibility for the services under this Part and, notwithstanding *subsection (6)*, references in this Part to persons with full eligibility shall be construed as including references to such persons.**]**

(6) References in this Part to persons with full eligibility shall be construed as referring to persons in the categories mentioned in *subsection (1)* or deemed to be within those categories.

(7) Any person who is not in either of the categories mentioned in *subsection (1)* F48**[**or who is not ordinarily resident in the State**]** but who, in relation to a particular service which is available to persons with full eligibility, is considered by the chief executive officer of the appropriate health board to be unable, without undue hardship, to provide that service for himself or his dependants shall, in relation to that service, be deemed to be a person with full eligibility.

Annotations

Amendments:

F48 Inserted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991) s. 2, S.I. No. 134 of 1991.

F49 Inserted (11.05.2005) by *Health (Amendment) Act 2005* (3/2005), s. 1(a), commenced on enactment.

F50 Inserted (11.05.2005) by *Health (Amendment) Act 2005* (3/2005), s. 1(b), commenced on enactment.

F51 Substituted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 3(a), S.I. No. 406 of 2024.

F52 Inserted (1.01.2011) by *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010* (24/2010), s. 170 and sch. part 5, S.I. No. 648 of 2010.

F53 Inserted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 3(b), S.I. No. 406 of 2024.

F54 Substituted (1.01.2009) by *Health Act 2008* (21/2008), s. 3(1), commenced as per s. 1(2), subject to transitional provision in s. 3(2).

F55 Inserted (1.06.2017) by *Health (Amendment) Act 2017* (5/2017), s. 2, S. I. No. 155 of 2017.

Modifications (not altering text):

C9 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 1 of 1970	Health Act 1970	Sections 44, 45, 52, 53, 56 and 59
...	...	...

C10 Reference to "health board" in subs. (7) construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E141 Power pursuant to subs. (3) exercised (1.07.2024) by *Health Act 1970 (Section 45(3)) (Classes of Persons) Regulations 2024* (S.I. No. 152 of 2024).

E142 Previous affecting provision: subs. (5A) inserted (1.07.2001) by *Health (Miscellaneous Provisions) Act 2001* (14/2001), s. 1(1)(a), S.I. No. 305 of 2001; substituted as per F-note above.

F56**[**Full eligibility.

45A.—(1) Notwithstanding *section 45(6)*, a person in one of the following categories and who is ordinarily resident in the State also shall have full eligibility for the services under this Part:

(*a*) persons who, on or after 1 January 2009, attain or have attained the age of 70 years, whose gross income does not exceed the relevant income limit and who—

(i) make an application to the Health Service Executive in such form as it may consider appropriate, and

(ii) receive confirmation from the Health Service Executive that they have full eligibility for services under this Part because they have attained the age of 70 years, are ordinarily resident in the State and their gross income does not exceed the relevant gross income limit, so long as their gross income does not exceed that relevant limit;

(*b*) F57**[**...**]**

(i) if the surviving persons have attained the age of 70 years at the time of the death,

(ii) if the death occurred on or after 1 January 2009, and

(iii) for a period of 3 years after the death, so long as their gross income does not exceed the gross income limit set out in *paragraph (b)* of *subsection (2)* during that period;

and

(*c*) dependants of the persons referred to in *paragraph (a)* or *section 45(5A)*.

F58**[**(1A) Where—

(*a*) a person—

(i) was married to another person until that other person's death,

(ii) was living with another person as a married couple until that other person's death, or

(iii) was a civil partner as respects another person until that other person's death,

(*b*) the death of the other person occurred on or after 1 January 2014, and

(*c*) the surviving person had attained the age of 70 years at the time of the death of that other person,

the gross income limit applicable to the surviving person in the 3 years following the death of that other person shall—

(i) as respects the period commencing on 1 January 2014 and ending on the day before the relevant date be €900 per week, not including the income

from the portion of his or her savings or similar investments whose capital value does not exceed €72,000, and

(ii) as respects the period commencing on the relevant date be €1,050 per week, not including the income from the portion of his or her savings or similar investments whose capital value does not exceed €72,000,

but such gross income limit shall apply only as respects such part of the 3 year period as the surviving person is not married, is not living together with another person as a married couple, or does not have a civil partner.**]**

(2) The Health Service Executive shall provide any necessary supports to any person in the making of an application under *subsection (1)* where, by reason of any incapacity, such person requests such assistance.

F59**[**(3) The gross income limits for the purposes of this section and *section 45(5A)* are the following:

(*a*) in respect of the period commencing on 1 January 2014 and ending on the day before the relevant date—

(i) if a person—

(I) is not married,

(II) is not living together with another person as a married couple, and

(III) does not have a civil partner,

his or her gross income limit is €500 per week, not including the income from the portion of the person's savings or similar investments whose capital value does not exceed €36,000, and

(ii) if persons—

(I) are married,

(II) live together as a married couple, or

(III) are civil partners as respects each other,

their combined gross income limit is €900 per week, not including the income from the portion of their savings or similar investments whose capital value does not exceed €72,000,

and

(*b*) in respect of the period commencing on the relevant date—

(i) if a person—

(I) is not married,

(II) is not living together with another person as a married couple, and

(III) does not have a civil partner,

his or her gross income limit is €550 per week, not including the income from the portion of the person's savings or similar investments whose capital value does not exceed €36,000, and

(ii) if persons—

(I) are married,

(II) live together as a married couple, or

(III) are civil partners as respects each other,

their combined gross income limit is €1,050 per week, not including the income from the portion of their savings or similar investments whose capital value does not exceed €72,000.**]**

(4) The Minister shall, on 1 September of every year, review the most recent information on the consumer price index made available by the Central Statistics Office, and may, with the consent of the Minister for Finance, by regulations to take effect on 1 January next following that review, F60**[**increase or decrease**]** the gross income limits specified for the purposes of this section and *section 45(5A)* to reflect any F60**[**increase or decrease**]** in that index.

F61**[**(5) In the calculation of the gross income of a person for the purposes of this section and *section 45(5A)*, all gross income from all sources is to be included except for the gross income arising from the following sources of income and any subsequent income from the investment of the monies arising from the sources referred to in *paragraphs (a)* to *(e)*:

(*a*) compensation awards to persons under the Hepatitis C Compensation Tribunal Acts 1997 to 2006;

(*b*) compensation awards by way of the Residential Institutions Redress Board established under section 3 of the Residential Institutions Redress Act 2002;

(*c*) prescribed repayments referred to in section 8(2) of the Health (Repayment Scheme) Act 2006;

(*d*) ex-gratia awards approved by the Lourdes Hospital Redress Board under the terms of the Lourdes Hospital Redress Scheme 2007;

(*e*) such other awards and payments prescribed in regulations made under subsection (7);

(*f*) relevant sums (within the meaning of section 216A of the Act of 1997) arising to the person (or the person's spouse or civil partner) which qualify for relief under section 216A of the Act of 1997.**]**

(6) F61**[**Subject to subsection (5)(f), in the calculation of**]** gross income for the purposes of this section and *section 45(5A)*, income will not be imputed from property (whether a family home, a holiday home or any other property), unless it is rented, and only the net rental income will be included as income, calculated as gross income, less any cost necessarily incurred associated with the rental of the property.

(7) The Minister may make regulations prescribing a class or classes of payments not coming within *paragraphs (a)* to *(d)* of *subsection (5)* but which the Minister considers to be made for a similar purpose as those made under those paragraphs.**]**

F62**[**(8) In this section—

F63**[**"Act of 1997" means the Taxes Consolidation Act 1997.**]**

"civil partner" has the same meaning as it has in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;

"relevant date" means the date on which section 2 of the Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020 comes into operation.**]**

Annotations

Amendments:

F56 Inserted (1.01.2009) by *Health Act 2008* (21/2008), s. 4, commenced as per s. 1(2).

F57 Deleted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 3(a), S.I. No. 133 of 2013.

F58 Substituted (1.11.2020) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 2(a), S.I. No. 462 of 2020.

F59 Substituted (1.11.2020) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 2(b), S.I. No. 462 of 2020.

F60 Substituted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 3(d), S.I. No. 133 of 2013.

F61 Substituted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 4(a), (b), S.I. No. 406 of 2024.

F62 Substituted (1.11.2020) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 2(c), S.I. No. 462 of 2020.

F63 Inserted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 4(c), S.I. No. 406 of 2024.

Editorial Notes:

E143 Power pursuant to subs. (7) exercised (11.04.2024) by *Health Act 1970 (Section 45A (7)) (Classes of Payments) Regulations 2024* (S.I. No. 153 of 2024).

E144 Power pursuant to subs. (7) exercised (2.08.2019) by *Health Act 1970 (Section 45A(7)) (Classes of Payments) Regulations 2019* (S.I. No. 415 of 2019).

E145 Previous affecting provision: power pursuant to subs. (7) exercised (1.07.2015) by *Health Act 1970 (Section 45A(7)) (Classes of Payments) Regulations 2015* (S.I. No. 277 of 2015), in effect as per reg. 1(2); revoked (2.08.2019) by *Health Act 1970 (Section 45A(7)) (Classes of Payments) Regulations 2019* (S.I. No. 415 of 2019), reg. 3.

E146 Previous affecting provision: subs. (1A) substituted (18.12.2013) by *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013), s. 1(a), commenced on enactment; substituted as per F-note above.

E147 Previous affecting provision: subs. (3) substituted (18.12.2013) by *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013), s. 1(b), commenced on enactment; substituted as per F-note above.

E148 Previous affecting provision: subs. (8) inserted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 3(e), S.I. No. 133 of 2013; substituted (1.11.2020) as per F-note above.

E149 Previous affecting provision: subs. (1A) inserted and subs. (3) substituted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 3(b), (c), S.I. No. 133 of 2013; substituted as per F-note above.

Limited eligibility.

F64**[46.**—Any person ordinarily resident in the State who is without full eligibility shall, subject to *section 52(3)*, have limited eligibility for the services under this Part.**]**

Annotations

Amendments:

F64 Substituted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 3, S.I. No. 134 of 1991.

Editorial Notes:

E150 Power pursuant to section exercised (6.04.1979) by *Health Services (Limited Eligibility) Regulations 1979* (S.I. No. 110 of 1979), in effect as per reg. 4.

E151 Previous affecting provision: subss. (1), (2) substituted by subs. (1) (6.04.1979) by *Health Services (Limited Eligibility) Regulations 1979* (S.I. No. 100 of 1979), reg. 2, in effect as per reg. 4; section substituted as per F-note above.

E152 Previous affecting provision: subs. (1)(b) substituted (1.07.1976) by *Health Services (Limited Eligibility) Regulations 1976* (S.I. No. 141 of 1979), reg. 2; subsection substituted as per E-note above.

E153 Previous affecting provision: power pursuant to section exercised (1.07.1976) by *Health Services (Limited Eligibility) Regulations 1976* (S.I. No. 141 of 1976); revoked (6.04.1979) by *Health Services (Limited Eligibility) Regulations 1979* (S.I. No. 110 of 1979), reg. 3, in effect as per reg. 4.

E154 Previous affecting provision: subss. (1), (2) substituted (27.09.1971) by *Health Services (Limited Eligibility) Regulations 1971* (S.I. No. 276 of 1971), regs. 2, 3; subsections substituted as per E-note above.

E155 Previous affecting provision: power pursuant to section exercised (27.09.1971) by *Health Services (Limited Eligibility) Regulations 1971* (S.I. No. 276 of 1971); revoked (6.04.1979) by *Health Services (Limited Eligibility) Regulations 1979* (S.I. No. 110 of 1979), reg. 3, in effect as per reg. 4.

Appeals.

47.—(1) When, in the administration of F65**[***sections 45* F66**[**, *45A***]**, *46* or *58***]**, an officer of a health board decides that a person does not come within a category specified by or under the relevant section, an appeal shall lie from the decision to a person (being either another officer of the health board or a person not such an officer) appointed or designated by the Minister.

(2) The Minister may by regulations provide for the making and determination of appeals under this section.

Annotations

Amendments:

F65 Substituted (11.03.2005) by *Health (Amendment) Act 2005* (3/2005), s. 2, commenced on enactment.

F66 Inserted (1.01.2009) by *Health Act 2008* (21/2008), s. 5, commenced as per s. 1(2).

F67 Substituted by *Health (General Practitioner Service) Act 2014* (28/2014), s. 2, not commenced as of date of revision.

F68 Substituted (1.09.2018) by *Health (General Practitioner Service) Act 2018* (13/2018), s. 2, S.I. No. 320 of 2018.

F69 Substituted by *Health Service Executive (Governance) Act 2019* (17/2019), s. 33(1), commenced as per subs. (2) on commencement of 28/2014, s. 2, not commenced as of date of revision.

F70 Substituted by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 4, not commenced as of date of revision.

Modifications (not altering text):

C11 Prospective affecting provision: section substituted by *Health (General Practitioner Service) Act 2014* (28/2014), s. 2, not commenced as of date of revision.

F67**[***Appeals*

47.—(1) When, in the administration of *section 45*, *45A*, *46*, *58*, F68**[***58A*, *58B* or *58D***]**, an employee of the Health Service Executive decides that a person does not come within a category specified by or under the relevant section, an appeal shall lie from the decision to a person appointed or designated for that purpose by the F69**[**chief executive officer of the Health Service Executive**]**.

(2) A person appointed or designated under *subsection (1)* —

(*a*) may be an employee of the Health Service Executive, and

(*b*) where he or she is such an employee, shall hold a grade that is senior to the grade of the person who made the decision referred to in that subsection.

(3) The Minister may by regulations provide for the making and determination of appeals under this section.**]**

C12 Prospective affecting provision: section substituted by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 4, not commenced as of date of revision. Note that this section is

prospectively repealed by *Health (General Practitioner Service) Act 2014* (28/2014), s. 9, not commenced as of date of revision.

F70**[***Appeals.*

47.—(1) When, in the administration of *section 45*, *45A*, *46*, *58* or *58A*, an employee of the Health Service Executive decides that a person does not come within a category specified by or under the relevant section, an appeal shall lie from the decision to a person (who may be an employee of the Health Service Executive) appointed or designated for that purpose by the Minister.

(2) The Minister may by regulations provide for the making and determination of appeals under this section.**]**

C13 Reference to "health board" in subs. (1) construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F71**[**Guidelines on "ordinarily resident in the State".

47A.—The Minister may issue guidelines to—

(*a*) the Health Service Executive, and

(*b*) persons appointed or designated by him or her under *section 47(1)*,

to assist those persons in making decisions or determining appeals as to whether a person is ordinarily resident in the State for the purposes of *section 45*, *45A*, *46*, F72**[***53C(9)(bb)***]**, F73**[***58*, F74**[***58A*, F75**[***58B*, *58D*, F76**[***62A*, *67E* or *67F***]]]]**.**]**

Annotations

Amendments:

F71 Substituted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 5, S.I. No. 133 of 2013.

F72 Inserted (21.09.2022) by *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 3, S.I. No. 452 of 2022.

F73 Substituted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 3(b), S.I. No. 267 of 2015.

F74 Substituted (1.09.2013) by *Health (General Practitioner Service) Act 2018* (13/2018), s. 3, S.I. No. 320 of 2018.

F75 Substituted (14.09.2022) by *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 5, S.I. No. 452 of 2022.

F76 Substituted (1.06.2025) by *Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024), s. 3, S.I. No. 225 of 2025.

F77 Deleted by *Health (General Practitioner Service) Act 2014* (28/2014), s. 3(a), not commenced as of date of revision.

Modifications (not altering text):

C14 Prospective affecting provision: para. (b) amended by *Health (General Practitioner Service) Act 2014* (28/2014), s. 3(a), not commenced as of date of revision.

47A.— The Minister may issue guidelines to— ...

(*b*) persons appointed or designated F77**[**...**]** under *section 47(1)*,

...

Editorial Notes:

E156 Previous affecting provision: section amended (1.01.2019) by *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018), s. 26(a), S.I. No. 594 of 2018; section substituted (14.09.2022) as per F-note above.

E157 Previous affecting provision: section amended (1.01.2009) by *Health Act 2008* (21/2008), s. 6, commenced as per s. 1(2); section substituted as per F-note above.

E158 Previous affecting provision: section amended (11.03.2005) by *Health (Amendment) Act 2005* (3/2005), s. 3, commenced on enactment; section substituted as per F-note above.

E159 Previous affecting provision: section inserted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 4, S.I. No. 134 of 1991; section substituted as per F-note above.

Declaration regarding means.

48.—For the purpose of determining whether a person is or is not a person with full eligibility or a person with limited eligibility, or a person entitled to a particular service provided under the Health Acts, 1947 to 1970, a health board may require that person to make a declaration in such form as it considers appropriate in relation to his means and may take such steps as it thinks fit to verify the declaration.

Annotations

Modifications (not altering text):

C15 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F78**[**Review of eligibility in certain circumstances.

48A.—F79**[**(1) Where a person is notified by the Health Service Executive that he or she has full eligibility under this Part by reason of *section 45(5A)* or *45A*, he or she shall, if requested to do so by the Health Service Executive at any time after such notification, furnish to the Health Service Executive such information regarding that person's income and assets as the Health Service Executive considers necessary for it to establish if that person has or continues to have full eligibility.**]**

(2) Where a person fails or refuses to furnish the information requested by the Health Service Executive under *subsection (1)* within such reasonable period as is specified in the request the Health Service Executive may suspend or cancel the full eligibility of such person.

(3) A person who by reason of *section 45(5A)* or *section 45A* had, prior to the coming into operation of this section, been notified by the Health Service Executive that he or she had full eligibility under this Part and who by reason of the amendments to *section 45A* effected by section 3 of the Health (Alteration of Criteria for Eligibility) Act 2013 ceases to have such eligibility, shall retain such eligibility until 31 May 2013.**]**

F80**[**(4) A person—

(*a*) who by reason of *section 45(5A)* or *45A* had, prior to 1 January 2014, been notified by the Health Service Executive that he or she had full eligibility under this Part,

(*b*) who continued to have such full eligibility until 31 December 2013, and

(*c*) who by reason of the amendments to *section 45A* effected by section 1 of the Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013 ceases to have such eligibility,

shall retain such eligibility until 28 February 2014.**]**

Annotations

Amendments:

F78 Inserted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 6, S.I. No. 133 of 2013.

F79 Substituted (18.12.2013) by *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013), s. 2(a), commenced on enactment.

F80 Inserted (18.12.2013) by *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013), s. 2(b), commenced on enactment.

Change of circumstances.

49.—(1) Where a person is recorded by a health board as entitled, because of specified circumstances, to a service provided by the board under the Health Acts, 1947 to 1970, he shall notify the board of any change in those circumstances which disentitles him to the service.

F81**[**(1A) A person who has attained the age of 70 years before 1 January 2009 and who has received confirmation before that date from the Health Service Executive, or has communicated in writing before that date with the Health Service Executive with a view to receiving confirmation from it, that he or she has full eligibility for the services under this Part shall, no later than 2 March 2009—

(*a*) review his or her gross income from all sources, other than the sources referred to in *section 45A(5)*, and

(*b*) notify the Health Service Executive if he or she has concluded that that income exceeds the relevant gross income limit set out in *section 45A*, unless the person has received confirmation from the Health Service Executive that he or she has full eligibility for the services under this Part otherwise than under *section 45(5A)*.**]**

(2) A person who knowingly contravenes *subsection (1)* F81**[**or *(1A)***]** shall be guilty of an offence under this section and shall be liable on summary conviction to a fine not exceeding £50.

Annotations

Amendments:

F81 Inserted (1.01.2009) by *Health Act 2008* (21/2008), s. 7(a), (b), commenced as per s. 1(2).

Modifications (not altering text):

C16 Reference to "health board" in subs. (1) construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E160 A fine of £50 converted (1.01.1999) to €63.49. This translates into a Class D fine not exceeding €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(2) and table ref. no. 5, S.I. No. 662 of 2010.

Charge where person not entitled obtains service.

50.—When a person has obtained a service under the Health Acts, 1947 to 1970, and it is ascertained that he was not entitled to the service, the appropriate health board may charge therefor a charge approved of or directed by the Minister.

Annotations

Modifications (not altering text):

C17 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

CHAPTER II

Hospital In-Patient and Out-Patient Services

F82**[**In-patient services.

51.—In this Part—

"acute in-patient services" means in-patient services provided—

(*a*) in a hospital for the care and treatment of patients with acute ailments (including psychiatric ailments), and

(*b*) to persons requiring medically acute care and treatment F83**[**(including care and treatment in respect of motherhood or termination of pregnancy)**]**;

"in-patient services" means institutional services provided for persons while maintained in a hospital, convalescent home or home for persons suffering from physical or mental disability or in accommodation ancillary thereto;

"long-term residential care services" means long-term residential care services within the meaning of the Nursing Homes Support Scheme Act 2009.**]**

Annotations

Amendments:

F82 Substituted (2.09.2016) by *Health (Amendment) Act 2013* (31/2013), s. 8, S.I. No. 466 of 2016.

F83 Substituted (1.01.2019) by *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018), s. 26(b), S.I. No. 594 of 2018.

Provision of in-patient services.

52.—(1) A health board shall make available in-patient services for persons with full eligibility and persons with limited eligibility.

F84**[**(1A) The Health Service Executive may make available long-term residential care services F85**[**...**]**.**]**

(2) F85**[**...**]**

F86**[**(3) F87**[**Where,**]** in respect of in-patient services, a person with full eligibility or limited eligibility for such services F87**[**does not avail of or waives his or her right to avail of, some part of those services**]** but instead avails of like services not provided under *section 52(1)*, then the person shall, while being maintained for the said in-patient services, be deemed not to have full eligibility or limited eligibility, as the case may be, for those in-patient services.**]**

Annotations

Amendments:

F84 Inserted (27.10.2009) by *Nursing Homes Support Scheme Act 2009* (15/2009), s. 34(1), S.I. No. 423 of 2009.

F85 Deleted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 9(a), (b), S.I. No. 466 of 2016.

F86 Inserted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 5, S.I. No. 134 of 1991.

F87 Substituted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 9(c), S.I. No. 466 of 2016.

Modifications (not altering text):

C18 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 1 of 1970	Health Act 1970	Sections 44, 45, 52, 53, 56 and 59
...	...	...

C19 Reference to "health board" in subs. (1) construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E161 Power pursuant to section exercised (5.07.1973) by *Health Services Regulations 1973* (S.I. No. 184 of 1973), in effect as per reg. 2.

E162 Power pursuant to section exercised (1.10.1971) by *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971), in effect as per reg. 3.

Charges for in-patient services.

53.—F88**[**...**]**

Annotations

Amendments:

F88 Repealed (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 10, S.I. No. 466 of 2016.

Editorial Notes:

E163 Previous affecting provision: functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9; section repealed as per F-note above.

E164 Previous affecting provision: power pursuant to subs. (2) exercised (23.07.2011) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2011* (S.I. No. 382 of 2011), in effect as per reg. 6; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E165 Previous affecting provision: subs. (1B) amended (27.10.2009) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 61(1), commenced as per subs. (2); section repealed as per F-note above.

E166 Previous affecting provision: subs. (1) substituted, subss. (1A)-(1C) inserted (27.10.2009) by *Nursing Homes Support Scheme Act 2009* (15/2009), s. 34(2)(a), (b), S.I. No. 423 of 2009; section repealed as per F-note above.

E167 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health (In-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 543 of 2008), in effect as per reg. 3; section repealed as per F-note above.

E168 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2008* (S.I. No. 521 of 2008), in effect as per reg. 4; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E169 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health (In-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 824 of 2007), in effect as per reg. 3; superseded (1.01.2009) by *Health (In-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 543 of 2008), reg. 2, in effect as per reg 3.

E170 Previous affecting provision: power pursuant to section exercised (15.12.2006) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2006* (S.I. No. 649 of 2006), in effect as per reg. 3; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E171 Previous affecting provision: power pursuant to section exercised (1.01.2006) by *Health (In-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 762 of 2005), in effect as per reg. 3; superseded (1.01.2008) by *Health (In-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 824 of 2007), reg. 2, in effect as per reg. 3.

E172 Previous affecting provision: power pursuant to section exercised (14.06.2005) by *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005); revoked (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E173 Previous affecting provision: subs. (2) amended and subss. (3)-(8) inserted (11.03.2005) by *Health (Amendment) Act 2005* (3/2005) s. 4(a), (b), commenced on enactment; section repealed as per F-note above.

E174 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health (In-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 825 of 2004), in effect as per reg. 3; superseded (14.06.2005) by *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005), reg. 2, in effect as per reg. 3.

E175 Previous affecting provision: power pursuant to section exercised (1.01.2004) by *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 654 of 2003), in effect as per reg. 3; superseded (1.01.2005) by *Health (In-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 825 of 2004), reg. 2, in effect as per reg. 3.

E176 Previous affecting provision: power pursuant to section exercised (25.07.2003) by *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 348 of 2003); section repealed as per F-note above.

E177 Previous affecting provision: power pursuant to section exercised (1.01.2003) by *Health (In-Patient Charges) (Amendment) (No. 2) Regulations 2002* (S.I. No. 553 of 2002), in effect as per reg. 3; superseded (1.01.2004) by *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 654 of 2003), reg. 2, in effect as per reg. 3.

E178 Previous affecting provision: power pursuant to section exercised (1.08.2002) by *Health (In-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 367 of 2002), in effect as per reg. 3; superseded (1.01.2003) by *Health (In-Patient Charges) (Amendment) (No. 2) Regulations 2002* (S.I. No. 553 of 2002), reg. 2, in effect as per reg. 3.

E179 Previous affecting provision: power pursuant to section exercised (1.01.2002) by *Health (In-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 582 of 2001), in effect as per reg. 3; superseded (1.08.2002) by *Health (In-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 367 of 2002), reg. 2, in effect as per reg. 3.

E180 Previous affecting provision: power pursuant to section exercised (1.01.2000) by *Health (In-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 401 of 1999), in effect as per reg. 3; superseded (1.01.2002) by *Health (In-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 582 of 2001), reg. 2, in effect as per reg. 3.

E181 Previous affecting provision: power pursuant to section exercised (1.01.1998) by *Health (Inpatient Charges) (Amendment) Regulations 1997* (S.I. No. 510 of 1997), in effect as per reg. 3; superseded (1.01.2000) by *Health (In-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 401 of 1999), reg. 2, in effect as per reg. 3.

E182 Previous affecting provision: power pursuant to section exercised (1.03.1994) by *Health (In-Patient Charges) (Amendment) Regulations 1994* (S.I. No. 38 of 1994), in effect as per reg. 3; superseded (1.01.1998) by *Health (Inpatient Charges) (Amendment) Regulations 1997* (S.I. No. 510 of 1997), reg. 2, in effect as per reg. 3.

E183 Previous affecting provision: power pursuant to section exercised (1.03.1993) by *Health (In-Patient Charges) (Amendment) Regulations 1993* (S.I. No. 50 of 1993), in effect as per reg. 3; superseded (1.03.1994) by *Health (In-Patient Charges) (Amendment) Regulations 1994* (S.I. No. 38 of 1994), reg. 2, in effect as per reg. 3.

E184 Previous affecting provision: power pursuant to section exercised (1.01.1992) by *Health (In-Patient Charges) (Amendment) Regulations 1991* (S.I. No. 366 of 1991), in effect as per reg. 3; superseded (1.03.1993) by *Health (In-Patient Charges) (Amendment) Regulations 1993* (S.I. No. 50 of 1993), reg. 2, in effect as per reg. 3.

E185 Previous affecting provision: power pursuant to section exercised (1.01.1991) by *Health (In-Patient Charges) (Amendment) Regulations 1990* (S.I. No. 335 of 1990), in effect as per reg. 3; superseded (1.01.1992) by *Health (In-Patient Charges) (Amendment) Regulations 1991* (S.I. No. 366 of 1991), reg. 2, in effect as per reg. 3.

E186 Previous affecting provision: power pursuant to section exercised (1.01.1988) by *Health (Charges For In-Patient Services) (Amendment) Regulations 1987* (S.I. No. 300 of 1987), in effect as per reg. 2; section repealed as per F-note above.

E187 Previous affecting provision: power pursuant to section exercised (18.05.1987) by *Health (In-Patient Charges) Regulations 1987* (S.I. No. 116 of 1987), in effect as per reg. 5; section repealed as per F-note above.

E188 Previous affecting provision: power pursuant to subs. (2) exercised (1.07.1986) by *Health (Hospital In-Patient Charges) Regulations 1986* (S.I. No. 221 of 1986), in effect as per reg. 3; section repealed as per F-note above.

E189 Previous affecting provision: power pursuant to section exercised (1.06.1984) by *Health (Hospital In-Patient Charges) Regulations 1984* (S.I. No. 94 of 1984), in effect as per reg. 3; section repealed as per F-note above.

E190 Previous affecting provision: power pursuant to section exercised (6.08.1976) by *Health (Charges For In-Patient Services) Regulations 1976* (S.I. No. 180 of 1976); revoked (14.07.2005) by *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005), reg. 6.

E191 Previous affecting provision: power pursuant to section exercised (1.10.1971) by *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971), in effect as per reg. 3; section repealed as per F-note above.

E192 Previous affecting provision: power pursuant to section exercised (1.04.1971) by *Health Services Regulations 1971* (S.I. No. 105 of 1971), in effect as per reg. 3; section repealed as per F-note above.

F89**[**Charges for in-patient services in certain cases.

53A.—F90**[**(1) This section applies where—

(*a*) in-patient services (not being long-term residential care services) are provided to a person in a hospital for the care and treatment of patients with acute ailments (including any psychiatric ailments) and a registered medical practitioner designated by the Health Service Executive has certified in writing that the person in receipt of such services does not require medically acute care and treatment in respect of any such ailment, or

(*b*) in-patient services are being provided to a person—

(i) who is a resident in a designated centre for older people (as defined in the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009 (S.I. No. 236 of 2009)) at which centre services are provided by or on behalf of the Health Service Executive,

(ii) who first began to receive those in-patient services on or after 27 October 2009,

(iii) who is not being provided with State support or ancillary State support under the Nursing Homes Support Scheme Act 2009, and

(iv) in respect of whom a registered medical practitioner designated by the Health Service Executive has certified in writing that long-term residential care services are required.**]**

(2) Where this section applies, notwithstanding F91**[***section 67C***]**, charges may be made in respect of in-patient services on the basis specified in *subsection (3)* as if those services were long-term residential care services F92**[**...**]** provided by the Health Service Executive, and whether or not the person concerned has made an application for State support under section 9 of that Act.

(3) The charges referred to in *subsection (2)* shall be determined by the average cost of long-term residential care services as determined by the Health Service Executive in facilities operated by the Health Service Executive and publicly designated in writing as facilities predominantly for the care of older people.

(4) Subject to *subsection (5)*, this section shall not apply where a person has applied for a care needs assessment under section 7 of the Nursing Homes Support Scheme Act 2009 and is awaiting a determination by the Executive under section 7 of that Act.

(5) *Subsection (4)* shall not apply where a person withdraws an application under section 7 of the Nursing Homes Support Scheme Act 2009 and makes a subsequent application.**]**

Annotations

Amendments:

F89 Inserted (27.10.2009) by *Nursing Homes Support Scheme Act 2009* (15/2009), s. 34(3), S.I. No. 423 of 2009.

F90 Substituted (7.02.2014) by *Health (Amendment) Act 2013* (31/2013), s. 11(a), S.I. No. 74 of 2014.

F91 Substituted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 11(b)(i), S.I. No. 466 of 2016.

F92 Deleted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 11(b)(ii), S.I. No. 466 of 2016.

F93**[**Charges for long-term residential care services.

53B.—(1) Charges shall be made for long-term residential care services in accordance with the Nursing Homes Support Scheme Act 2009.

(2) A reference in *subsection (1)* to long-term residential care services shall be construed as a reference to such services provided to a person who first began to receive those services on or after 27 October 2009.

(3) A person who is required by or under *section 67C* to make payment of a residential support services maintenance and accommodation contribution shall not be required to pay charges under this section.

(4) In any enactment—

(*a*) a reference to *section 53(1A)* shall be construed as a reference to *subsection (1)*,

(*b*) a reference to *section 53(1B)* shall be construed as a reference to *subsection (2)*,

(*c*) a reference to *section 53(1C)* shall be construed as a reference to *subsection (3)*,

(*d*) a reference to *section 53* other than *subsections (1A)*, *(1B)* or *(1C)* shall be construed as a reference to—

(i) *section 53C*,

(ii) *section 67C*, or

(iii) to both *sections 53C* and *67C*,

as the context requires,

(*e*) a reference to a charge under *section 53* (other than *subsections (1A)*, *(1B)* or *(1C)*) shall be construed as a reference to—

(i) a charge under *section 53C*,

(ii) a contribution under *section 67C*, or

(iii) to both a charge under *section 53C* and a contribution under *section 67C*,

as the context requires.**]**

Annotations

Amendments:

F93 Inserted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 12, S.I. No. 466 of 2016.

F94**[**Charges for acute in-patient services.

53C.—F95**[**...**]]**

Annotations

Amendments:

F94 Inserted (1.01.2017) by *Health (Amendment) Act 2013* (31/2013), s. 12, S.I. No. 466 of 2016.

F95 Repealed (17.04.2023) by *Health (Amendment) Act 2023* (7/2023), s. 1(1), S.I. No. 165 of 2023.

Editorial Notes:

E193 Previous affecting provision: subs. (9)(aa), (bb) inserted and (9)(c), (d) amended (21.09.2022) by *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 4(a)-(d), S.I. No. 452 of 2022; section repealed (17.04.2023) as per F-note above.

E194 Previous affecting provision: power pursuant to subs. (3) exercised (10.05.2021) by *Health (Acute In-Patient Charges) Regulations 2021* (S.I. No. 213 of 2021), in effect as per reg. 2; revoked (17.04.2023) by *Health (Amendment) Act 2023* (7/2023), s. 1(2), S.I. No. 165 of 2023.

E195 Previous affecting provision: subs. (6) amended (1.11.2020) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 3, commenced on enactment; section repealed (17.04.2023) as per F-note above.

E196 Previous affecting provision: subs. (9)(ba) inserted (1.01.2019) by *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018), s. 26(c), S.I. No. 594 of 2018; section repealed (17.04.2023) as per F-note above.

E197 Previous affecting provision: subs. (9)(g) amended, (h) inserted (30.11.2017) by *Redress for Women Resident in Certain Institutions Act 2015* (8/2015), s. 3(a), (b), S.I. No. 541 of 2017; section repealed (17.04.2023) as per F-note above.

In-patient services at choice of patient, etc.

54.—F96**[**...**]**

Annotations

Amendments:

F96 Repealed (1.09.1993) by *Health (Nursing Homes) Act 1990* (23/1990), s. 15(1), S.I. No. 222 of 1993, subject to transitional provision in subs. (2).

Editorial Notes:

E198 Previous affecting provision: power pursuant to section exercised (1.04.1971) by *Health Services Regulations 1971* (S.I. No. 105 of 1971), in effect as per reg. 3; section repealed as per F-note above.

F97**[**In-patient services for persons not entitled, or who have waived entitlement, to services under *section 52*.

55.—(1) (*a*) The Health Service Executive may, subject to any regulations made under *subsection (3)*, make available in-patient services for persons who—

(i) do not establish entitlement to such services under *section 52*, or

(ii) are deemed under *section 52(3)* not to have full eligibility or limited eligibility for such services, or to have waived their eligibility for such services.

(*b*) The Health Service Executive shall make a charge in respect of anysuch in-patient services which are provided—

(i) in a hospital specified in the Fifth Schedule, or

(ii) in a hospital specified in the Sixth Schedule,

in accordance with the table of charges specified in the Fourth Schedule which relate to the hospital concerned.

(2) (*a*) Where in-patient services are provided by another person on behalf of the Health Service Executive, that person shall make a charge in respect of any such services in accordance with the Fourth Schedule.

(*b*) A person who makes a charge in accordance with *paragraph (a)* shall account to the Health Service Executive for all such charges made and monies received in respect of those charges.

(3) (*a*) The Minister may, for the purposes of *subsection (1)*, make regulations prescribing the manner in which any in-patient services provided under this section are to be made available by the Health Service Executive, including the manner in which hospital beds are to be designated and the circumstances in which beds designated for persons who have full eligibility or limited eligibility may be occupied by persons who do not have such eligibility or are deemed under *section 52(3)* not to have such eligibility, or to have waived their eligibility for such services.

(*b*) Paragraph (*a*) is without prejudice to the operation of section 38 of the Health Act 2004.

(4) (*a*) The Minister may by regulations prescribe a hospital for the purposes of the Fifth Schedule or the Sixth Schedule and, where the Minister so prescribes, the hospital concerned shall stand specified in the Fifth Schedule

or the Sixth Schedule, as the case may be, in accordance with those regulations.

(*b*) The Minister may by regulations delete a hospital which stands specified in the Fifth Schedule or the Sixth Schedule from the Schedule concerned.

(*c*) In making regulations—

(i) prescribing a hospital pursuant to paragraph (*a*), or

(ii) deleting a hospital pursuant to paragraph (*b*),

the Minister shall have regard to the level of medical complexity of the treatments routinely provided to patients as part of in-patient services at the hospital concerned.

(*d*) Before making regulations under *paragraph (a)* or *(b)*, the Minister shall consult with the Health Service Executive.**]**

Annotations

Amendments:

F97 Substituted (1.01.2014) by *Health (Amendment) Act 2013* (31/2013), s. 13(1), commenced as per s. 2(2), subject to transitional provision in subs. (2).

Editorial Notes:

E199 Power pursuant to subs. (4) exercised (1.01.2019) by *Health Act 1970 (Fifth Schedule) Regulations 2018* (S.I. No. 554 of 2018), in effect as per reg. 2.

E200 Power pursuant to subs. (4) exercised (11.02.2014) by *Health Act 1970 (Fifth and Sixth Schedules) Regulations 2014* (S.I. No. 75 of 2014), in effect as per reg. 2.

E201 Power pursuant to section exercised (1.06.1991) by *Health Services (In-Patient) Regulations 1991* (S.I. No. 135 of 1991).

E202 Previous affecting provision: section substituted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 6, S.I. No. 134 of 1991; section substituted (1.01.2014) as per F-note above.

Out-patient services.

56.—(1) For the purposes of this section "out-patient services" means institutional services other than in-patient services provided at, or by persons attached to, a hospital or home and institutional services provided at a laboratory, clinic, health centre or similar premises, but does not include—

(*a*) the giving of any drug, medicine or other preparation, except where it is administered to the patient direct by a person providing the service or is for psychiatric treatment, or

(*b*) dental, ophthalmic or aural services.

F98**[**(2) A health board shall, subject to any regulations relating to the services under this section made by virtue of *subsection (5)*, make out-patient services available for persons with full eligibility and persons with limited eligibility.

(3) A health board shall make out-patient services available without charge for children in respect of diseases and disabilities of a permanent or long term nature prescribed by the Minister with the consent of the Minister for Finance.

(4) A health board shall make out-patient services available without charge for children in respect of defects noticed at a health examination held pursuant to the service provided under *section 66*.

(5) (*a*) Regulations in relation to the services under this section may—

(i) provide for the imposition of charges for out-patient services including the giving of any drug, medicine or other preparation in specified

circumstances for persons who are not persons with full eligibility and are not children specified in *subsection (3)* or *(4)*, and

(ii) specify the amounts or the maximum amounts of such charges and, if the Minister thinks fit, different amounts in respect of different services or in respect of services made available in different circumstances or to different classes of persons (the circumstances and classes being designated in such manner and by reference to such matters as the Minister may determine).

(*b*) Regulations relating to the matters specified in *paragraph (a)* may contain such ancillary or subsidiary provisions as the Minister considers necessary or expedient, including provisions for the collection and disposal of charges imposed by the regulations.

(*c*) Regulations relating to the matters specified in *paragraph (a)* shall not be made without the consent of the Minister for Finance.**]**

F99**[**(*d*) Regulations under this section may also specify the circumstances in which a person's entitlement to out-patient services shall extend to services provided by a registered medical practitioner engaged in a consultant capacity in the provision of hospital services and may provide that, where a person's entitlement does not so extend, the health board concerned may charge for the provision of out-patient services such charges as may be approved of or directed by the Minister.**]**

Annotations

Amendments:

F98 Substituted (11.04.1987) by *Health (Amendment) Act 1987* (3/1987), s. 1, commenced on enactment.

F99 Inserted (1.06.1991) by *Health (Amendment) Act 1991* (15/1991), s. 7, S.I. No. 134 of 1991.

Modifications (not altering text):

C20 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 1 of 1970	Health Act 1970	Sections 44, 45, 52, 53, 56 and 59
...	...	...

C21 Term "registered medical practitioner" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(1), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2.

...

C22 Reference to "health board" in subs. (5)(d) construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E203 Power pursuant to section exercised (23.12.2019) by *Health (Out-Patient Charges) Regulations 2019* (S.I. No. 693 of 2019), in effect as per reg. 1(2).

E204 Power pursuant to section exercised (1.07.1993) by *Health Services (Out-Patient) Regulations 1993* (S.I. No. 178 of 1993).

E205 Power pursuant to subs. (3) exercised (14.04.1987) by *Health Services (Amendment) Regulations 1987* (S.I. No. 114 of 1987).

E206 Power pursuant to section exercised (5.07.1973) by *Health Services Regulations 1973* (S.I. No. 184 of 1973).

E207 Power pursuant to section exercised (1.10.1971) by *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971).

E208 Previous affecting provision: power pursuant to section exercised (30.11.2017) by *Health (Out-Patient Charges) Regulations 2017* (S.I. No. 548 of 2017), in effect as per reg. 1(2); revoked (23.12.2019) by *Health (Out-Patient Charges) Regulations 2019* (S.I. No. 693 of 2019), reg. 6, in effect as per reg. 1(2).

E209 Previous affecting provision: power pursuant to section exercised (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), in effect as per reg. 1(2); revoked (30.11.2017) by *Health (Out-Patient Charges) Regulations 2017* (S.I. No. 548 of 2017), reg. 4, in effect as per reg. 1(2).

E210 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health (Out-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 544 of 2008), in effect as per reg. 2; rendered obsolete by revocation of *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994) (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), reg. 4.

E211 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health (Out-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 825 of 2007), in effect as per reg. 2; superseded (1.01.2009) by *Health (Out-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 544 of 2008), reg. 3, in effect as per reg. 2.

E212 Previous affecting provision: power pursuant to section exercised (1.01.2006) by *Health (Out-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 761 of 2005), in effect as per reg. 2; superseded (1.01.2008) by *Health (Out-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 825 of 2007), reg. 3, in effect as per reg. 2.

E213 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health (Out-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 826 of 2004), in effect as per reg. 2; superseded (1.01.2006) by *Health (Out-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 761 of 2005), reg. 3, in effect as per reg. 2.

E214 Previous affecting provision: power pursuant to section exercised (1.01.2004) by *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 653 of 2003), in effect as per reg. 2; superseded (1.01.2005) by *Health (Out-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 826 of 2004), reg. 3, in effect as per reg. 2.

E215 Previous affecting provision: power pursuant to section exercised (25.07.2003) by *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 349 of 2003); rendered obsolete by revocation of *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994) (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), reg. 4.

E216 Previous affecting provision: power pursuant to section exercised (1.08.2002) by *Health (Out-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 366 of 2002), in effect as per reg. 2; superseded (1.01.2004) by *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 653 of 2003), reg. 3, in effect as per reg. 2.

E217 Previous affecting provision: power pursuant to section exercised (1.01.2002) by *Health (Out-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 583 of 2001), in effect as per reg. 2; superseded (1.08.2002) by *Health (Out-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 366 of 2002), reg. 3, in effect as per reg. 2.

E218 Previous affecting provision: power pursuant to section exercised (1.01.2000) by *Health (Out-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 402 of 1999), in effect as per reg. 2; superseded (1.01.2002) by *Health (Out-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 583 of 2001), reg. 3, in effect as per reg. 2.

E219 Previous affecting provision: power pursuant to section exercised (1.01.1998) by *Health (Out-Patient Charges) (Amendment) Regulations 1997* (S.I. No. 509 of 1997), in effect as per reg. 2; superseded (1.01.2000) by *Health (Out-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 402 of 1999), reg. 3, in effect as per reg. 2.

E220 Previous affecting provision: power pursuant to subs. (5) exercised (1.03.1994) by *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994); revoked (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), reg. 4.

E221 Previous affecting provision: power pursuant to subs. (5) exercised (1.03.1993) by *Health (Out-Patient Charges) (Amendment) Regulations 1993* (S.I. No. 51 of 1993), in effect as per reg. 3; superseded (1.03.1994) by *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994), reg. 5.

E222 Previous affecting provision: power pursuant to section exercised (1.06.1991) by *Health Services (Out-Patient) Regulations 1991* (S.I. No. 136 of 1991); revoked (1.07.1993) by *Health Services (Out-Patient) Regulations 1993* (S.I. No. 178 of 1993), reg. 5.

E223 Previous affecting provision: power pursuant to subs. (5) exercised (18.05.1987) by *Health (Out-Patient Charges) Regulations 1987* (S.I. No. 115 of 1987); revoked (1.03.1994) by *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994), reg. 5.

Provision of ambulances, etc.

57.—(1) A health board may make arrangements for providing ambulances or other means of transport for the conveyance of patients from places in the board's functional area to places in or outside that area or from places outside the functional area to places in that area.

(2) In making arrangements under this section, a health board shall act in accordance with the directions of the Minister.

(3) When a person makes use of an ambulance or other means of transport provided under this section, the chief executive officer of the health board concerned may, at his discretion but subject to any relevant regulations under section 31 of the Health Act, 1947, direct that—

(*a*) a charge be made for the use in accordance with regulations made by the board, or

(*b*) no charge be made therefor.

Annotations

Modifications (not altering text):

C23 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

CHAPTER III

General Medical Services

F100**[**General practitioner medical and surgical service.

58.—(1) F101**[**Subject to *subsection (4)*, the Health Service Executive**]** shall make available without charge a general practitioner medical and surgical service for a person in any of the following categories—

(*a*) persons with full eligibility,

(*b*) adult persons with limited eligibility for whom, in the opinion of the Health Service Executive, and notwithstanding that they do not come within the category mentioned in *section 45(1)(a)*, it would be unduly burdensome to arrange general practitioner medical and surgical services for themselves and their dependants, and

(*c*) dependants who are ordinarily resident in the State of the persons referred to in paragraph (*b*).

(2) F102**[**Subject to subsection (2A), in deciding**]** whether or not a person comes within the category mentioned in *subsection (1)(b)*, the Health Service Executive shall have regard to the person's overall financial situation (including the means of the spouse F103**[**or civil partner within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010**]**, if any, of that person in addition to the person's own means) in view of the person's reasonable expenditure in relation to himself or herself and his or her dependants, if any.

F104**[**(2A) In having regard to a person's overall financial situation under *subsection (2)*, the Health Service Executive shall disregard any relevant sums (within the meaning of section 216A of the Taxes Consolidation Act 1997) arising to the person (or the person's spouse or civil partner within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010) which qualify for relief under section 216A of the Taxes Consolidation Act 1997.**]**

(3) Insofar as it is considered practicable by the Health Service Executive, a choice of medical practitioner shall be offered under the general practitioner medical and surgical service made available under this section.**]**

F105**[**(4) For the purposes of this section, a person shall be deemed not to come within a category mentioned in *paragraph (a)* or *(c)* of *subsection (1)* for so long as that person has not attained the age of F106**[**eight years**]**.**]**

Annotations

Amendments:

F100 Substituted (11.03.2005) by *Health (Amendment) Act 2005* (3/2005), s. 5, commenced on enactment.

F101 Substituted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 4(a), S.I. No. 267 of 2015.

F102 Substituted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 5(a), S.I. No. 406 of 2024.

F103 Inserted (1.01.2011) by *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010* (24/2010), s. 170 and sch. part 5 item 5, S.I. No. 648 of 2010.

F104 Inserted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 5(b), S.I. No. 406 of 2024.

F105 Inserted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 4(a), S.I. No. 267 of 2015.

F106 Substituted (11.08.2023) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 4(a), S.I. No. 401 of 2023.

F107 Substituted by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 5(a), not commenced as of date of revision.

F108 Substituted by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 6(a), not commenced as of date of revision.

F109 Substituted by *Health (General Practitioner Service) Act 2015* (19/2015), s. 2(a), not commenced as of date of revision.

F110 Inserted by *Health (General Practitioner Service) Act 2015* (19/2015), s. 2(b), not commenced as of date of revision.

Modifications (not altering text):

C24 Prospective affecting provision: subs. (4) amended by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 5(a), not commenced as of date of revision.

F105**[**(4) For the purposes of this section, a person shall be deemed not to come within a category mentioned in *paragraph (a)* or *(c)* of *subsection (1)* for so long as that person has not attained the age of F107**[**ten years**]**.**]**

C25 Prospective affecting provision: subs. (4) amended by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 6(a), not commenced as of date of revision.

F105**[**(4) For the purposes of this section, a person shall be deemed not to come within a category mentioned in *paragraph (a)* or *(c)* of *subsection (1)* for so long as that person has not attained the age of F108**[**thirteen years**]**.**]**

C26 Prospective affecting provision: subs. (1) amended and subs. (5) inserted by *Health (General Practitioner Service) Act 2015* (19/2015), s. 2, not commenced as of date of revision.

58.—(1) F101**[**F109**[**Subject to *subsections (4)* and *(5),***]** the Health Service Executive**]** shall make available without charge a general practitioner medical and surgical service for a person in any of the following categories—

...

F110**[**(5) For the purposes of this section, a person shall be deemed not to come within a category mentioned in *paragraph (a)*, *(b)* or *(c)* of *subsection (1)* where that person has attained the age of 70 years.**]**

Editorial Notes:

E224 Power pursuant to section exercised (1.04.1972) by *Health Services Regulations 1972* (S.I. No. 88 of 1972), in effect as per reg. 3.

F111**[**General practitioner medical and surgical service for certain persons over 70 years of age.

58A. — (1) The Health Service Executive shall make available without charge a general practitioner medical and surgical service for a person who is ordinarily resident in the State, who is not a person who comes within a category mentioned in *subsection (1)* of *section 58*, and who is in one of the following categories:

(*a*) persons who have attained the age of 70 years;

(*b*) dependants of qualifying persons where the Health Service Executive has, in accordance with *subsection (5)(a)*, confirmed that a condition specified in *subsection (2)* is met by the qualifying person concerned, for so long as that condition is met.

(2) A qualifying person meets a condition referred to in *subsection (1)(b)* where—

(*a*) in the case of a qualifying person who is not married, is not living together with another person as a married couple and does not have a civil partner, his or her gross income does not exceed the gross income limit specified in *subsection (3)(a)*,

(*b*) in the case of a qualifying person who is married, the combined gross income of the person and his or her spouse does not exceed the gross income limit specified in *subsection (3)(b)*,

(*c*) in the case of a qualifying person who is living together with another person as a married couple, the combined gross income of the person and that other person does not exceed the gross income limit specified in *subsection (3)(b)*, or

(*d*) in the case of a qualifying person who has a civil partner, the combined gross income of the person and his or her civil partner does not exceed the gross income limit specified in *subsection (3)(b)*.

(3) Subject to *subsection (9)*—

(*a*) for the purposes of *subsection (2)(a)*, the gross income limit shall be €700 per week, not including the income from the portion of the person's savings or similar investments whose capital value does not exceed €36,000, and

(*b*) for the purposes of *subsection (2)(b)*, *(c)* and *(d)*, the gross income limit shall be €1,400 per week, not including the income from the portion of the persons' savings or similar investments whose capital value does not exceed €72,000.

(4) A qualifying person may, for the purposes of *subsection (1)(b)*, make an application to the Health Service Executive, in such form as it considers appropriate, for confirmation that a condition specified in *subsection (2)* is met by him or her.

(5) The Health Service Executive shall, on receipt of an application under *subsection (4)*, consider the application, together with any information furnished to it pursuant to a request under *subsection (6)*, and—

(*a*) if it is satisfied that a condition specified in *subsection (2)* is met by the qualifying person concerned, provide the qualifying person with confirmation in writing that the condition is met by him or her, or

(*b*) if it is not so satisfied, provide the qualifying person with a notice in writing stating that the application has been refused and the reasons for such refusal.

(6) A person shall, when requested to do so by the Health Service Executive, furnish to the Health Service Executive such information as the Health Service Executive considers necessary for it to establish that the person, or his or her dependant, as the case may be, is, or continues to be, entitled under *subsection (1)* to the service referred to in that subsection.

(7) Where a person fails or refuses to furnish the information requested by the Health Service Executive under *subsection (6)* within such reasonable period as is specified in the request, the Health Service Executive may—

(*a*) if the information requested relates to the person's entitlement under subsection (1)(a) to the service referred to in that subsection, treat the person concerned as if he or she was not entitled under *subsection (1)(a)* to the service referred to in that subsection, and

(*b*) if the information requested relates to the entitlement of the person's dependant under *subsection (1)(b)* to the service referred to in that subsection, treat the dependant concerned as if he or she was not entitled under *subsection (1)(b)* to the service referred to in that subsection.

(8) The Health Service Executive shall provide any necessary assistance to any person in the making of an application under *subsection (4)* or the furnishing of information requested under s*ubsection (6)*, as the case may be, where, by reason of any incapacity, such person requests such assistance.

(9) The Minister shall, on 1 September of every year, review the most recent information on the consumer price index made available by the Central Statistics Office and may, with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, by regulations to take effect on 1 January next following that review, increase or decrease the gross income limits specified in *subsection (3)* to reflect any increase or decrease in that index.

(10) In the calculation of the gross income of a person for the purposes of this section, all gross income from all sources shall be included other than the gross income arising from the following sources of income, and any subsequent income from the investment of the monies arising from the sources referred to in *paragraphs (a)* to *(e)*:

(*a*) compensation awarded under the Hepatitis C Compensation Tribunal Acts 1997 to 2006;

(*b*) compensation awarded by the Residential Institutions Redress Board established under section 3 of the Residential Institutions Redress Act 2002;

(*c*) prescribed repayments referred to in section 8(2) of the Health (Repayment Scheme) Act 2006;

(*d*) ex-gratia awards approved by the Lourdes Hospital Redress Board under the terms of the Lourdes Hospital Redress Scheme 2007;

(*e*) such other awards and payments prescribed in regulations made under *subsection (12)*;

(*f*) relevant sums (within the meaning of section 216A of the Act of 1997) arising to the person (or the person's spouse or civil partner) which qualify for relief under section 216A of the Act of 1997.

(11) Subject to *subsection (10)(f)*, in the calculation of the gross income of a person for the purposes of this section, income shall not be imputed from property comprising an interest in land (whether a family home, a holiday home or any other property) other than any net rental income (calculated as gross rental income less any cost necessarily incurred and associated with the rental of the property).

(12) The Minister may make regulations prescribing a class or classes of awards or payments not coming within *paragraphs (a)* to *(d)* of *subsection (10)* but which the Minister considers to be made for a similar purpose as those made under those paragraphs.

(13) Insofar as it is considered practicable by the Health Service Executive, a choice of medical practitioner shall be offered under the general practitioner medical and surgical service made available under this section.

(14) In this section—

"Act of 1997" means the Taxes Consolidation Act 1997;

"civil partner" has the same meaning as it has in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;

"dependants" means dependants who have not attained the age of 70 years;

"qualifying person" means a person who has attained the age of 70 years and is entitled to the service referred to in subsection (1).**]**

Annotations

Amendments:

F111 Substituted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 7, S.I. No. 406 of 2024.

Editorial Notes:

E225 Power pursuant to subs. (12) exercised (11.04.2024) by *Health Act 1970 (Section 58A (12)) (Classes of Payments) Regulations 2024* (S.I. No. 154 of 2024).

E226 Power pursuant to subs. (8) exercised (2.08.2019) by *Health Act 1970 (Section 58A(8)) (Classes of Payments) Regulations 2019* (S.I. No. 416 of 2019).

E227 Previous affecting provision: section inserted (19.04.2013) by *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), s. 7, S.I. No. 133 of 2013; substituted (19.08.2024) as per F-note above.

E228 Previous affecting provision: section substituted (5.08.2015) by *Health (General Practitioner Service) Act 2015* (19/2015), s. 3, partially commenced by S.I. No. 348 of 2015 insofar as it applies to persons other than persons who come within a category mentioned in s. 58(1)(a), (b) or (c), otherwise not commenced; substituted (19.08.2024) as per F-note above.

E229 Previous affecting provision: power pursuant to subs. (8) exercised (1.07.2015) by *Health Act 1970 (Section 58A(8)) (Classes of Payments) Regulations 2015* (S.I. No. 278 of 2015), in effect as per reg. 1(2); revoked (2.08.2019) by *Health Act 1970 (Section 58A(8)) (Classes of Payments) Regulations 2019* (S.I. No. 416 of 2019), reg. 3.

F112**[**General practitioner medical and surgical service for persons under 6 years of age.

58B.—(1) The Health Service Executive shall make available without charge a general practitioner medical and surgical service for a person who is ordinarily resident in the State and has not attained the age of F113**[**eight years**]**.

(2) The parent or guardian of a person shall, when requested to do so by the Health Service Executive, furnish to the Health Service Executive such information as the Health Service Executive considers necessary for it to establish that the person is, or continues to be, entitled under *subsection (1)* to the service referred to in that subsection.

(3) Where a parent or guardian fails or refuses to furnish the information requested by the Health Service Executive under *subsection (2)* within such reasonable period as is specified in the request, the Health Service Executive may treat the person concerned as if he or she was not entitled under *subsection (1)* to the service referred to in that subsection.

(4) Insofar as considered practicable by the Health Service Executive, a choice of medical practitioner shall be offered under the general practitioner medical and surgical service made available under this section.**]**

Annotations

Amendments:

F112 Inserted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 5, S.I. No. 267 of 2015.

F113 Substituted (11.08.2023) by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 4(b), S.I. No. 401 of 2023.

F114 Substituted by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 5(b), not commenced as of date of revision.

F115 Substituted by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 6(b), not commenced as of date of revision.

Modifications (not altering text):

C27 Prospective affecting provision: subs. (1) amended by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 5(b), not commenced as of date of revision.

58B. (1) The Health Service Executive shall make available without charge a general practitioner medical and surgical service for a person who is ordinarily resident in the State and has not attained the age of F114**[**ten years**]**.

C28 Prospective affecting provision: subs. (1) amended by *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020), s. 6(b), not commenced as of date of revision.

58B. (1) The Health Service Executive shall make available without charge a general practitioner medical and surgical service for a person who is ordinarily resident in the State and has not attained the age of F115**[**thirteen years**]**.

F116**[**Agreement for provision of service under section 58B.

58C.—(1) The Health Service Executive may, subject to this section, enter, on such terms and conditions as it considers appropriate, into an agreement with a relevant medical practitioner for the provision by him or her of relevant services to eligible persons.

(2) Without prejudice to the generality of the power of the Health Service Executive under *subsection (1)*, an agreement referred to in that subsection shall—

(*a*) specify the services referred to in *subsection (1)* that are to be provided by the relevant medical practitioner, and

(*b*) provide that the payment to be made to the relevant medical practitioner for the provision of those services shall be the payment prescribed in respect of those services by regulations under this section in force at the time the services are provided.

(3) The Minister may, with the consent of the Minister for Public Expenditure and Reform and in accordance with this section, by regulation prescribe the amount or the rate of payment to be made to relevant medical practitioners in respect of the services provided by them under agreements referred to in *subsection (1)*.

(4) Regulations made under *subsection (3)* may prescribe different amounts or rates in respect of different services or in respect of the provision of services to different classes of eligible person.

(5) Prior to making regulations under *subsection (3)*, the Minister or, at the Minister's direction, the Health Service Executive, shall engage in such consultations as the Minister considers appropriate.

(6) Consultations under *subsection (5)* shall be completed no later than 60 days after the Minister gives notice of the commencement of the consultations.

(7) Regulations made under *subsection (3)* shall prescribe amounts or rates that the Minister considers to be fair and reasonable having regard to the matters the Minister considers appropriate, including either or both of the following:

(*a*) any submissions made and views expressed during the consultations under *subsection (5)*;

(*b*) the nature of the services concerned and the general nature of expenses and commitments of the relevant medical practitioners providing those services.

(8) (*a*) The Minister may define the manner in which consultations under *subsection (5)* are to be conducted and, in doing so, shall have regard to any agreement entered into between the Minister and representatives of relevant medical practitioners relating to the conduct of consultations under that subsection.

(*b*) The Minister or, as the case may be, the Health Service Executive shall conduct consultations under *subsection (5)* in the manner defined under *paragraph (a)* and with such representatives of relevant medical practitioners or otherwise as the Minister or, as the case may be, the Health Service Executive considers appropriate, and nothing in the Competition Act 2002 shall prevent participation by the Minister, the Health Service Executive or any such representative in such consultations, or the communication and discussion of the outcome of such consultations by the representatives with the relevant medical practitioners they represent.

(9) Without prejudice to any other provision in such an agreement relating to its termination, an agreement referred to in *subsection (1)* shall provide that, where an amount or rate of payment prescribed by a regulation under *subsection (3)* is varied by a subsequent regulation made under that subsection, the relevant medical practitioner concerned may terminate the agreement by giving the Health Service Executive 3 months' notice of the termination.

(10) An agreement referred to in *subsection (1)* shall apply between its parties notwithstanding any other contract, arrangement, understanding, expectation, circular or instrument or other document that exists at the time the contract is entered into.

(11) (*a*) Notwithstanding *subsection (1)*, the Health Service Executive may, during the period that begins on the date on which this section comes into operation and ends six months after that date, enter into an agreement referred to in that subsection with a registered medical practitioner who is not a relevant medical practitioner, where that registered medical practitioner, at the time the agreement is entered into, is party to an agreement with the Health Service Executive to provide one or more services which may be provided, under the General Medical Services Scheme, to a person entitled under *section 58* to have those services made available to him or her.

(*b*) A reference in this section (other than in *paragraph (a)*) to a relevant medical practitioner shall be deemed to include a reference to a registered medical practitioner who has, in accordance with *paragraph (a)*, entered into an agreement referred to in *subsection (1)*.

(12) In this section—

"eligible persons" means persons who are entitled under *section 58B* (inserted by section 5 of the Health (General Practitioner Service) Act 2014) to have relevant services made available to them;

"General Medical Services Scheme" has the meaning it has under section 1 of the Health (Provision of General Practitioner Services) Act 2012;

"registered medical practitioner" has the same meaning as it has in section 2 of the Medical Practitioners Act 2007;

"relevant medical practitioner", subject to *subsection (11)*, means a registered medical practitioner—

(*a*) whose name is included in the Specialist Division of the register of medical practitioners established under section 43(2)(b) of the Medical Practitioners Act 2007, and

(*b*) who holds a current certificate of registration within the meaning of section 2 of that Act in respect of the medical speciality "General Practice" recognised under section 89(1) of that Act;

"relevant services" means the services that constitute the general practitioner medical and surgical service referred to in *section 58B(1)*.**]**

F117**[**(13) Notwithstanding any other part of this section, the agreement, referred to in *subsection (1)* shall not:

(*a*) include any provision to restrict the criticism of the Health Service Executive, or the Department of Health;

(*b*) impose an obligation upon any general practitioner to limit criticism of the Health Service Executive, or the Department of Health;

(*c*) require any general practitioner to notify the Health Service Executive, or the Department of Health in advance of making a public statement;

(*d*) require any general practitioner to receive prior approval from the Health Service Executive, or the Department of Health, for any public statement they wish to make;

(*e*) require any general practitioner to dilute their natural rights to freedom of expression implicit in article 40.3.1º of Bunreacht na hÉireann and explicit in article 10.1 in the European Convention on Human Rights.**]**

Annotations

Amendments:

F116 Inserted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 5, S.I. No. 267 of 2015.

F117 Inserted (1.07.2015) by *Health (General Practitioner Service) Act 2014* (28/2014), s. 6, S.I. No. 267 of 2015.

Editorial Notes:

E230 Power pursuant to subss. (3), (4) exercised (1.08.2023, deemed) by *Health Act 1970 (Section 58C) (Payments to Relevant Medical Practitioners) (Amendment) Regulations 2023* (S.I. No. 459 of 2023), in effect as per reg. 2.

E231 Power pursuant to subss. (3), (4) exercised (1.07.2015) by *Health Act 1970 (Section 58C) (Payments to Relevant Medical Practitioners) Regulations 2015* (S.I. No. 284 of 2015), in effect as per reg. 1(2).

F118**[**General practitioner medical and surgical service for persons in receipt of carer's allowance or carer's benefit.

58D.—(1) The Health Service Executive shall make available without charge a general practitioner medical and surgical service for a person who is in receipt of—

(*a*) carer's benefit within the meaning of Chapter 14 of Part 2 of the Act of 2005,

(*b*) carer's allowance within the meaning of Chapter 8 of Part 3 of the Act of 2005, or

(*c*) a payment under section 186A of the Act of 2005.

(2) A person shall, when requested to do so by the Health Service Executive, furnish to the Health Service Executive such information as the Health Service Executive considers necessary for it to establish that the person is, or continues to be, entitled under *subsection (1)* to the service referred to in that subsection.

(3) Where a person fails or refuses to furnish the information requested by the Health Service Executive under *subsection (2)* within such reasonable period as is specified in the request, the Health Service Executive may treat the person concerned

as if he or she was not entitled under *subsection (1)* to the service referred to in that subsection.

(4) Insofar as considered practicable by the Health Service Executive, a choice of medical practitioner shall be offered under the general practitioner medical and surgical service made available under this section.

(5) In this section "Act of 2005" means the Social Welfare Consolidation Act 2005.**]**

Annotations

Amendments:

F118 Inserted (1.09.2018) by *Health (General Practitioner Service) Act 2018* (13/2018), s. 4, S.I. No. 320 of 2018.

Editorial Notes:

E232 The section heading is taken from the amending section in the absence of one included in the amendment.

Drugs, medicines and appliances.

59.—(1) F119**[**Subject to sections 20 and 23 of the Health (Pricing and Supply of Medical Goods) Act 2013, a**]** health board shall make arrangements for the supply without charge of drugs, medicines and medical and surgical appliances F120**[**, for the time being on the Reimbursement List within the meaning of section 2(1) of that Act,**]** to persons with full eligibility.

F121**[**(1A) Notwithstanding *subsection (1)* but subject to F122**[***subsections (1B)* and *(1C)* and *section 59A***]**, a person with full eligibility who avails himself or herself of the service under *subsection (1)* shall be charged, by a community pharmacy contractor, an amount of F123**[**€1.50**]**, or such other amount as may be determined by regulations made by the Minister under this section, per item supplied to that person on the prescription of F124**[**a registered medical practitioner, registered dentist or registered pharmacist**]**, or on the prescription of a registered nurse (being a person whose name is entered in the register of nurses maintained under section 27 of the Nurses Act 1985) who is entitled pursuant to any enactment to prescribe the drugs, medicines or medical or surgical appliances so supplied.

(1B) (*a*) F125**[**Subject to *paragraphs (b)* and *(c)* and *subsection (3)* of *section 59A***]**, the maximum aggregate amount payable in respect of items referred to in *subsection (1A)* supplied in a month to an adult person and his or her dependants shall be F123**[**€15.00**]** or such other amount as may be determined by regulations made by the Minister under this section.

(*b*) The Health Service Executive shall make arrangements for the refunding, crediting or otherwise relieving persons from the payment of amounts charged that exceed F125**[**the maximum aggregate amount referred to in *paragraph (a)* or *subsection (3)* of *section 59A***]** and where, for any reason, such an excess amount is charged in respect of an adult person and his or her dependants, that excess amount shall be refunded or credited, or relief shall otherwise be granted, as the case may be, in relation to any such excess amount in accordance with such arrangements and subject to any regulations that the Minister may make under this section.

F126**[**(*c*) Where a child referred to in *subsection (5B)* of *section 45* has full eligibility solely by reason of that subsection, the maximum aggregate amount referred to in *paragraph (a)* shall apply in respect of items referred to in *subsection (1A)* supplied in a month—

(i) to that child, or

(ii) in the case where an allowance referred to in *subsection (5B)* of *section 45* is being paid to the same person in respect of more than one such child, to those children.**]**

(1C) A person who falls within any of the following classes shall not be charged an amount under *subsection (1A)*:

(*a*) children who are in the care of the Health Service Executive under the Child Care Acts 1991 to 2007;

(*b*) persons to whom are supplied specified controlled drugs, within the meaning of the Misuse of Drugs (Supervision of Prescription and Supply of Methadone) Regulations 1998 or such other regulations as may be made by the Minister under section 5 of the Misuse of Drugs Act 1977 for the purpose of preventing the misuse of controlled drugs, in respect of those specified controlled drugs;

(*c*) persons who are of a class specified by the Minister in regulations made under this section.

(1D) Notwithstanding any other enactment, contract, arrangement, understanding, expectation, circular or other document, the payment that shall be made to a community pharmacy contractor in respect of services rendered by the community pharmacy contractor to or on behalf of the Health Service Executive in respect of the drugs, medicines and medical and surgical appliances dispensed by a registered pharmacist to persons and their dependants under this section shall be reduced by an amount equal to the amounts collectable by that community pharmacy contractor under *subsection (1A)*, irrespective of whether those amounts are actually collected.

(1E) In *subsections (1A)* to *(1D)*—

"community pharmacy contractor" means a registered pharmacist, company or other body corporate that provides services to the Health Service Executive under an agreement made in accordance with conditions specified by the Minister in 1971 or 1996, as amended from time to time, for the provision of community pharmacy services to eligible persons under *subsection (1)*;

"dependant", in relation to a person with full eligibility, includes an adult person with full eligibility, so long as that adult person is under the age of 21 years and receiving full time education and is wholly or mainly maintained by the first-mentioned person.**]**

(2) When a person with limited eligibility, or a person with full eligibility who does not avail himself of the service under *subsection (1)*, satisfies the chief effective officer of the health board that, F127**[**in respect of a prescribed period and to a prescribed amount**]**, he has incurred expenditure on drugs, medicines and medical and surgical appliances F120**[**, for the time being on the Reimbursement List within the meaning of section 2(1) of the Health (Pricing and Supply of Medical Goods) Act 2013,**]** which were obtained on the prescription of a registered medical practitioner F128**[**, or on the prescription of a registered nurse (being a person whose name is entered in the register of nurses maintained under section 27 of the Nurses Act 1985) entitled pursuant to any enactment to prescribe the drugs, medicines or medical or surgical appliances so obtained,**]** and were for the treatment of that person or his dependants, the health board shall make arrangements to meet the balance of the cost, or a proportion thereof (as may be prescribed) of the person's being supplied in respect of that period with such drugs, medicines and medical and surgical appliances.

(3) A health board may make arrangements for the supply without charge of drugs, medicines or medical and surgical appliances F120**[**, for the time being on the Reimbursement List within the meaning of section 2(1) of the Health (Pricing and Supply of Medical Goods) Act 2013,**]** to persons suffering from a prescribed disease or disability of a permanent or long-term nature.

F127**[**(4) (*a*) The Minister may make regulations—

(i) subject to *paragraph (b)*, varying either or both of the amounts referred to in *subsections (1A)* and *(1B)(a)*,

(ii) subject to *paragraph (c)*, specifying other classes of persons who shall not be charged the amount referred to in *subsection (1A)* either in respect of all items supplied to persons of that class or specified categories of such items, and

(iii) where the Minister considers it necessary to do so, in relation to the refund, credit or other relief of amounts in excess of the maximum aggregate amount referred to in *subsection (1B)*.

(*b*) The Minister shall make regulations under *paragraph (a)(i)* only where he or she is of opinion that such a variation is desirable, having regard to such of the following as he or she considers appropriate:

(i) information on the consumer price index made available by the Central Statistics Office from time to time;

(ii) recent information on the aggregate of the amounts expended, and the number of items in respect of which those amounts were expended, by the Health Service Executive in providing the service under *subsection (1)*;

(iii) the medical needs of, and the financial burden on, persons who avail themselves of the service under *subsection (1)*;

(iv) the necessity of controlling expenditure in relation to the provision by the State of health services.

(*c*) The Minister shall make regulations under *paragraph (a)(ii)* only where he or she is of opinion that not to charge the amount referred to in *subsection (1A)* to such a class is just and equitable in the circumstances, having regard to such of the following as he or she considers appropriate:

(i) the particular medical condition, disability or medical needs of persons of that class;

(ii) the number of prescription items required in respect of the condition, disability or medical needs referred to in *subparagraph (i)*;

(iii) recent information on the aggregate of the amounts expended, and the number of items in respect of which those amounts were expended, by the Health Service Executive in providing the service under *subsection (1)*, either generally or in respect of persons of that class;

(iv) the necessity of controlling expenditure in relation to the provision by the State of health services;

(v) whether the overall financial situation of all, or substantially all, of the persons of that class is significantly worse than that of other persons who are charged amounts under *subsection (1A)*.

(*d*) Regulations under this section shall be made with the consent of the Minister for Finance.**]**

F120**[**(5) Nothing in this section shall be construed to affect the operation of section 26 of the Health (Pricing and Supply of Medical Goods) Act 2013.**]**

Annotations

Amendments:

F119 Substituted (24.06.2013) by *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 30(a)(i), S.I. No. 202 of 2013.

F120 Inserted (24.06.2013) by *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 30(a)(ii)-(d), S.I. No. 202 of 2013.

F121 Inserted (1.10.2010) by *Health (Amendment) (No. 2) Act 2010* (20/2010), s. 1(a), S.I. No. 415 of 2010.

F122 Substituted (14.04.2017) by *Health (Amendment) Act 2017* (5/2017), s. 3(a), (b)(i), (ii), S.I. No. 155 of 2017.

F123 Substituted (1.11.2020) by *Health Services (Prescription Charges) Regulations 2020* (S.I. No. 464 of 2020), regs. 3, 4, in effect as per reg. 2.

F124 Substituted (19.08.2024) by *Health (Miscellaneous Provisions) Act 2024* (23/2024), s. 6, S.I. No. 406 of 2024.

F125 Substituted (14.04.2017) by *Health (Amendment) Act 2017* (5/2017), s. 3(a), (b)(i), (ii), S.I. No. 155 of 2017.

F126 Inserted (1.06.2017) by *Health (Amendment) Act 2017* (5/2017), s. 3(b)(iii), S.I. No. 155 of 2017.

F127 Substituted (1.10.2010) by *Health (Amendment) (No. 2) Act 2010* (20/2010), s. 1(b), (c), S.I. No. 415 of 2010.

F128 Inserted (27.02.2009) by *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), s. 26, S.I. No. 67 of 2009.

Modifications (not altering text):

C29 Application of section affected (24.06.2013) by *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 20, S.I. No. 202 of 2013.

Conditional supply of listed items.

20.— (1) The Executive may attach conditions to the supply or reimbursement, under section 59 of the Act of 1970, of listed items (including classes of listed items) in the interests of one or more of the following:

(*a*) patient safety;

(*b*) cost-effectiveness;

(*c*) maximising appropriate use of the listed items concerned;

(*d*) appropriately applying the resources available to the Executive.

...

C30 Application of subs. (2) restricted (24.06.2013) by *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 24(7), S.I. No. 202 of 2013.

Reference price for listed items which fall within group of interchangeable medicinal products.

24.— ...

(7) Section 59(2) of the Act of 1970 applies to the following expenditure:

(*a*) expenditure on a relevant listed item if, and only if, the relevant listed item is priced at or below the reference price;

(*b*) expenditure on a relevant listed item which is priced above the reference price if, and only if, the medicinal product is the subject of a clinical exemption; and

(*c*) expenditure on a relevant listed item which is priced above the reference price but only up to the reference price.

C31 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 1 of 1970	Health Act 1970	Sections 44, 45, 52, 53, 56 and 59
...	...	...

C32 Term "registered medical practitioner" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(1), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2.

...

C33 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E233 Power pursuant to subs. (4)(a)(ii) exercised (1.06.2025) by *Health Act 1970 (Section 59(4)) (Menopause Products) Regulations 2025* (S.I. No. 226 of 2025), in effect as per reg. 1(2).

E234 Power pursuant to section exercised (1.03.2022) by *Health Services (Amendment) Regulations 2022* (S.I. No. 77 of 2022), in effect as per reg. 2.

E235 Power pursuant to section exercised (1.11.2020) by *Health Services (Prescription Charges) Regulations 2020* (S.I. No. 464 of 2020), in effect as per reg. 2.

E236 Power pursuant to section exercised (1.01.2018) by *Health Services (Drug Payment Scheme) Regulations 2017* (S.I. No. 577 of 2017), in effect as per reg. 2.

E237 Power pursuant to subs. (4)(a)(ii) exercised (16.12.2016) by *Health Act 1970 (Section 59(4)) Regulations 2016* (S.I. No. 635 of 2016).

E238 Power pursuant to subs. (4)(a)(ii) exercised (8.09.2015) by *Health Act 1970 (Section 59(4)) Regulations 2015* (S.I. No. 382 of 2015).

E239 Power pursuant to section exercised (31.01.2002) by *Health (Community Pharmacy Contractor Agreement) Regulations, 1996 (Revocation) Regulations 2002* (S.I. No. 28 of 2002).

E240 Power pursuant to section exercised (1.04.1975) by *Health Services (Amendment) Regulations 1975* (S.I. No. 64 of 1975), in effect as per reg. 2.

E241 Power pursuant to section exercised (5.07.1973) by *Health Services Regulations 1973* (S.I. No. 184 of 1973).

E242 Power pursuant to section exercised (1.04.1972) by *Health Services Regulations 1972* (S.I. No. 88 of 1972), in effect as per reg. 3.

E243 Power pursuant to section exercised (1.10.1971) by *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971), in effect as per reg. 3.

E244 Previous affecting provision: power pursuant to section exercised (1.01.2022) by *Health Services (Amendment) Regulations 2021* (S.I. No. 595 of 2021), in effect as per reg. 2; revoked (1.03.2022) by *Health Services (Amendment) Regulations 2022* (S.I. No. 77 of 2022), reg. 5, in effect as per reg. 2.

E245 Previous affecting provision: power pursuant to section exercised (1.11.2020) by *Health Services (Amendment) Regulations 2020* (S.I. No. 463 of 2020), in effect as per reg. 2; revoked (1.01.2022) by *Health Services (Amendment) Regulations 2021* (S.I. No. 595 of 2021), reg. 5, in effect as per reg. 2.

E246 Previous affecting provision: power pursuant to section exercised (1.04.2019) by *Health Services (Amendment) Regulations 2019* (S.I. No. 59 of 2019), in effect as per reg. 2; revoked (1.11.2020) by *Health Services (Amendment) Regulations 2020* (S.I. No. 463 of 2020), reg. 5, in effect as per reg. 2.

E247 Previous affecting provision: power pursuant to section exercised (1.01.2018) by *Health Services (Prescription Charges) Regulations 2017* (S.I. No. 553 of 2017), in effect as per reg. 2; revoked (1.11.2020) by *Health Services (Prescription Charges) Regulations 2020* (S.I. No. 464 of 2020), reg. 5, in effect as per reg. 2 .

E248 Previous affecting provision: power pursuant to section exercised (1.12.2013) by *Health Services (Prescription Charges) Regulations 2013* (S.I. No. 437 of 2013), in effect as per reg. 2; revoked (1.01.2018) by *Health Services (Prescription Charges) Regulations 2017* (S.I. No. 553 of 2017), reg. 5, in effect as per reg. 2.

E249 Previous affecting provision: power pursuant to section exercised (1.01.2013) by *Health Services (Prescription Charges) Regulations 2012* (S.I. No. 545 of 2012), in effect as per reg. 2; revoked (1.12.2013) by *Health Services (Prescription Charges) Regulations 2013* (S.I. No. 437 of 2013), reg. 5, in effect as per reg. 2.

E250 Previous affecting provision: power pursuant to section exercised (1.01.2013) by *Health Services (Drug Payment Scheme) Regulations 2012* (S.I. No. 526 of 2012), in effect as per reg. 2; revoked (1.01.2017) by *Health Services (Drug Payment Scheme) Regulations 2017* (S.I. No. 577 of 2017), reg. 3, in effect as per reg. 2.

E251 Previous affecting provision: power pursuant to section exercised (1.01.2012) by *Health Services (Drug Payment Scheme) Regulations 2011* (S.I. No. 648 of 2011), in effect as per reg. 2; revoked (1.01.2013) by *Health Services (Drug Payment Scheme) Regulations 2012* (S.I. No. 526 of 2012), reg. 3, in effect as per reg. 2.

E252 Previous affecting provision: power pursuant to section exercised (1.01.2010) by *Health Services (Drugs Payment Scheme) Regulations 2009* (S.I. No. 536 of 2009), in effect as per reg. 2; revoked (1.01.2012) by *Health Services (Drug Payment Scheme) Regulations 2011* (S.I. No. 648 of 2011), reg. 3, in effect as per reg. 2.

E253 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health Services Regulations 2008* (S.I. No. 519 of 2008), in effect as per reg. 2; revoked (1.01.2010) by *Health Services (Drugs Payment Scheme) Regulations 2009* (S.I. No. 536 of 2009), reg. 3, in effect as per reg. 2.

E254 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health Services Regulations 2007* (S.I. No. 837 of 2007), in effect as per reg. 2; revoked (1.01.2009) by *Health Services Regulations 2008* (S.I. No. 519 of 2008), reg. 3, in effect as per reg. 2.

E255 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), in effect as per reg. 2; revoked (1.01.2008) by *Health Services Regulations 2007* (S.I. No. 837 of 2007), reg. 3, in effect as per reg. 2.

E256 Previous affecting provision: power pursuant to section exercised (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2003), in effect as per reg. 2; revoked (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), reg. 3, in effect as per reg. 2.

E257 Previous affecting provision: power pursuant to section exercised (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), in effect as per reg. 2; revoked (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2003), reg. 3, in effect as per reg. 2.

E258 Previous affecting provision: power pursuant to section exercised (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), in effect as per reg. 2; revoked (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), reg. 3, in effect as per reg. 2.

E259 Previous affecting provision: power pursuant to section exercised (1.03.2001) by *Health Services Regulations 2001* (S.I. No. 66 of 2001), in effect as per reg. 2; revoked (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), reg. 3, in effect as per reg. 2.

E260 Previous affecting provision: section substituted by *Health (Miscellaneous Provisions) Act 2001* (14/2001), s. 1(1)(b), not commenced; s. 1(1)(b) (24.06.2013) by *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 31, S.I. No. 202 of 2013.

E261 Previous affecting provision: power pursuant to subs. (4) exercised (31.05.1996) by *Health (Community Pharmacy Contractor Agreement) Regulations 1996* (S.I. No. 152 of 1996), in effect as per reg. 13; revoked (31.01.2002) by *Health (Community Pharmacy Contractor Agreement) Regulations, 1996 (Revocation) Regulations 2002* (S.I. No. 28 of 2002), reg. 2.

E262 Previous affecting provision: power pursuant to section exercised (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), in effect as per reg. 2; revoked (1.03.2001) by *Health Services Regulations 2001* (S.I. No. 66 of 2001), reg. 3, in effect as per reg. 2.

E263 Previous affecting provision: power pursuant to section exercised (1.01.1991) by *Health Services Regulations 1990* (S.I. No. 334 of 1990), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E264 Previous affecting provision: power pursuant to section exercised (1.01.1984) by *Health Services (No. 4) Regulations 1983* (S.I. No. 389 of 1983), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E265 Previous affecting provision: power pursuant to section exercised (1.03.1983) by *Health Services Regulations 1983* (S.I. No. 54 of 1983), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E266 Previous affecting provision: power pursuant to section exercised (1.09.1982) by *Health Services Regulations 1982* (S.I. No. 283 of 1982), in effect as per reg. 2; revoked (1.03.1983) by *Health Services Regulations 1983* (S.I. No. 54 of 1983), reg. 3, in effect as per reg. 2.

E267 Previous affecting provision: power pursuant to section exercised (1.08.1981) by *Health Services Regulations 1981* (S.I. No. 267 of 1981), in effect as per reg. 2; revoked (1.09.1982) by *Health Services Regulations 1982* (S.I. No. 283 of 1982), reg. 3, in effect as per reg. 2.

E268 Previous affecting provision: power pursuant to section exercised (1.03.1980) by *Health Services Regulations 1980* (S.I. No. 61 of 1980), in effect as per reg. 2; revoked (1.08.1981) by *Health Services Regulations 1981* (S.I. No. 267 of 1981), reg. 3, in effect as per reg. 2.

E269 Previous affecting provision: power pursuant to section exercised (1.05.1976) by *Health Services Regulations 1976* (S.I. No. 97 of 1976), in effect as per reg. 2; revoked (1.03.1980) by *Health Services Regulations 1980* (S.I. No. 61 of 1980), reg. 3, in effect as per reg. 2.

E270 Previous affecting provision: power pursuant to section exercised (5.08.1975) by *Health Services Regulations, 1972 (Amendment) Regulations 1975* (S.I. No. 181 of 1975); revoked (1.04.2019) by *Health Services (Amendment) Regulations 2019* (S.I. No. 59 of 2019), reg. 5, in effect as per reg. 2.

F129[Prescription charges for persons who have attained age of 70 years and their dependants.

59A.—(1) This section applies to persons with full eligibility who avail of the service under *subsection (1)* of *section 59* and who fall within any of the following classes:

(*a*) persons who have attained the age of 70 years;

(*b*) dependants of the persons referred to in *paragraph (a)*.

(2) Subject to *subsection (3)*, the amount of charge under *subsection (1A)* of *section 59* per item supplied to a person to whom this section applies shall be F130**[**€1.00**]** or such other amount as may be determined by regulations made by the Minister under this section.

(3) Subject to *subsection (1B)(b)* of *section 59*, the maximum aggregate amount payable in respect of items referred to in *subsection (1A)* of that section supplied in a month to a person who has attained the age of 70 years and his or her dependants shall be F130**[**€10.00**]** or such other amount as may be determined by regulations made by the Minister under this section.

(4) The Minister may, with the consent of the Minister for Public Expenditure and Reform, make regulations varying either or both of the amounts referred to in *subsections (2)* and *(3)*, where he or she is of the opinion that such a variation is desirable, having regard to such of the following as he or she considers appropriate:

(*a*) information on the consumer price index made available by the Central Statistics Office from time to time;

(*b*) recent information on the aggregate of the amounts expended, and the number of items in respect of which those amounts were expended, by the Health Service Executive in providing the service under *subsection (1)* of *section 59* either generally or to persons to whom this section applies;

(*c*) the medical needs of, and the financial burden on, persons to whom this section applies;

(*d*) the necessity of controlling expenditure in relation to the provision by the State of health services;

(*e*) either or both of the amounts for the time being referred to in *subsections (1A)* and *(1B)(a)* of *section 59*.**]**

Annotations

Amendments:

F129 Inserted (14.04.2017) by *Health (Amendment) Act 2017* (5/2017), s. 4, S.I. No. 155 of 2017.

F130 Substituted (1.11.2020) by *Health Services (Prescription Charges) (Over 70s) Regulations 2020* (S.I. No. 465 of 2020), regs. 3, 4, in effect as per reg. 2.

Editorial Notes:

E271 Power pursuant to subs. (4) exercised (1.11.2020) by *Health Services (Prescription Charges) (Over 70s) Regulations 2020* (S.I. No. 465 of 2020), in effect as per reg. 2.

E272 The section heading is taken from the amending section in the absence of one included in the amendment.

E273 Previous affecting provision: power pursuant to section exercised (1.04.2019) by *Health Services (Prescription Charges) (Over 70s) Regulations 2018* (S.I. No. 639 of 2018), in effect as per reg. 2; revoked (1.11.2020) by *Health Services (Prescription Charges) (Over 70s) Regulations 2020* (S.I. No. 465 of 2020), reg. 5, in effect as per reg. 2.

Home nursing.

60.—A health board shall, in relation to persons with full eligibility and such other categories of persons and for such purposes as may be specified by the Minister, provide without charge a nursing service to give to those persons advice and assistance on matters relating to their health and to assist them if they are sick.

Annotations

Modifications (not altering text):

C34 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Home help service.

61.—(1) A health board may make arrangements to assist in the maintenance at home of—

(*a*) a sick or infirm person or a dependant of such a person,

(*b*) a woman availing herself of a service under *section 62*, or receiving similar care, or a dependant of such a woman,

(*c*) a person who, but for the provision of a service for him under this section, would require to be maintained otherwise than at home,

either (as the chief executive officer of the board may determine in each case) without charge or at such charge as he considers appropriate.

(2) In making a determination under *subsection (1)*, the chief executive officer of a health board shall comply with any directions given by the Minister.

Annotations

Modifications (not altering text):

C35 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F131[Information to be provided to Health Service Executive by home care providers.

61A.—(1) A home care provider shall give notice in writing to the Health Service Executive, as soon as it is practicable for the provider to do so, of—

(*a*) the name and address of the provider,

(*b*) the name and address of each person to whom the provider provides home care services,

(*c*) the nature of such services so provided, and

(*d*) particulars of any change to information previously given by the provider to the Executive under any paragraph (including this paragraph) of this subsection.

(2) The Health Service Executive may, for statistical purposes, retain and process information given to it under *subsection (1)* and may publicly disclose—

(*a*) any particulars of home care providers who are legal persons, or

(*b*) any statistics arising from such retention and processing of such information.

(3) In this section—

"home care provider" means a natural or legal person who, whether or not pursuant to arrangements referred to in *section 61(1)*, provides, at a charge, home care services;

"home care service" means a service made available in a private dwelling for a person who, by reason of illness, frailty or disability, is unable to provide the service for himself or herself without assistance;

"private dwelling", in relation to a person referred to in the definition of "home care service", means a permanent dwelling that is not open to the general public to visit unless invited and where that person habitually resides.**]**

Annotations

Amendments:

F131 Inserted (19.02.2007) by *Health (Nursing Homes) (Amendment) Act 2007* (1/2007), s. 11, commenced on enactment.

CHAPTER IV

Services for Mothers and Children

Medical and midwifery care for mothers.

62.—F132**[**(1) A health board shall make available medical, surgical and midwifery services for attendance to the health of women in respect of motherhood.

(1A) The services referred to in *subsection (1)* shall be provided otherwise than as in-patient services.

(1B) A health board shall not charge for the services provided under *subsection (1)*.**]**

(2) A woman entitled to receive medical services under this section may choose to receive them from any registered medical practitioner who has entered into an agreement with the health board for the provision of those services and who is willing to accept her as a patient.

(3) When a woman avails herself of services under this section for a confinement taking place otherwise than in a hospital or maternity home, the health board shall provide without charge obstetrical requisites to such extent as may be specified by regulations made by the Minister.

Annotations

Amendments:

F132 Substituted and inserted (1.01.2014) by *Health (Amendment) Act 2013* (31/2013), s. 18, S.I. No. 569 of 2013.

Modifications (not altering text):

C36 Term "registered medical practitioner" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(1), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2.

...

C37 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F133**[**Services for women in accordance with Act of 2018.

62A.—(1) The Health Service Executive shall make available without charge medical, surgical and midwifery services for the purpose of termination of pregnancy in accordance with section 9, 10, 11 or 12 of the Act of 2018 for women who are ordinarily resident in the State.

(2) The services referred to in *subsection (1)* shall be provided otherwise than as in-patient services.

(3) A woman entitled to receive services under this section may choose to receive them from any person who has entered into an agreement with the Health Service Executive for the provision of those services and who is willing to accept her as a patient.

(4) Subject to sections 20 and 23 of the Act of 2013, the services referred to in *subsection (1)* shall include the supply without charge of specified drugs, medicines and medical and surgical appliances for the purpose of a termination of pregnancy in accordance with section 9, 10, 11 or 12 of the Act of 2018 for the time being—

(*a*) standing approved by the Heath Service Executive, or

(*b*) on the Reimbursement List within the meaning of section 2(1) of the Act of 2013.

(5) In this section—

"Act of 2013" means Health (Pricing and Supply of Medical Goods) Act 2013;

"Act of 2018" means the Health (Regulation of Termination of Pregnancy) Act 2018.**]**

Annotations

Amendments:

F133 Inserted (1.01.2019) by *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018), s. 26(d), S.I. No. 594 of 2018.

Editorial Notes:

E274 Provision for payments for certain services under section made (1.01.2019) by *Public Service Pay and Pensions Act 2017 (Payments in Respect of Certain Services under Section 62A of the Health Act 1970) Regulations 2018* (S.I. No. 598 of 2018), in effect as per reg. 1(2).

Medical care for infants.

63.—(1) A health board shall make available without charge medical, surgical and nursing services for children up to the age of six weeks whose mothers are entitled to avail themselves of services under *section 62*.

(2) Services under this section shall be provided for a child by any registered medical practitioner whom the parent of the child has chosen, who has entered

into an agreement with the health board for the provision of those services and who is willing to accept the child as a patient.

Annotations

Modifications (not altering text):

C38 Term "registered medical practitioner" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(1), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2.

...

C39 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Maternity grants.

64.—(1) A health board shall pay a cash grant in respect of each confinement to a woman who is a person with full eligibility, who fulfils the prescribed conditions and whom it is not proposed to maintain in an institution after the confinement (otherwise than for the purpose of medical or surgical treatment) by or at the expense of the health board.

(2) The amount of a grant under this section shall be—

(*a*) where there is live issue, £8 in respect of each child born alive,

(*b*) where there is no live issue, £8.

F134**[**(3) In deciding whether or not to make an order under section 21A of the Family Law (Maintenance of Spouses and Children) Act, 1976 (inserted by the Status of Children Act, 1987), in so far as any such order relates to the payment of expenses incidental to the birth of a child, the Circuit Court or the District Court, as the case may be, shall not take into consideration the fact that the mother of the child is entitled to a grant under this section.**]**

(4) In this section "confinement" means labour resulting in the issue of a living child, or labour after twenty-eight weeks of pregnancy resulting in the issue of a living or dead child.

Annotations

Amendments:

F134 Substituted (14.06.1987) by *Status of Children Act 1987* (26/1987), s. 21(2), commenced as per s. 1(2)(b).

F135 Substituted by *Family Courts Act 2024* (48/2024), s. 6 and sch. 2 item 1, not commenced as of date of revision.

Modifications (not altering text):

C40 Prospective affecting provision: subs. (3) amended by *Family Courts Act 2024* (48/2024), s. 6 and sch. 2 item 1, not commenced as of date of revision.

(3) In deciding whether or not to make an order under section 21A of the Family Law (Maintenance of Spouses and Children) Act, 1976 (inserted by the Status of Children Act, 1987), in so far as any such order relates to the payment of expenses incidental to the birth of a child, the F135**[**Family Circuit Court or the Family District Court**]**, as the case may be, shall not take into consideration the fact that the mother of the child is entitled to a grant under this section.

C41 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E275 Power pursuant to section exercised (27.09.1972) by *Maternity Cash Grants Regulations 1972* (S.I. No. 241 of 1972).

Milk for mothers and children.

65.—(1) A health board may make arrangements for the supply of milk to expectant mothers with full eligibility, nursing mothers with full eligibility, and children under five years of age whose parents are unable from their own resources to provide the children with an adequate supply of milk.

(2) In this section "milk" includes foods derived wholly or mainly from milk.

Annotations

Modifications (not altering text):

C42 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Child health service.

66.—(1) A health board shall make available without charge at clinics, health centres or other prescribed places a health examination and treatment service for children under the age of six years.

F136**[**(2) The Health Service Executive shall make available without charge a health examination and treatment service for pupils who attend any primary school or who are taught at home.

(3) The Health Service Executive may, by notice given to a school manager, or governing body of a school, require the school manager or governing body, as the case may be, to provide reasonable facilities for an examination under this section.

(4) A school manager or governing body given a notice under *subsection (3)* shall comply with the notice.**]**

(5) Nothing in this section shall be construed as authorising a health board to provide any general domiciliary service or any services such as are mentioned in *section 52*, *56* or *67*.

Annotations

Amendments:

F136 Substituted (1.05.2007) by *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), s. 27, S.I. No. 194 of 2007.

Modifications (not altering text):

C43 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

CHAPTER V

Other Services

Dental, ophthalmic and aural services.

67.—(1) A health board shall make dental, ophthalmic and aural treatment and dental, optical and aural appliances available for persons with full eligibility F137**[**...**]**.

(2) A health board shall make dental, ophthalmic and aural treatment and dental, optical and aural appliances available in respect of defects noticed at an examination under the service mentioned in *section 66*.

(3) F138**[**Charges**]** shall not be made for treatment and appliances made available under this section.

(4) F137**[**...**]**

Annotations

Amendments:

F137 Deleted (24.08.2009) by *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), s. 28(a), (c), S.I. No. 333 of 2009.

F138 Substituted (24.08.2009) by *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), s. 28(b), S.I. No. 333 of 2009.

Modifications (not altering text):

C44 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F139[Interpretation - *sections 67A* to *67D*

67A.—(1) In this section and *sections 67B* to *67D*—

"accommodation", in relation to a person ("relevant person") being provided with a health or personal social service that falls within the definition of "residential support services", means—

(*a*) accommodation provided to the relevant person by or on behalf of the Health Service Executive, or

(*b*) if *paragraph (a)* does not apply and the ongoing costs of maintenance associated with the provision of that service to the relevant person are met by the Health Service Executive or another person that provides services on behalf of the Health Service Executive, accommodation provided to the relevant person pursuant to an arrangement that has been put in place by or on behalf of the relevant person for the purpose of facilitating the provision, in that accommodation, of that service;

"costs of maintenance", in relation to a person ("relevant person") being provided with a health or personal social service that falls within the definition of "residential support services", means the costs (other than excluded costs) relating to the ongoing essential daily living requirements of the relevant person and, without prejudice to the generality of the foregoing, includes the costs to the Health Service Executive or another person acting on behalf of the Health Service Executive of purchasing or paying for—

(*a*) the relevant person's food or other essential household provisions,

(*b*) the relevant person's electricity, gas, heating, refuse collection, water supply or other essential utilities, or

(*c*) any combination of any such provisions and such utilities,

and "maintenance costs", "maintenance", "maintain" and cognate terms shall be construed accordingly;

"excluded costs", in relation to the definition of "costs of maintenance" and a relevant person referred to in that definition, means—

(*a*) the relevant person's accommodation costs (if any), and

(*b*) the costs (if any), associated with the provision of a health or personal social service to the relevant person, that do not fall within that definition;

"persons" includes a class or classes of persons;

"residential support services" means any health or personal social service excluding—

(*a*) acute in-patient services,

(*b*) long-term residential care services, and

(*c*) out-patient services provided under *section 56*,

provided by or on behalf of the Health Service Executive under section 7 of the Health Act 2004 or under any other enactment, to a person residing in accommodation that is a—

(i) hospital,

(ii) convalescent home,

(iii) nursing home, or

(iv) home or other category of housing accommodation for persons with a physical, sensory, mental health or intellectual disability,

or in accommodation ancillary thereto.

(2) A reference in the definition of "residential support services" in *subsection (1)* to long-term residential care services shall be construed as a reference to long-term residential care services provided to a person who first began to receive those services on or after 27 October 2009.**]**

Annotations

Amendments:

F139 Substituted (2.09.2016) by *Health (Miscellaneous Provisions) Act 2014* (33/2014), s. 42, commenced as per s. 1(3) and S.I. No. 466 of 2016.

Editorial Notes:

E276 Previous affecting provision: section inserted (2.09.2016) by *Health (Amendment) Act 2013* (31/2013), s. 19, S.I. No. 466 of 2016; section substituted as per F-note above.

F140**[**Residential support services.

67B.—The Health Service Executive may make available residential support services to persons with full eligibility and persons with limited eligibility.**]**

Annotations

Amendments:

F140 Inserted (2.09.2016) by *Health (Amendment) Act 2013* (31/2013), s. 19, S.I. No. 466 of 2016.

F141**[**Residential support services maintenance and accommodation contributions.

67C.—(1) (*a*) Subject to *subsections (3)* to *(6)* and *section 67D*, a person provided with residential support services, whether provided by the Health Service Executive or on behalf of the Health Service Executive, shall pay a financial contribution, in accordance with regulations made by the Minister under this section, towards F142**[**the costs of maintenance or accommodation, or both,**]** associated with the provision of such residential support services.

(*b*) In this section and in *sections 67B* and *67D*, a "residential support services maintenance and accommodation contribution" means a contribution required to be paid pursuant to this section and regulations made under *subsection (2)*.

F142**[**(2) (*a*) The Minister may, with the consent of the Minister for Public Expenditure and Reform, make regulations—

(i) making it a requirement that persons to whom residential support services are provided, or persons belonging to a specified class or classes of such persons, shall pay a contribution, in specified circumstances, towards the costs of maintenance or accommodation, or both, associated with the provision of such services,

(ii) specifying the amounts of the contributions or the limits to the amounts of such contributions,

(iii) providing for any matter referred to in this section as prescribed or to be prescribed, and

(iv) providing for transitional arrangements, in specified circumstances, in respect of such contributions as the Minister considers necessary or expedient in respect of such persons, which may include such transitional arrangements relating to the reduction to the amounts of such contributions as the Minister considers necessary or expedient in respect of such persons, or that may be required to avoid undue financial hardship for such persons.

(*b*) (i) In specifying the amounts of the contributions required to be paid in regulations made under *paragraph (a)*, the Minister may specify different amounts by reference to the respective incomes of the persons required to pay the contributions or by reference to the levels of dependence or independence of such persons, or by reference to both such incomes and such levels of dependence or independence.

(ii) The Minister may, for the purposes of *subparagraph (i)*, have regard to the levels of dependence or independence of persons by taking into account the medical care or nursing care, or both, generally provided in, or to, the accommodation where the persons reside and to those levels of dependence or independence that, in the Minister's opinion, may be taken to give rise to a need to retain lesser or greater levels of income for personal use by such persons.**]**

(*c*) Regulations relating to the matters specified in *paragraph (a)* may contain such ancillary or subsidiary provisions as the Minister considers necessary or expedient, including provisions relating to the manner of payment, the persons to whom payments are to be made and the collection of monies due and the disposal of monies received in respect of contributions required to be made pursuant to such regulations.

(3) (*a*) The amount of a contribution required to be paid pursuant to regulations made under *subsection (2)* shall be expressed as a daily amount, which amount shall not exceed 80 per cent of the maximum daily rate of the State pension (non-contributory).

F143**[**(*aa*) The daily amount of the contribution required from a person to whom *paragraph (b)* of the definition of "accommodation" in *section 67A(1)* applies shall be reduced by one-seventh of whichever of the following 2 amounts is the greater:

(i) the amount that the person provides for his or her accommodation, as calculated pro rata on a weekly basis, less—

(I) the amount (if any) of a rent supplement, as so calculated, that he or she receives pursuant to regulations made under section 198(3) of the Social Welfare Consolidation Act 2005, and

(II) the amount (if any) of housing assistance (or similar subsidy), as so calculated, prescribed for the purposes of this clause, that he or she receives;

(ii) €30 or, if a different amount stands prescribed for the purposes of this subparagraph, that different amount.**]**

(*b*) For the purposes of this section—

(i) a person shall be considered as receiving residential support services on a particular day where that person was receiving those services at midnight on the day concerned,

(ii) a reference to the maximum daily rate of the State pension (non-contributory) shall be construed as a reference to one seventh of the maximum weekly rate of State pension (non-contributory), and

(iii) State pension (non-contributory) has the same meaning as it has in the Social Welfare Acts.

(4) A residential support services maintenance and accommodation contribution in respect of a particular day shall be payable where, in the 12 month period ending

on that day, the person has previously received residential support services on at least 30 days.

(5) In calculating the number of days on which a person has received residential support services within the 12 month period referred to in *subsection (4)*—

(*a*) a day on which a person has received acute in-patient services as defined in *section 51* (whether before or after the coming into operation of this section or regulations made under it) unless the person concerned was liable to make payment of a charge under *section 55* in respect of those services,

(*b*) a day on which a person was in receipt of State support within the meaning of the Nursing Homes Support Scheme Act 2009 (whether before or after the coming into operation of this section or regulations made under it), and

(*c*) a day on which a person received services under this Act provided by or on behalf of the Health Service Executive prior to the coming into operation of *sections 67A*, *67C*, *67D* or this section or regulations made under it, which services would, if those sections and regulations had been in force at the time of the provision of those services, have constituted residential support services,

shall be treated as a day on which the person concerned has been provided with residential support services.

(6) *Subsection (5)* applies notwithstanding that—

(*a*) the person concerned is a person to whom *subsection (7)* applies as respects one or more than one of the days, or

(*b*) the Health Service Executive has, pursuant to guidelines approved under *section 67D*, as respects the person concerned waived, in whole or in part, the amount of the contribution payable.

(7) A residential support services maintenance and accommodation contribution shall not be payable where the residential support services are provided to—

(*a*) a person under 18 years of age,

(*b*) a woman receiving services in respect of motherhood,

F144**[**(*ba*) a woman receiving services for the purpose of a termination of pregnancy in accordance with section 9, 10, 11 or 12 of the Health (Regulation of Termination of Pregnancy) Act 2018,**]**

(*c*) a person detained involuntarily under the Mental Health Acts 2001 to 2009,

(*d*) a person detained in a designated centre under the Criminal Law (Insanity) Act 2006,

(*e*) a person who pursuant to section 2 of the Health (Amendment) Act 1996, in the opinion of the Health Service Executive, has contracted Hepatitis C directly or indirectly from the use of Human Immunoglobulin Anti-D or the receipt within the State of another blood product or a blood transfusion,

(*f*) a person in respect of the treatment of infectious diseases prescribed under Part IV of the Health Act 1947,

(*g*) a person who pays charges which are charged under *section 53A*, or

(*h*) a person in receipt of State support or ancillary State support within the meaning of the Nursing Homes Support Scheme Act 2009.**]**

F143**[**(8) Subject to the other provisions of this section, nothing in this Act or in another enactment (or in an instrument made under this Act or under another enactment) shall be construed as—

(*a*) prohibiting the imposition upon a person to whom this section applies of a requirement to pay a residential support services maintenance and accommodation contribution, or

(*b*) authorising the imposition upon a person to whom this section applies of a requirement to pay any additional contribution, in respect of the costs of maintenance or accommodation, or both, associated with the provision to a person of residential support services.**]**

Annotations

Amendments:

F141 Inserted (2.09.2016) by *Health (Amendment) Act 2013* (31/2013), s. 19, S.I. No. 466 of 2016.

F142 Substituted (2.09.2016) by *Health (Miscellaneous Provisions) Act 2014* (33/2014), s. 43(a), (b), commenced as per s. 1(3) and S.I. No. 466 of 2016.

F143 Inserted (2.09.2016) by *Health (Miscellaneous Provisions) Act 2014* (33/2014), s. 43(c), (d), commenced as per s. 1(3) and S.I. No. 466 of 2016.

F144 Inserted (1.01.2019) by *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018), s. 26(e), S.I. No. 594 of 2018.

Modifications (not altering text):

C45 Functions transferred and references construed (1.03.2023) by *Specialist Community-Based Disability Services (Transfer of Departmental Administration and Ministerial Functions) Order 2022* (S.I. No. 688 of 2022), arts. 2-4 and sch. part 2, in effect as per reg. 1(2), subject to transitional provisions in arts. 5-9.

2. In this Order, "relevant function" means –

(*a*) any function transferred by Article 4 of this Order, and

(*b*) ...

in so far only as the function consists of, or is connected with, specialist community-based disability services, within the meaning of the Health Act 2004, or any such other function otherwise assigned to that Minister by any of those Acts.

3. (1) The administration and business in connection with the exercise, performance or execution of any relevant function are transferred to the Department of Children, Equality, Disability, Integration and Youth.

(2) References to the Department of Health contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Children, Equality, Disability, Integration and Youth.

4. (1) The functions vested in the Minister for Health – ...

(b) by or under the provisions of the enactments specified in Part 2 of the Schedule, and

(c) ...

are transferred to the Minister for Children, Equality, Disability, Integration and Youth.

(2) References to the Minister for Health contained in any Act or instrument made under such Act, and relating to any relevant function shall, on and after the commencement of this Order, be construed as references to the Minister for Children, Equality, Disability, Integration and Youth.

...

SCHEDULE

...

Part 2

...

Sections 67C and 67D of the Health Act 1970 (No. 1 of 1970)

...

Editorial Notes:

E277 Power pursuant to subs. (2) exercised (7.01.2022) by *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2022* (S.I. No. 1 of 2022), in effect as per reg. 1(2).

E278 Power pursuant to subs. (2) exercised (20.03.2019 and 29.03.2019) by *Health (Residential Support Services Maintenance And Accommodation Contributions) (Amendment) Regulations 2019* (S.I. No. 106 of 2019), in effect as per regs. 3, 4.

E279 Power pursuant to subs. (2) exercised (2.09.2016 and 1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), in effect as per reg. 1(2) and on signature.

E280 Previous affecting provision: power pursuant to subs. (2) exercised (21.03.2018 and 2.04.2018) by *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2018* (S.I. No. 94 of 2018), in effect as per reg. 3(a), (b); revoked (29.03.2019) by *Health (Residential Support Services Maintenance And Accommodation Contributions) (Amendment) Regulations 2019* (S.I. No. 106 of 2019), reg. 6, in effect as per reg. 4.

E281 Previous affecting provision: power pursuant to subs. (2) exercised (8.03.2017 and other dates in March 2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2017* (S.I. No. 58 of 2017), in effect as per regs. 1(3), 3; revoked (21.03.2018) by *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2018* (S.I. No. 94 of 2018), in effect as per reg. 3(a).

F145**[**Waiver of residential support services maintenance and accommodation contributions.

67D.—(1) (*a*) The Health Service Executive may waive (in whole or in part) the obligation of a person to make payment of a residential support services maintenance and accommodation contribution.

(*b*) The Health Service Executive shall not exercise the power referred to in *paragraph (a)* unless, having regard to the financial circumstances of the person concerned, it is satisfied that—

(i) it is necessary to do so in order to avoid undue financial hardship on the part of the person concerned or his or her dependants,

(ii) it is necessary to do so, or that doing so would be of significant benefit, in advancing the medical, therapeutic, rehabilitative or health-related needs of the person concerned (including, where a care plan has been prepared for that person by or on behalf of the Health Service Executive, needs relating to meeting objectives specified in such a care plan), or

(iii) it is reasonable to do so having regard to the extent to which the person concerned provides for his or her own maintenance F146**[**or accommodation, or both**]**.

(2) The Health Service Executive shall exercise the power referred to in *subsection (1)* in accordance with such guidelines as stand approved by the Minister pursuant to this section.

(3) Where the Health Service Executive exercises the power under *subsection (1)*, it shall in each case record in writing the basis for the decision to exercise that power.

(4) The Health Service Executive shall prepare guidelines relating to the exercise of the power referred to in *subsection (1)*, and where requested to do so by the Minister shall prepare revised guidelines.

(5) Guidelines prepared by the Health Service Executive under *subsection (4)* shall be submitted by the Health Service Executive to the Minister.

(6) Where guidelines are submitted to the Minister pursuant to *subsection (5)*, the Minister may—

(*a*) with the consent of the Minister for Public Expenditure and Reform, approve the guidelines concerned,

(*b*) with the consent of the Minister for Public Expenditure and Reform, approve the guidelines concerned subject to specified amendments, or

(*c*) refuse to approve the guidelines concerned.

(7) Where guidelines stand approved under this section, the Minister may revoke such guidelines.

(8) The Health Service Executive shall publish or cause to be published, in such manner as it considers appropriate, guidelines standing approved by the Minister pursuant to this section.**]**

Annotations

Amendments:

F145 Inserted (2.09.2016) by *Health (Amendment) Act 2013* (31/2013), s. 19, S.I. No. 466 of 2016.

F146 Inserted (2.09.2016) by *Health (Miscellaneous Provisions) Act 2014* (33/2014), s. 44, commenced as per s. 1(3) and S.I. No. 466 of 2016.

Modifications (not altering text):

C46 Functions transferred and references construed (1.03.2023) by *Specialist Community-Based Disability Services (Transfer of Departmental Administration and Ministerial Functions) Order 2022* (S.I. No. 688 of 2022), arts. 2-4 and sch. part 2, in effect as per reg. 1(2), subject to transitional provisions in arts. 5-9.

2. In this Order, "relevant function" means –

(*a*) any function transferred by Article 4 of this Order, and

(*b*) ...

in so far only as the function consists of, or is connected with, specialist community-based disability services, within the meaning of the Health Act 2004, or any such other function otherwise assigned to that Minister by any of those Acts.

3. (1) The administration and business in connection with the exercise, performance or execution of any relevant function are transferred to the Department of Children, Equality, Disability, Integration and Youth.

(2) References to the Department of Health contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Children, Equality, Disability, Integration and Youth.

4. (1) The functions vested in the Minister for Health – ...

(b) by or under the provisions of the enactments specified in Part 2 of the Schedule, and

(c) ...

are transferred to the Minister for Children, Equality, Disability, Integration and Youth.

(2) References to the Minister for Health contained in any Act or instrument made under such Act, and relating to any relevant function shall, on and after the commencement of this Order, be construed as references to the Minister for Children, Equality, Disability, Integration and Youth.

...

SCHEDULE

...

Part 2

...

Sections 67C and 67D of the Health Act 1970 (No. 1 of 1970)

...

F148**[** Contraception services for certain women.

67E.—(1) The Health Service Executive shall make available without charge contraception services for women who are ordinarily resident in the State—

(*a*) who have attained the age of 17 years but not yet attained the age of 26 years, or

(*b*) who are within such class or classes of ages as may be prescribed by the Minister under *subsection (5)*, and

such women shall, in this section, be referred to as "relevant women".

(2) Insofar as the contraception services relate to the provision of applicable services to a relevant woman, the relevant woman may choose to receive such services from any person who has entered into an agreement with the Health Service Executive for the provision of those services and who is willing to accept that woman as a patient.

F147**[**(2A) A retail pharmacy business may provide the services specified in *paragraph (a)(ii)* of the definition of "applicable services" to a relevant woman.**]**

(3) Insofar as the contraception services relate to the provision of relevant products to a relevant woman, the relevant woman shall be entitled to receive a relevant product from a pharmacy provider.

(4) Notwithstanding *subsections (1)* and *(2)*, the following shall apply in respect of a woman who is ordinarily resident in the State (whether or not she falls within the definition of a relevant woman) and who has had a long-acting reversible contraceptive device fitted before she attained the age of 26 years (or such other age as may be prescribed by the Minister under *subsection (5)*), namely:

(*a*) the woman concerned may, notwithstanding that she has attained the age of 26 years (or such other age as may be prescribed by the Minister under *subsection (5)*), choose to seek the removal of such device by any person who has entered into an agreement with the Health Service Executive for the provision of contraception services and who is willing to accept her as a patient;

(*b*) the Health Service Executive shall, in respect of that woman, make available such removal without charge.

(5) Subject to *subsection (6)*, the Minister, after consultation with the Minister for Public Expenditure and Reform, may, for the purposes of *subsection (1)(b)* and *subsection (4)*, by regulation prescribe such further age or class or classes of ages in respect of women to whom the contraception services referred to in *subsections (1)* and *(4)* shall be made available under this section.

(6) In making regulations under *subsection (5)*, the Minister shall not prescribe an age under the age of 17 years.**]**

F149**[**(7) The Minister may, with the consent of the Minister for Public Expenditure and Reform, by regulation prescribe the amount or the rate of payment to be made to—

(*a*) scheme providers F150**[**in respect of the provision**]** of applicable services by them under agreements referred to in *subsection (2)*, or

(*b*) pharmacy providers in respect of the dispensing of relevant products by them under this section.

(8) Regulations made under *subsection (7)* may prescribe different amounts or rates—

(*a*) in respect of different contraception services or different classes of contraception services, or in respect of the provision of contraception services or different classes of contraception services to different classes of relevant women, or

(*b*) in respect of different scheme providers or pharmacy providers or different classes of scheme providers or pharmacy providers.

(9) Regulations under this section may contain such incidental, supplementary, consequential or transitional provisions as appear to the Minister to be necessary for the purposes of the regulations.

(10) Every regulation made under this section shall be laid before each House of the Oireachtas as soon as may be after it has been made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(11) In this section—

"Act of 2013" means the Health (Pricing and Supply of Medical Goods) Act 2013;

"applicable services" means—

F150**[**(*a*) such number of consultations—

(i) with a scheme provider specified in *paragraph (a)* of the definition of "scheme provider" required by a woman in a year for the purposes of obtaining a prescription for accessing relevant products, or

(ii) with a scheme provider specified in *paragraph (b)* of the definition of "scheme provider" in accordance with the terms of the agreement entered into between the scheme provider and the Health Service Executive for the purposes of obtaining a prescription for accessing relevant products,

and**]**

(*b*) the fitting (including such further follow-up consultation as is necessary) and removal by a scheme provider of a long-acting reversible contraceptive device;

"contraception services", means, in relation to a relevant woman—

(*a*) applicable services, or

(*b*) relevant products,

or both, made available without charge under this section;

"pharmacy provider" means a retail pharmacy business F151**[**...**]** who has entered into an agreement with the Health Service Executive for the dispensing of relevant products;

"registered medical practitioner" has the same meaning as it has in section 2 of the Medical Practitioners Act 2007;

"relevant products", subject to sections 20 and 23 of the Act of 2013, means contraceptive drugs, medicines and products (including long-acting reversible contraceptive devices and emergency contraceptives) for the time being—

(*a*) standing approved by the Heath Service Executive, or

(*b*) on the Reimbursement List within the meaning of section 2(1) of the Act of 2013;

F147**[**"retail pharmacy business" has the same meaning as it has in section 2 (1) of the Pharmacy Act 2007;**]**

F150**[**"scheme provider" means—

(*a*) a registered medical practitioner who has entered into an agreement with the Health Service Executive for the provision of applicable services, or

(*b*) a retail pharmacy business which has entered into an agreement with the Health Service Executive for the provision of the services specified in *paragraph (a)(ii)* of the definition of "applicable services" by a registered

pharmacist in the retail pharmacy business in accordance with regulations made under section 32 (2)(l)(vi) of the Irish Medicines Board Act 1995.**]]**

Annotations

Amendments:

F147 Inserted (30.10.2026) by *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026* (32/2026), s. 1(a), (c)(iii), S.I. No. 550 of 2026.

F148 Inserted (14.09.2022) by *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 6, S.I. No. 452 of 2022, art 3.

F149 Inserted (30.08.2022) by *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 6, S.I. No. 425 of 2022, art. 2(b).

F150 Substituted (30.10.2026) by *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026* (32/2026), s. 1(b), (c)(i), (iv), S.I. No. 550 of 2026.

F151 Deleted (30.10.2026) by *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026* (32/2026), s. 1(c)(ii), S.I. No. 550 of 2026.

Editorial Notes:

E282 Power pursuant to subs. (5) exercised (1.07.2024) by *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) Regulations 2024* (S.I. No. 286 of 2024), in effect as per reg. 2.

E283 Power pursuant to subs. (5) exercised (1.01.2024) by *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) (No. 2) Regulations 2023* (S.I. No. 614 of 2023), in effect as per reg. 2.

E284 Power pursuant to subs. (5) exercised (1.09.2023) by *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) Regulations 2023* (S.I. No. 408 of 2023), in effect as per reg. 2.

E285 Power pursuant to subs. (5) exercised (1.01.2023) by *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) Regulations 2022* (S.I. No. 675 of 2022), in effect as per reg. 1(2).

E286 Power pursuant to subs. (7) exercised (8.09.2022) by *Health Act 1970 (Section 67E) (Payments in respect of Contraception Services) Regulations 2022* (S.I. No. 451 of 2022), in effect as per reg. 1(2).

E287 The section heading is taken from the amending section in the absence of one included in the amendment.

F152**[**Menopause products for certain women.

67F.—(1) Subject to *subsection (3)*, and sections 20 and 23 of the Act of 2013, the Health Service Executive shall make available for supply without charge menopause products for women who—

(*a*) are ordinarily resident in the State, and

(*b*) have been prescribed menopause products by—

(i) a registered medical practitioner, or

(ii) a registered nurse or registered midwife entitled pursuant to any enactment to prescribe the menopause products so supplied.

(2) A woman referred to in *subsection (1)* shall be entitled to receive menopause products from a pharmacy provider.

(3) This section shall not apply to women with full eligibility who avail of the service under *section 59(1)*.

(4) The Minister may, following consultation with the Health Service Executive, by regulation prescribe—

(*a*) the form and manner in which the Health Service Executive shall reimburse a pharmacy provider who has dispensed menopause products in accordance with this section,

(*b*) the form and manner in which a pharmacy provider shall claim for reimbursement from the Health Service Executive for the dispensing of menopause products in accordance with this section,

(*c*) such forms as may be necessary for the purposes of *paragraphs (a)* and *(b)*, and

(*d*) such additional, incidental, consequential or supplemental matters as the Minister considers necessary or expedient for the purposes of giving effect to this section.

(5) Every regulation made under this section shall be laid before each House of the Oireachtas as soon as may be after it has been made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(6) In this section—

"Act of 2011" means the Nurses and Midwives Act 2011;

"Act of 2013" means the Health (Pricing and Supply of Medical Goods) Act 2013;

"enactment" has the same meaning as it has in section 2(1) of the Interpretation Act 2005;

"menopause" means, in relation to a woman, the various stages related to menopause and includes perimenopause, post menopause, early menopause, premature menopause and medically induced menopause;

"menopause products" means hormone replacement therapy drugs, medicines and surgical and medical appliances used to alleviate the symptoms of menopause, which are for the time being on the Reimbursement List;

"pharmacy provider" means a retail pharmacy business (within the meaning of section 2(1) of the Pharmacy Act 2007) which has entered into or agreed to enter into an arrangement with the Health Service Executive for the dispensing of menopause products to women referred to in *subsection (1)*;

"registered medical practitioner" has the same meaning as it has in section 2(1) of the Medical Practitioners Act 2007;

"registered midwife" has the same meaning as it has in section 2(1) of the Act of 2011;

"registered nurse" has the same meaning as it has in section 2(1) of the Act of 2011;

"Reimbursement List" has the same meaning as it has in section 2(1) of the Act of 2013.**]**

Annotations

Amendments:

F152 Inserted (1.06.2025) by *Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024), s. 4, S.I. No. 225 of 2025.

Editorial Notes:

E288 Power pursuant to subs. (4) exercised (1.06.2025) by *Health Act 1970 (Section 67F) (Payments in Respect of Menopause Products Dispensing Services) Regulations 2025* (S.I. No. 227 of 2025), in effect as per reg. 1(2).

Rehabilitation services.

68.—(1) A health board shall make available a service for the training of disabled persons for employment suitable to their condition of health, and for the making of arrangements with employers for placing disabled persons in suitable employment.

(2) For the purposes of *subsection (1)* a health board may provide and maintain premises, workshops, farms, gardens, materials, equipment and similar facilities.

(3) A health board may provide equipment, materials or similar articles for a disabled adult person where neither the person nor the person's spouse F153**[**or civil partner within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010**]** (if any) is able to provide for his maintenance.

Annotations

Amendments:

F153 Inserted (1.01.2011) by *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010* (24/2010), s. 170 and sch. part 5 item 5, S.I. No. 648 of 2010.

Modifications (not altering text):

C47 References to "health board" construed as references to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E289 Power pursuant to section exercised (5.07.1973) by *Disabled Persons (Rehabilitation) Regulations 1973* (S.I. No. 186 of 1973), in effect as per reg. 2.

Maintenance allowances for disabled persons.

69.—F154**[**...**]**

Annotations

Amendments:

F154 Repealed (2.10.1996) by *Social Welfare Act 1996* (7/1996), s. 15(5), S.I. No. 296 of 1996.

Editorial Notes:

E290 Previous affecting provision: power pursuant to section exercised (5.06.1996) by *Disabled Persons Maintenance Allowances Regulations 1996* (S.I. No. 165 of 1996), in effect as per reg. 2; section repealed as per F-note above.

E291 Previous affecting provision: power pursuant to section exercised (30.11.1995) by *Maintenance Allowances (Increased Payment) Regulations 1995* (S.I. No. 313 of 1995); spent as per reg. 2.

E292 Previous affecting provision: power pursuant to section exercised (5.06.1995) by *Disabled Persons Maintenance Allowances Regulations 1995* (S.I. No. 141 of 1995), in effect as per reg. 2; revoked (5.06.1996) by *Disabled Persons Maintenance Allowances Regulations 1996* (S.I. No. 165 of 1996), reg. 16(a), in effect as per reg. 2.

E293 Previous affecting provision: power pursuant to section exercised (11.11.1994) by *Maintenance Allowances (Increased Payment) Regulations 1994* (S.I. No. 336 of 1994); spent as per reg. 2.

E294 Previous affecting provision: power pursuant to section exercised (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), in effect as per reg. 2; revoked (5.06.1995) by *Disabled Persons Maintenance Allowances Regulations 1995* (S.I. No. 141 of 1995), reg. 16(a), in effect as per reg. 2.

E295 Previous affecting provision: power pursuant to section exercised (12.11.1993) by *Maintenance Allowances (Increased Payment) Regulations 1993* (S.I. No. 331 of 1993); spent as per reg. 2.

E296 Previous affecting provision: power pursuant to section exercised (19.07.1993) by *Disabled Persons (Maintenance Allowances) Regulations 1993* (S.I. No. 211 of 1993), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(c), in effect as per reg. 2.

E297 Previous affecting provision: power pursuant to section exercised (17.11.1992) by *Maintenance Allowances (Increased Payment) Regulations 1992* (S.I. No. 339 of 1992); spent as per reg. 2.

E298 Previous affecting provision: power pursuant to section exercised (27.07.1992) by *Disabled Persons (Maintenance Allowances) Regulations 1992* (S.I. No. 212 of 1992), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(b), in effect as per reg. 2.

E299 Previous affecting provision: power pursuant to section exercised (5.12.1991) by *Maintenance Allowances (Increased Payment) Regulations 1991* (S.I. No. 309 of 1991); spent as per reg. 2.

E300 Previous affecting provision: power pursuant to section exercised (29.07.1991) by *Disabled Persons (Maintenance Allowances) Regulations 1991* (S.I. No. 200 of 1991), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(a), in effect as per reg. 2.

E301 Previous affecting provision: subs. (3) inserted (1.04.1991) by *Social Welfare Act 1991* (7/1991), s. 46, commenced on enactment; section repealed as per F-note above.

E302 Previous affecting provision: power pursuant to section exercised (29.11.1990) by *Maintenance Allowances (Increased Payment) Regulations 1990* (S.I. No. 284 of 1990); spent as per reg. 2.

E303 Previous affecting provision: power pursuant to section exercised (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), in effect as per reg. 3; revoked (29.07.1991) by *Disabled Persons (Maintenance Allowances) Regulations 1991* (S.I. No. 200 of 1991), reg. 13, in effect as per reg. 3.

E304 Previous affecting provision: power pursuant to section exercised (5.12.1989) by *Maintenance Allowances (Increased Payment) Regulations 1989* (S.I. No. 320 of 1989); spent as per reg. 2.

E305 Previous affecting provision: power pursuant to section exercised (24.07.1989) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1989* (S.I. No. 193 of 1989), in effect as per reg. 2; revoked (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E306 Previous affecting provision: power pursuant to section exercised (1.12.1988) by *Maintenance Allowances (Increased Payment) Regulations 1988* (S.I. No. 316 of 1988); spent as per reg. 2.

E307 Previous affecting provision: power pursuant to section exercised (25.07.1988) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1988* (S.I. No. 150 of 1988), in effect as per reg. 2; rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984) (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E308 Previous affecting provision: power pursuant to section exercised (4.12.1987) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1987* (S.I. No. 305 of 1987), in effect as per reg. 2; spent as per reg. 2.

E309 Previous affecting provision: power pursuant to section exercised (24.07.1987) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1987* (S.I. No. 196 of 1987), in effect as per reg. 2; revoked (25.07.1988) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1988* (S.I. No. 150 of 1988), reg. 4, in effect as per reg. 2.

E310 Previous affecting provision: power pursuant to section exercised (5.12.1986) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1986* (S.I. No. 403 of 1986); spent as per reg. 2.

E311 Previous affecting provision: power pursuant to section exercised (17.07.1986) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1986* (S.I. No. 252 of 1986), in effect as per reg. 2; revoked (24.07.1987) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1987* (S.I. No. 196 of 1987), reg. 4, in effect as per reg. 3.

E312 Previous affecting provision: power pursuant to section exercised (26.11.1985) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1985* (S.I. No. 373 of 1985); spent as per reg. 2.

E313 Previous affecting provision: power pursuant to section exercised (11.07.1985) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1985* (S.I. No. 190 of 1985), in effect as per reg. 2; revoked (17.07.1986) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1986* (S.I. No. 252 of 1986), reg. 4, in effect as per reg. 2.

E314 Previous affecting provision: power pursuant to section exercised (27.11.1984) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1984* (S.I. No. 305 of 1984); spent as per reg. 2.

E315 Previous affecting provision: power pursuant to section exercised (13.03.1984) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1984* (S.I. No. 71 of 1984); revoked (25.07.1990) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E316 Previous affecting provision: power pursuant to section exercised (2.12.1983) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1983* (S.I. No. 361 of 1983); spent as per reg. 2.

E317 Previous affecting provision: power pursuant to section exercised (27.06.1983) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1983* (S.I. No. 154 of 1983), in effect as per reg. 2; section repealed as per F-note above.

E318 Previous affecting provision: power pursuant to section exercised (29.11.1982) by *Disabled Persons (Maintenance Allowances) (No. 3) Regulations 1982* (S.I. No. 340 of 1982); spent as per reg. 2.

E319 Previous affecting provision: power pursuant to section exercised (1.09.1982) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1982* (S.I. No. 285 of 1982); spent as per reg. 2.

E320 Previous affecting provision: power pursuant to section exercised (1.04.1982) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1982* (S.I. No. 77 of 1982), in effect as per reg. 2; rendered obsolete on revocation of *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981) (13.03.1984) by *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984), reg. 6.

E321 Previous affecting provision: power pursuant to section exercised (25.12.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 3) Regulations 1981* (S.I. No. 407 of 1981); spent as per reg. 2.

E322 Previous affecting provision: power pursuant to section exercised (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), in effect as per regs. 2, 7; revoked (13.03.1984) by *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984), reg. 6.

E323 Previous affecting provision: power pursuant to section exercised (1.04.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1981* (S.I. No. 100 of 1981); rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per reg. 2.

E324 Previous affecting provision: power pursuant to section exercised (4.12.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1980* (S.I. No. 367 of 1980); spent as per reg. 2.

E325 Previous affecting provision: power pursuant to section exercised (1.04.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1980* (S.I. No. 92 of 1980), in effect as per reg. 2; rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per reg. 2.

E326 Previous affecting provision: power pursuant to section exercised (7.10.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1979* (S.I. No. 338 of 1979); superseded (1.04.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1980* (S.I. No. 92 of 1980), reg. 2.

E327 Previous affecting provision: power pursuant to section exercised (1.04.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1979* (S.I. No. 79 of 1979); superseded (7.10.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1979* (S.I. No. 338 of 1979), reg. 2.

E328 Previous affecting provision: power pursuant to section exercised (3.03.1978) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1978* (S.I. No. 54 of 1978); rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per regs. 2, 7.

E329 Previous affecting provision: power pursuant to section exercised (1.10.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1977* (S.I. No. 314 of 1977); superseded (1.04.1978) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1978* (S.I. No. 54 of 1978), reg. 2.

E330 Previous affecting provision: power pursuant to section exercised (21.03.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1977* (S.I. No. 79 of 1977); superseded (1.10.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1977* (S.I. No. 314 of 1977), reg. 2.

E331 Previous affecting provision: power pursuant to section exercised (16.11.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1976* (S.I. No. 260 of 1976); superseded (21.03.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1977* (S.I. No. 79 of 1977), reg. 2.

E332 Previous affecting provision: power pursuant to section exercised (22.03.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1976* (S.I. No. 67 of 1976); superseded (16.11.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1976* (S.I. No. 260 of 1976), reg. 3.

E333 Previous affecting provision: power pursuant to section exercised (1.10.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1975* (S.I. No. 221 of 1975), in effect as per reg. 2; superseded (22.03.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1976* (S.I. No. 67 of 1976), reg. 3.

E334 Previous affecting provision: power pursuant to section exercised (1.04.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1975* (S.I. No. 39 of 1975), in effect as per reg. 2; superseded (1.10.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1975* (S.I. No. 221 of 1975), reg. 3, in effect as per reg. 2.

E335 Previous affecting provision: power pursuant to section exercised (1.07.1974) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1974* (S.I. No. 185 of 1974), in effect as per reg. 2; superseded (1.04.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1975* (S.I. No. 39 of 1975), reg. 3, in effect as per reg. 2.

E336 Previous affecting provision: power pursuant to section exercised (5.07.1973) by *Disabled Persons (Rehabilitation) Regulations 1973* (S.I. No. 186 of 1973), in effect as per reg. 2; section repealed as per F-note above.

E337 Previous affecting provision: power pursuant to section exercised (1.07.1973) by *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973), in effect as per reg. 2; revoked (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per regs. 2, 7.

Screening tests.

70.—A health board shall make arrangements for carrying out tests on persons without charge, for the purpose of ascertaining the presence of a particular disease, defect or condition that may be prescribed.

Annotations

Modifications (not altering text):

C48 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Information and advice on health.

71.—(1) The Minister may make arrangements for the dissemination of information and advice on matters relating to health and health services.

F155**[**(2) A health board shall, in respect of its functional area, develop and implement health promotion programmes, having regard to the needs of people residing in its functional area and the policies and objectives of the Minister in relation to health promotion generally.**]**

Annotations

Amendments:

F155 Substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 17(g), commenced on enactment.

Modifications (not altering text):

C49 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

CHAPTER VI

Miscellaneous Provisions Regarding Services

Regulations.

72.—(1) The Minister may make regulations applicable to all health boards or to one or more than one health board regarding the manner in which and the extent to which the board or boards shall make available services under this Act and generally in relation to the administration of those services.

(2) Regulations under this section may provide for any service under this Act being made available only to a particular class of the persons who have eligibility for that service.

(3) Notwithstanding any other provision of this Act, regulations made under the Health Act, 1953 shall continue in operation and shall be deemed to have been made under this Act and to be capable of amendment or revocation accordingly.

Annotations

Modifications (not altering text):

C50 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Editorial Notes:

E338 Power pursuant to section exercised (1.09.2026) by *Health Services (Revocation of Certain Provisions) Regulations 2026* (S.I. No. 329 of 2026), in operation as per reg. 2.

E339 Power pursuant to section exercised (17.12.2024) by *Health (Provision of Information For Health Examination and Treatment Service) Regulations 2024* (S.I. No. 750 of 2024).

E340 Power pursuant to section exercised (1.01.2018) by *Health Services (Drug Payment Scheme) Regulations 2017* (S.I. No. 577 of 2017), in effect as per reg. 2.

E341 Power pursuant to section exercised (1.01.2009) by *Health (In-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 543 of 2008), in effect as per reg. 3.

E342 Power pursuant to section exercised (15.12.2006) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2006* (S.I. No. 649 of 2006), in effect as per reg. 3.

E343 Power pursuant to section exercised (1.01.2005) by *Health (In-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 825 of 2004), in effect as per reg. 3.

E344 Power pursuant to section exercised (25.07.2003) by *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 348 of 2003).

E345 Power pursuant to section exercised (31.01.2002) by *Health (Community Pharmacy Contractor Agreement) Regulations, 1996 (Revocation) Regulations 2002* (S.I. No. 28 of 2002).

E346 Power pursuant to section exercised (1.08.1998) by *Health Board (Miscellaneous Assignment of Duties) Regulations 1998* (S.I. No. 251 of 1998), in effect as per reg. 3.

E347 Power pursuant to section exercised (5.06.1996) by *Disabled Persons Maintenance Allowances Regulations 1996* (S.I. No. 165 of 1996), in effect as per reg. 2.

E348 Power pursuant to section exercised (1.06.1990) by *Health Services (Amendment) Regulations 1990* (S.I. No. 132 of 1990), in effect as per reg. 3.

E349 Power pursuant to section exercised (1.01.1984) by *Health Services (No. 3) Regulations 1983* (S.I. No. 381 of 1983), in effect as per reg. 4.

E350 Power pursuant to section exercised (27.06.1983) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1983* (S.I. No. 154 of 1983), in effect as per reg. 2.

E351 Power pursuant to section exercised (1.06.1983) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983), in effect as per reg. 7.

E352 Power pursuant to section exercised (1.04.1975) by *Health Services (Amendment) Regulations 1975* (S.I. No. 64 of 1975), in effect as per reg. 2.

E353 Power pursuant to section exercised (5.07.1973) by *Disabled Persons (Rehabilitation) Regulations 1973* (S.I. No. 186 of 1973), in effect as per reg. 2.

E354 Power pursuant to section exercised (1.04.1972) by *Health Services Regulations 1972* (S.I. No. 88 of 1972), in effect as per reg. 3.

E355 Power pursuant to section exercised (1.10.1971) by *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971), in effect as per reg. 3.

E356 Power pursuant to section exercised (1.04.1971) by *Health Services Regulations 1971* (S.I. No. 105 of 1971), in effect as per reg. 3.

E357 Previous affecting provision: power pursuant to section exercised (1.01.2013) by *Health Services (Drug Payment Scheme) Regulations 2012* (S.I. No. 526 of 2012), in effect as per reg. 2; revoked (1.01.2017) by *Health Services (Drug Payment Scheme) Regulations 2017* (S.I. No. 577 of 2017), reg. 3, in effect as per reg. 2.

E358 Previous affecting provision: power pursuant to section exercised (1.01.2012) by *Health Services (Drug Payment Scheme) Regulations 2011* (S.I. No. 648 of 2011), in effect as per reg. 2; revoked (1.01.2013) by *Health Services (Drug Payment Scheme) Regulations 2012* (S.I. No. 526 of 2012), reg. 3, in effect as per reg. 2.

E359 Previous affecting provision: power pursuant to subs. (2) exercised (23.07.2011) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2011* (S.I. No. 382 of 2011), in effect as per reg. 6; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E360 Previous affecting provision: power pursuant to section exercised (1.01.2010) by *Health Services (Drugs Payment Scheme) Regulations 2009* (S.I. No. 536 of 2009), in effect as per reg. 2; revoked (1.01.2012) by *Health Services (Drug Payment Scheme) Regulations 2011* (S.I. No. 648 of 2011), reg. 3, in effect as per reg. 2.

E361 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health (Out-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 544 of 2008), in effect as per reg. 2; rendered obsolete by revocation of *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994) (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), reg. 4.

E362 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2008* (S.I. No. 521 of 2008), in effect as per reg. 4; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2) .

E363 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Health Services Regulations 2008* (S.I. No. 519 of 2008), in effect as per reg. 2; revoked (1.01.2010) by *Health Services (Drugs Payment Scheme) Regulations 2009* (S.I. No. 536 of 2009), reg. 3, in effect as per reg. 2.

E364 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health Services Regulations 2007* (S.I. No. 837 of 2007), in effect as per reg. 2; revoked (1.01.2009) by *Health Services Regulations 2008* (S.I. No. 519 of 2008), reg. 3, in effect as per reg. 2.

E365 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health (Out-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 825 of 2007), in effect as per reg. 2; superseded (1.01.2009) by *Health (Out-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 544 of 2008), reg. 3, in effect as per reg. 2.

E366 Previous affecting provision: power pursuant to section exercised (1.01.2008) by *Health (In-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 824 of 2007), in effect as per reg. 3; superseded (1.01.2009) by *Health (In-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 543 of 2008), reg. 2, in effect as per reg 3.

E367 Previous affecting provision: power pursuant to section exercised (15.12.2006) by *Health (Charges for In-Patient Services) (Amendment) Regulations 2006* (S.I. No. 649 of 2006), in effect as per reg. 3; rendered obsolete by revocation of *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005) (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E368 Previous affecting provision: power pursuant to section exercised (1.01.2006) by *Health (In-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 762 of 2005), in effect as per reg. 3; superseded (1.01.2008) by *Health (In-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 824 of 2007), reg. 2, in effect as per reg. 3.

E369 Previous affecting provision: power pursuant to section exercised (1.01.2006) by *Health (Out-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 761 of 2005), in effect as per reg. 2; superseded (1.01.2008) by *Health (Out-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 825 of 2007), reg. 3, in effect as per reg. 2.

E370 Previous affecting provision: power pursuant to section exercised (14.06.2005) by *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005); revoked (1.01.2017) by *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016), reg. 3, in effect as per reg. 1(2).

E371 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), in effect as per reg. 2; revoked (1.01.2008) by *Health Services Regulations 2007* (S.I. No. 837 of 2007), reg. 3, in effect as per reg. 2.

E372 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health (Out-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 826 of 2004), in effect as per reg. 2; superseded (1.01.2006) by *Health (Out-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 761 of 2005), reg. 3, in effect as per reg. 2.

E373 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *Health (In-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 825 of 2004), in effect as per reg. 3; superseded (14.06.2005) by *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005), reg. 2, in effect as per reg. 3.

E374 Previous affecting provision: power pursuant to section exercised (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2003), in effect as per reg. 2; revoked (1.01.2005) by *Health Services Regulations 2005* (S.I. No. 832 of 2004), reg. 3, in effect as per reg. 2.

E375 Previous affecting provision: power pursuant to section exercised (25.07.2003) by *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 349 of 2003); rendered obsolete by revocation of *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994) (1.03.2013) by *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013), reg. 4.

E376 Previous affecting provision: power pursuant to section exercised (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), in effect as per reg. 2; revoked (1.01.2004) by *Health Services Regulations 2004* (S.I. No. 658 of 2003), reg. 3, in effect as per reg. 2.

E377 Previous affecting provision: power pursuant to section exercised (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), in effect as per reg. 2; revoked (1.01.2003) by *Health Services Regulations 2003* (S.I. No. 603 of 2002), reg. 3, in effect as per reg. 2.

E378 Previous affecting provision: power pursuant to section exercised (1.03.2001) by *Health Services Regulations 2001* (S.I. No. 66 of 2001), in effect as per reg. 2; revoked (1.08.2002) by *Health Services Regulations 2002* (S.I. No. 368 of 2002), reg. 3, in effect as per reg. 2.

E379 Previous affecting provision: power pursuant to section exercised (30.11.1995) by *Maintenance Allowances (Increased Payment) Regulations 1995* (S.I. No. 313 of 1995); spent as per reg. 2.

E380 Previous affecting provision: power pursuant to section exercised (5.06.1995) by *Disabled Persons Maintenance Allowances Regulations 1995* (S.I. No. 141 of 1995), in effect as per reg. 2; revoked (5.06.1996) by *Disabled Persons Maintenance Allowances Regulations 1996* (S.I. No. 165 of 1996), reg. 16(a), in effect as per reg. 2.

E381 Previous affecting provision: power pursuant to section exercised (11.11.1994) by *Maintenance Allowances (Increased Payment) Regulations 1994* (S.I. No. 336 of 1994); spent as per reg. 2.

E382 Previous affecting provision: power pursuant to section exercised (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), in effect as per reg. 2; revoked (5.06.1995) by *Disabled Persons Maintenance Allowances Regulations 1995* (S.I. No. 141 of 1995), reg. 16(a), in effect as per reg. 2.

E383 Previous affecting provision: power pursuant to section exercised (12.11.1993) by *Maintenance Allowances (Increased Payment) Regulations 1993* (S.I. No. 331 of 1993); spent as per reg. 2.

E384 Previous affecting provision: power pursuant to subs. (1) exercised (1.09.1993) by *Health (In-Patient Services) Regulations 1993* (S.I. No. 224 of 1993), in effect as per reg. 2; revoked (25.07.1994) by *Health (Nursing Homes) (Amendment) Act 2007* (1/2007), s. 9, S.I. No. 409 of 2007.

E385 Previous affecting provision: power pursuant to section exercised (19.07.1993) by *Disabled Persons (Maintenance Allowances) Regulations 1993* (S.I. No. 211 of 1993), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(c), in effect as per reg. 2.

E386 Previous affecting provision: power pursuant to section exercised (12.11.1993) by *Maintenance Allowances (Increased Payment) Regulations 1992* (S.I. No. 339 of 1992); spent as per reg. 2.

E387 Previous affecting provision: power pursuant to section exercised (27.07.1992) by *Disabled Persons (Maintenance Allowances) Regulations 1992* (S.I. No. 212 of 1992), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(b), in effect as per reg. 2.

E388 Previous affecting provision: power pursuant to section exercised (5.12.1991) by *Maintenance Allowances (Increased Payment) Regulations 1991* (S.I. No. 309 of 1991); spent as per reg. 2.

E389 Previous affecting provision: power pursuant to section exercised (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), in effect as per reg. 2; revoked (1.03.2001) by *Health Services Regulations 2001* (S.I. No. 66 of 2001), reg. 3, in effect as per reg. 2.

E390 Previous affecting provision: power pursuant to section exercised (29.07.1991) by *Disabled Persons (Maintenance Allowances) Regulations 1991* (S.I. No. 200 of 1991), in effect as per reg. 3; revoked (25.07.1994) by *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994), reg. 16(a), in effect as per reg. 2.

E391 Previous affecting provision: power pursuant to section exercised (1.01.1991) by *Health Services Regulations 1990* (S.I. No. 334 of 1990), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E392 Previous affecting provision: power pursuant to section exercised (29.11.1990) by *Maintenance Allowances (Increased Payment) Regulations 1990* (S.I. No. 284 of 1990); spent as per reg. 2.

E393 Previous affecting provision: power pursuant to section exercised (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), in effect as per reg. 3; revoked (29.07.1991) by *Disabled Persons (Maintenance Allowances) Regulations 1991* (S.I. No. 200 of 1991), reg. 13, in effect as per reg. 3.

E394 Previous affecting provision: power pursuant to section exercised (5.12.1989) by *Maintenance Allowances (Increased Payment) Regulations 1989* (S.I. No. 320 of 1989); spent as per reg. 2.

E395 Previous affecting provision: power pursuant to section exercised (24.07.1989) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1989* (S.I. No. 193 of 1989), in effect as per reg. 2; revoked (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E396 Previous affecting provision: power pursuant to section exercised (1.06.1989) by *Health Services (Amendment) Regulations 1989* (S.I. No. 113 of 1989), in effect as per reg. 3; superseded (1.06.1990) by *Health Services (Amendment) Regulations 1990* (S.I. No. 132 of 1990), in effect as per reg. 3.

E397 Previous affecting provision: power pursuant to section exercised (1.12.1988) by *Maintenance Allowances (Increased Payment) Regulations 1988* (S.I. No. 316 of 1988); spent as per reg. 2.

E398 Previous affecting provision: power pursuant to section exercised (25.07.1988) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1988* (S.I. No. 150 of 1988), in effect as per reg. 2; rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984) (25.07.1990) by *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E399 Previous affecting provision: power pursuant to section exercised (1.06.1988) by *Health Services (Amendment) Regulations 1988* (S.I. No. 106 of 1988), in effect as per reg. 3; superseded (1.06.1989) by *Health Services (Amendment) Regulations 1989* (S.I. No. 113 of 1989), in effect as per reg. 3.

E400 Previous affecting provision: power pursuant to section exercised (4.12.1987) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1987* (S.I. No. 305 of 1987), in effect as per reg. 2; spent as per reg. 2.

E401 Previous affecting provision: power pursuant to section exercised (24.07.1987) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1987* (S.I. No. 196 of 1987), in effect as per reg. 2; revoked (25.07.1988) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1988* (S.I. No. 150 of 1988), reg. 4, in effect as per reg. 2.

E402 Previous affecting provision: power pursuant to section exercised (1.06.1987) by *Health Services (Amendment) (No. 2) Regulations 1987* (S.I. No. 134 of 1987), in effect as per reg. 3; superseded (1.06.1988) by *Health Services (Amendment) Regulations 1988* (S.I. No. 106 of 1988), in effect as per reg. 3.

E403 Previous affecting provision: power pursuant to section exercised (5.12.1986) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1986* (S.I. No. 403 of 1986); spent as per reg. 2.

E404 Previous affecting provision: power pursuant to section exercised (17.07.1986) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1986* (S.I. No. 252 of 1986), in effect as per reg. 2; revoked (24.07.1987) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1987* (S.I. No. 196 of 1987), reg. 4, in effect as per reg. 3.

E405 Previous affecting provision: power pursuant to section exercised (1.06.1986) by *Health Services (Amendment) Regulations 1986* (S.I. No. 109 of 1986), in effect as per reg. 3; superseded (1.06.1987) by *Health Services (Amendment) (No. 2) Regulations 1987* (S.I. No. 134 of 1987), in effect as per reg. 3.

E406 Previous affecting provision: power pursuant to section exercised (26.11.1985) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1985* (S.I. No. 373 of 1985); spent as per reg. 2.

E407 Previous affecting provision: power pursuant to section exercised (11.07.1985) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1985* (S.I. No. 190 of 1985), in effect as per reg. 2; revoked (17.07.1986) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1986* (S.I. No. 252 of 1986), reg. 4, in effect as per reg. 2.

E408 Previous affecting provision: power pursuant to section exercised (1.06.1985) by *Health Services (Amendment) Regulations 1985* (S.I. No. 145 of 1985), in effect as per reg. 3; superseded (1.06.1986) by *Health Services (Amendment) Regulations 1986* (S.I. No. 109 of 1986), in effect as per reg. 3.

E409 Previous affecting provision: power pursuant to section exercised (27.11.1984) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1984* (S.I. No. 305 of 1984); spent as per reg. 2.

E410 Previous affecting provision: power pursuant to section exercised (1.06.1984) by *Health Services (Amendment) Regulations 1984* (S.I. No. 123 of 1984), in effect as per reg. 3; superseded (1.06.1985) by *Health Services (Amendment) Regulations 1985* (S.I. No. 145 of 1985), in effect as per reg. 3.

E411 Previous affecting provision: power pursuant to section exercised (13.03.1984) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1984* (S.I. No. 71 of 1984); revoked (25.07.1990) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1990* (S.I. No. 193 of 1990), reg. 9, in effect as per reg. 3.

E412 Previous affecting provision: power pursuant to section exercised (1.01.1984) by *Health Services (No. 4) Regulations 1983* (S.I. No. 389 of 1983), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E413 Previous affecting provision: power pursuant to section exercised (2.12.1983) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1983* (S.I. No. 361 of 1983); spent as per reg. 2.

E414 Previous affecting provision: power pursuant to section exercised (1.03.1983) by *Health Services Regulations 1983* (S.I. No. 54 of 1983), in effect as per reg. 2; revoked (1.08.1991) by *Health Services Regulations 1991* (S.I. No. 203 of 1991), reg. 4, in effect as per reg. 2.

E415 Previous affecting provision: power pursuant to section exercised (29.11.1982) by *Disabled Persons (Maintenance Allowances) (No. 3) Regulations 1982* (S.I. No. 340 of 1982); spent as per reg. 2.

E416 Previous affecting provision: power pursuant to section exercised (1.09.1982) by *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1982* (S.I. No. 285 of 1982); spent as per reg. 2.

E417 Previous affecting provision: power pursuant to section exercised (1.09.1982) by *Health Services Regulations 1982* (S.I. No. 283 of 1982), in effect as per reg. 2; revoked (1.03.1983) by *Health Services Regulations 1983* (S.I. No. 54 of 1983), reg. 3, in effect as per reg. 2.

E418 Previous affecting provision: power pursuant to section exercised (1.06.1982) by *Health Services (Amendment) Regulations 1982* (S.I. No. 151 of 1982), in effect as per reg. 3; revoked (1.06.1983) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983), reg. 3, in effect as per reg. 7.

E419 Previous affecting provision: power pursuant to section exercised (1.04.1982) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1982* (S.I. No. 77 of 1982), in effect as per reg. 2; rendered obsolete on revocation of *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981) (13.03.1984) by *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984), reg. 6.

E420 Previous affecting provision: power pursuant to section exercised (25.12.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 3) Regulations 1981* (S.I. No. 407 of 1981); spent as per reg. 2.

E421 Previous affecting provision: power pursuant to section exercised (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), in effect as per regs. 2, 7; revoked (13.03.1984) by *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984), reg. 6.

E422 Previous affecting provision: power pursuant to section exercised (1.08.1981) by *Health Services Regulations 1981* (S.I. No. 267 of 1981), in effect as per reg. 2; revoked (1.09.1982) by *Health Services Regulations 1982* (S.I. No. 283 of 1982), reg. 3, in effect as per reg. 2.

E423 Previous affecting provision: power pursuant to section exercised (1.06.1981) by *Health Services (Amendment) Regulations 1981* (S.I. No. 173 of 1981), in effect as per reg. 3; rendered obsolete by revocation of *Health Services Regulations 1979* (S.I. No. 109 of 1979) (1.06.1983) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983,) reg. 6, in effect as per reg. 7.

E424 Previous affecting provision: power pursuant to section exercised (1.04.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1981* (S.I. No. 100 of 1981); rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per regs. 2, 7.

E425 Previous affecting provision: power pursuant to section exercised (4.12.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1980* (S.I. No. 367 of 1980); spent as per reg. 2.

E426 Previous affecting provision: power pursuant to section exercised (6.04.1980 and 1.06.1980) by *Health Services (Amendment) Regulations 1980* (S.I. No. 93 of 1980); revoked (1.06.1983) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983,) reg. 6, in effect as per reg. 7.

E427 Previous affecting provision: power pursuant to section exercised (1.04.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1980* (S.I. No. 92 of 1980), in effect as per reg. 2; rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per reg. 2.

E428 Previous affecting provision: power pursuant to section exercised (1.03.1980) by *Health Services Regulations 1980* (S.I. No. 61 of 1980), in effect as per reg. 2; revoked (1.08.1981) by *Health Services Regulations 1981* (S.I. No. 267 of 1981), reg. 3, in effect as per reg. 2.

E429 Previous affecting provision: power pursuant to section exercised (7.10.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1979* (S.I. No. 338 of 1979); superseded (1.04.1980) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1980* (S.I. No. 92 of 1980), reg. 2.

E430 Previous affecting provision: power pursuant to section exercised (6.04.1979) by *Health Services (No. 2) Regulations 1979* (S.I. No. 134 of 1979); revoked (1.04.1980) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983), reg. 6, in effect as per reg. 7.

E431 Previous affecting provision: power pursuant to section exercised (6.04.1979) by *Health Services Regulations 1979* (S.I. No. 109 of 1979), in effect as per reg. 6; revoked (1.04.1980) by *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983), reg. 6, in effect as per reg. 7.

E432 Previous affecting provision: power pursuant to section exercised (1.04.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1979* (S.I. No. 79 of 1979); superseded (7.10.1979) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1979* (S.I. No. 338 of 1979), reg. 2.

E433 Previous affecting provision: power pursuant to section exercised (28.12.1978) by *Health Services Regulations 1978* (S.I. No. 371 of 1978); spent as per reg. 2.

E434 Previous affecting provision: power pursuant to section exercised (3.03.1978) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1978* (S.I. No. 54 of 1978); rendered obsolete by revocation of *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973) (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per regs. 2, 7.

E435 Previous affecting provision: power pursuant to section exercised (1.10.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1977* (S.I. No. 314 of 1977); superseded (1.04.1978) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1978* (S.I. No. 54 of 1978), reg. 2.

E436 Previous affecting provision: power pursuant to section exercised (21.03.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1977* (S.I. No. 79 of 1977); superseded (1.10.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1977* (S.I. No. 314 of 1977), reg. 2.

E437 Previous affecting provision: power pursuant to section exercised (16.11.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1976* (S.I. No. 260 of 1976); superseded (21.03.1977) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1977* (S.I. No. 79 of 1977), reg. 2.

E438 Previous affecting provision: power pursuant to section exercised (1.07.1976) by *Health Services (Amendment) Regulations 1976* (S.I. No. 142 of 1976); revoked (6.04.1979) by *Health Services Regulations 1979* (S.I. No. 109 of 1979), reg. 5, in effect as per reg. 6.

E439 Previous affecting provision: power pursuant to section exercised (1.05.1976) by *Health Services Regulations 1976* (S.I. No. 97 of 1976), in effect as per reg. 2; revoked (1.03.1980) by *Health Services Regulations 1980* (S.I. No. 61 of 1980), reg. 3, in effect as per reg. 2.

E440 Previous affecting provision: power pursuant to section exercised (22.03.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1976* (S.I. No. 67 of 1976); superseded (16.11.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1976* (S.I. No. 260 of 1976), reg. 3.

E441 Previous affecting provision: power pursuant to section exercised (29.09.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1975* (S.I. No. 221 of 1975); superseded (22.03.1976) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1976* (S.I. No. 67 of 1976), reg. 3.

E442 Previous affecting provision: power pursuant to section exercised (5.08.1975) by *Health Services Regulations, 1972 (Amendment) Regulations 1975* (S.I. No. 181 of 1975); revoked (1.04.2019) by *Health Services (Amendment) Regulations 2019* (S.I. No. 59 of 2019), reg. 5, in effect as per reg. 2.

E443 Previous affecting provision: power pursuant to section exercised (1.04.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1975* (S.I. No. 39 of 1975), in effect as per reg. 2; superseded (1.10.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1975* (S.I. No. 221 of 1975), reg. 3, in effect as per reg. 2.

E444 Previous affecting provision: power pursuant to section exercised (1.07.1974) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1974* (S.I. No. 185 of 1974), in effect as per reg. 2; superseded (1.04.1975) by *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1975* (S.I. No. 39 of 1975), reg. 3, in effect as per reg. 2.

E445 Previous affecting provision: power pursuant to section exercised (1.04.1974) by *Health Services Regulations 1974* (S.I. No. 90 of 1974), in effect as per reg. 5; revoked (6.04.1979) by *Health Services Regulations 1979* (S.I. No. 109 of 1979), reg. 5, in effect as per reg. 6.

E446 Previous affecting provision: power pursuant to section exercised (1.07.1973) by *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973), in effect as per reg. 2; revoked (1.10.1981) by *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981), reg. 7, in effect as per regs. 2, 7.

Determination of doubt as to responsible Health Board.

73.—F156**[**...**]**

Annotations

Amendments:

F156 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Recovery of charges and contributions.

74.—Any charge which may be made or contribution which may be levied by a health board under the Health Acts, 1947 to 1970, or regulations thereunder may, in default of payment, be recovered as a simple contract debt in any court of competent jurisdiction from the person in respect of whom the charge is made, from the person's spouse (if any) or, in case the person has died, from his legal personal representative.

Annotations

Modifications (not altering text):

C51 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F157**[**Recovery of charges and contributions — further provision.

74A.—Any charge which may be made or contribution which may be levied under the Health Acts 1970 to 2013, or by regulations made thereunder, in respect of services provided by a person on behalf of the Health Service Executive pursuant to section 38 of the Health Act 2004, may, in default of payment, be recovered by the person providing the service as a simple contract debt in any court of competent jurisdiction from the person to whom the services were provided.**]**

Annotations

Amendments:

F157 Inserted (24.07.2013) by *Health (Amendment) Act 2013* (31/2013), s. 14, commenced on enactment.

False statements, etc.

75.—If any person, for the purpose of obtaining any service under the Health Acts, 1947 to 1970, whether for himself or some other person, or for any purpose connected with those Acts—

(*a*) knowingly makes any false statement or false representation or knowingly conceals any material fact, or

(*b*) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he knows to be false in a material particular,

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100 or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

Annotations

Editorial Notes:

E447 A fine of £100 converted (1.01.1999) to €126.98. This translates into a Class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(2) and table ref. no. 5, S.I. No. 662 of 2010.

F158[PART IVA

ARRANGEMENTS IN RELATION TO HEALTH SERVICES]

Annotations

Amendments:

F158 Inserted (31.12.2020 at 11 p.m.) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), s. 5, S.I. No. 700 of 2020.

F159[Arrangements in relation to health services.

75A.—(1) The Minister may, with the consent of the Minister for Finance and the Minister for Public Expenditure and Reform, make such order or orders as he or she considers necessary to carry out any reciprocal or other arrangements made with, or under the proper authority of, the Government of the United Kingdom in respect of health services that will apply between the State and the United Kingdom after the end of the transition period.

(2) Without prejudice to the generality of *subsection (1)*, an order under that subsection may specify—

(*a*) the category or categories of persons to whom the order applies, and

(*b*) the category or categories of health services to which the order applies.

(3) When making an order under *subsection (1)*, the Minister shall have regard to the following:

(*a*) the policies and objectives of the Government regarding their shared commitment with the Government of the United Kingdom to the protection of the Common Travel Area and associated reciprocal rights and privileges

as a legitimate and fundamental public policy, and recognising healthcare arrangements as a component of this;

(*b*) the policies and objectives of the Government to reaffirm the Common Travel Area arrangements and the associated reciprocal rights and privileges enjoyed by Irish and British citizens in each other's state, in particular the right for citizens residing in either state to access emergency, routine and planned publicly funded health services in each other's state, on the same basis as citizens of that state;

(*c*) the policies and objectives of the Government regarding their shared commitment with the Government of the United Kingdom that residents of the State and the United Kingdom should enjoy ease of access to healthcare in the other state;

(*d*) the policies and objectives of the Government to enable arrangements in relation to health services to be implemented between the State and the United Kingdom after the end of the transition period;

(*e*) the desirability, in the public interest, of maintaining access to health services in the United Kingdom after the end of the transition period, in particular the desirability of maintaining access to medically necessary health services;

(*f*) the need to ensure the most beneficial, effective and efficient use of resources;

(*g*) the policies and objectives of the Government to protect and improve the health and welfare of the public.

(4) In this section, "transition period" means the transition period provided in Article 126 of the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Agency Community[3].**]**

Annotations

Amendments:

F159 Inserted (31.12.2020 at 11 p.m.) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (8/2019), s. 5, S.I. No. 700 of 2020.

Editorial Notes:

E448 Previous affecting provision: section inserted by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), s. 4, not commenced; repealed (17.12.2020) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), s. 4(a), S.I. No. 634 of 2020).

F160**[**Regulations to give full effect to this Part.

75B.—(1) The Minister may, with the consent of the Minister for Finance and the Minister for Public Expenditure and Reform, and having regard to the matters specified in *section 75A(3)*, make regulations for the purposes of giving full effect to this Part and such regulations may, in particular, but without prejudice to the generality of the foregoing, provide for all or any of the following:

(*a*) the arrangements that shall apply with regard to assessing such classes of persons, including persons residing outside the State, as may be specified, in relation to access to health services in the State;

(*b*) the arrangements that shall apply with regard to assessing, where appropriate (including by reference to such qualifying criteria as may be specified) such classes of persons, as may be specified, in relation to access to planned health services in the United Kingdom;

(*c*) the arrangements to be administered by the Health Service Executive to ensure access to planned health services in the United Kingdom;

[3] OJ No. CI 384, 12.11.2019, p.1

(*d*) the arrangements to be administered by the Health Service Executive to ensure access to health services in the State by persons from the United Kingdom;

(*e*) the duties on healthcare providers and healthcare professionals to provide such information as may be prescribed in relation to the health services that they provide to persons from the United Kingdom;

(*f*) the method by which payments in respect of health services provided in the United Kingdom are to be calculated and the manner in which such payments shall be made by the Health Service Executive to the United Kingdom;

(*g*) the charging by the Health Service Executive for the provision of health services provided in the State to persons from the United Kingdom and the method in relation to which charges for such health services shall be calculated and levied;

(*h*) the manner in which payments in respect of charges referred to in *paragraph (g)* shall be made to the State by individuals and by the United Kingdom;

(*i*) the method by which payments are to be made by the State in respect of health services provided in the United Kingdom and the manner in which such payments shall be made by the State to the United Kingdom;

(*j*) the method by which charges are to be levied by the State on the United Kingdom in respect of health services provided by or on behalf of the Health Service Executive in the State and the manner in which payments shall be made by the United Kingdom to the State;

(*k*) the class or classes of persons in respect of whom payments shall be made by the State or the United Kingdom, including the methodology used to estimate the number of persons concerned;

(*l*) the category or categories of health services in respect of which payments or provision may be made;

(*m*) the arrangements that shall apply with regard to payments to be made by the State to the United Kingdom and with regard to payments to be made by the United Kingdom to the State, including the methodology for calculating costs and the levels of reimbursement;

(*n*) the basis on which the Health Service Executive may reimburse persons in respect of the cost of health services received and paid for by those persons in the United Kingdom;

(*o*) such forms as may be necessary for the purposes of *paragraphs (a)* to *(n)*;

(*p*) such other related, ancillary, transitional or consequential matters as the Minister considers appropriate.

(2) Without prejudice to the generality of *subsection (1)*, regulations under that subsection may—

(*a*) apply either generally or to a specified class or classes of persons, and

(*b*) apply either generally or to a specified class or classes of health services.

(3) A person who contravenes a provision of regulations made under *subsection (1)* that is declared in the regulations to be a penal provision shall be guilty of an offence and shall be liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 3 months or both.**]**

Annotations

Amendments:

F160 Inserted (31.12.2020 at 11 p.m.) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (8/2019), s. 5, S.I. No. 700 of 2020. A class A fine means a fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Editorial Notes:

E449 Previous affecting provision: section inserted by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), s. 4, not commenced; repealed (17.12.2020) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), s. 4(a), S.I. No. 634 of 2020).

F161**[**Orders and regulations.

75C.—Every order and regulation under this Part shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order or regulation is passed by either such House within 21 days on which that House sits after the order or regulation is laid before it, the order or regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.**]**

Annotations

Amendments:

F161 Inserted (31.12.2020 at 11 p.m.) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (8/2019), s. 5, S.I. No. 700 of 2020.

Editorial Notes:

E450 Previous affecting provision: section inserted by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), s. 4, not commenced; repealed (17.12.2020) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), s. 4(a), S.I. No. 634 of 2020).

F162**[**Orders and regulations.

75D.— ...**]**

Annotations

Amendments:

F162 Inserted by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), s. 4, not commenced; repealed (17.12.2020) by *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), s. 4(a), S.I. No. 634 of 2020).

PART V

MISCELLANEOUS PROVISIONS

Amendment of hospital charters, etc.

76.—(1) The Minister may by order, on the application of the governing body of a hospital, amend a charter or private Act relating to that hospital.

(2) A draft of an order which it is proposed to make under this section shall be laid before each House of the Oireachtas and the order shall not be made until a resolution approving of the draft has been passed by each House.

(3) Before laying the draft of an order under this section before each House of the Oireachtas, the Minister shall consult the Commissioners of Charitable Donations and Bequests for Ireland.

Annotations

Modifications (not altering text):

C52 Powers of Minister under section extended (15.07.1996) by *Health (Amendment) (No. 2) Act 1996* (23/1996), s. 2, commenced on enactment.

Powers of Minister under section 76 of Health Act, 1970.

2.—(1) Where the Minister considers that any re-organisation or extension of the provision of hospital services in connection with which an order under the relevant section is proposed to be made would be more effectually carried out by including a provision in such an order—

(*a*) providing for the establishment of a body corporate and the assignment of a title to it, and

(*b*) where the said order relates to the charter of a hospital, providing that the provisions of that charter shall, in lieu of applying or having effect in relation to the body incorporated by that charter, be deemed to apply and have effect in relation to the body corporate established by the said provision,

the Minister may include such a provision in that order.

(2) An order under the relevant section which contains the provision referred to in subsection (1) of this section may also provide for—

(*a*) the transfer to the body corporate established by the said provision of such of the functions, property, rights, liabilities or members of staff of—

(i) the first-mentioned body in subsection (1) (b) of this section (hereafter in this section referred to as "the original body"),

(ii) any other hospital, or any body corporate established under the Health (Corporate Bodies) Act, 1961, involved in the re-organisation or extension of hospital services in connection with which the order is made, or

(iii) the Central Council of the Federated Dublin Voluntary Hospitals,

as is or are specified in the order,

(*b*) the conferral of such powers on the original body as, in the opinion of the Minister, are necessary, in consequence of the disapplication to it of the provisions of the charter concerned by the said provision, to enable it to wind up its affairs or otherwise deal with any property, rights or liabilities of it, and

(*c*) any matters consequential on, or incidental to, the matters referred to in *paragraph (a)* or *(b)* of this subsection.

(3) (*a*) The Minister may, on the application of the body corporate established by an order under the relevant section, by order, amend that order.

(*b*) Subsections (2) and (3) of the relevant section shall apply to an order under this subsection as they apply to an order under the relevant section.

(4) For the purposes of subsection (2) of the relevant section, a draft of an order under that section containing the provision referred to in subsection (1) of this section and providing for one or more than one of the matters referred to in subsection (2) of this section may be laid before each House of the Oireachtas, and a resolution approving of that draft may be passed by each such House, notwithstanding that such laying and the passing by each such House of such a resolution take place before the passing of this Act.

Editorial Notes:

E451 Power pursuant to section exercised (17.11.2014) by *Saint Patrick's Hospital Dublin (Charter Amendment) Order 2014* (S.I. No. 517 of 2014).

E452 Power pursuant to section exercised (30.10.2003) by *Health Act 1970 (Section 76) Simpson's Hospital Estate Act (Amendment) Order 2003* (S.I. No. 516 of 2003).

E453 Power pursuant to section exercised (1.08.1996) by *Health Act 1970 (Section 76) (Adelaide and Meath Hospital Dublin Incorporating The National Children's Hospital) Order 1996* (S.I. No. 228 of 1996), in effect as per reg. 2.

E454 Power pursuant to section exercised (15.07.1991) by *Royal Hospital, Donnybrook (Charter Amendment) Order 1990* (S.I. No. 194 of 1991).

E455 Power pursuant to section exercised (9.12.1980) by *Adelaide Hospital (Charter Amendment) Order 1980* (S.I. No. 374 of 1980).

E456 Power pursuant to section exercised (30.07.1974) by *Royal Hospital For Incurables, Dublin (Charter Amendment) Order 1974* (S.I. No. 244 of 1974).

E457 Power pursuant to section exercised (26.05.1972) by *Rotunda Hospital (Amendment of Charter) Order 1972* (S.I. No. 137 of 1972).

Removal of bodies.

77.—Where the body of a deceased person is found in the functional area of a health board, the board may, in accordance with regulations made by the Minister with the consent of the Minister for Justice, arrange for the removal of the body to appropriate premises.

Annotations

Modifications (not altering text):

C53 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

Control of possession of certain substances.

78.—F163**[**...**]**

Annotations

Amendments:

F163 Repealed (1.05.1979) by *Misuse of Drugs Act 1977* (12/1977), s. 42(1)(b), S.I. No. 28 of 1979, subject to transitional provisions in subs. (2).

Editorial Notes:

E458 Previous affecting provision: power pursuant to section exercised (6.03.1974) by *Health (Possession of Controlled Substances) (Amendment) Regulations 1974* (S.I. No. 55 of 1974); section repealed as per F-note above.

E459 Previous affecting provision: power pursuant to section exercised (18.05.1970) by *Health (Possession of Controlled Substances) (Amendment) Regulations 1970* (S.I. No. 99 of 1970), in effect as per reg. 2; section repealed as per F-note above.

Extension of Rats and Mice (Destruction) Act, 1919.

79.—Notwithstanding section 11 of the Rats and Mice (Destruction) Act, 1919, whenever a health board is unable to trace the occupier of land, a notice under section 5 of that Act may be served by affixing the notice on or to a gate, door or a prominent part of the land.

Annotations

Modifications (not altering text):

C54 Reference to "health board" construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

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

80.—F164**[**...**]**

Annotations

Amendments:

F164 Repealed (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 23(1) and sch. 2 part 1, commenced on enactment.

Amendment of section 3 of Mental Treatment Act, 1945.

81.—The Mental Treatment Act, 1945, is hereby amended by—

(*a*) the deletion in section 3 of the definitions of "the appropriate assistance officer", "authorised medical officer", "chargeable patient", "joint authority", "joint board", "mental hospital assistance", "visiting committee of an auxiliary mental hospital", and "visiting committee of a district mental hospital",

(*b*) the insertion in section 3 after the definition of "district mental hospital" of the following—

""eligible patient" means a patient who is a person with full eligibility or a person with limited eligibility within the meaning of sections 45 and 46 of the Health Act, 1970", and

(*c*) the substitution of "eligible patient" for "chargeable patient" in each case where that occurs.

Adaptation of Mental Treatment Acts, 1945 to 1966.

82.—(1) The Minister may by order make, in respect of any enactment in the Mental Treatment Acts, 1945 to 1966, any adaptations or modifications (including the substitution of a new provision for an existing provision in such an enactment) which appear to him to be necessary to enable that enactment to have effect in conformity with this Act.

(2) Every order under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either House within the next twenty-one days on which that House has sat after

the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Annotations

Editorial Notes:

E460 Power pursuant to section exercised (1.04.1971) by *Mental Treatment Acts (Adaptation) Order 1971* (S.I. No. 108 of 1971), in effect as per art. 3.

Local inquiries, etc.

83.—F165**[**...**]**

Annotations

Amendments:

F165 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4 part 1, S.I. No. 887 of 2004, subject to transitional provisions in s. 74 and sch. 5.

Public assistance.

84.—(1) Notwithstanding anything contained in the Public Assistance Act, 1939, the functional area of a local authority specified in *subsection (2)* shall become and be a public assistance district for the purposes of that Act, and the local authority shall be the public assistance authority for the public assistance district.

(2) The following shall be local authorities for the purposes of this section—

the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin;

F166**[**...**]**

the Lord Mayor, Aldermen and Burgesses of Cork;

the council of the county of Cork;

the Mayor, Aldermen and Burgesses of Limerick;

the council of the county of Limerick;

the Mayor, Aldermen and Burgesses of Waterford;

the council of the county of Waterford.

Annotations

Amendments:

F166 Deleted (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4 and sch. 1 part 1, S.I. No. 400 of 1993.

Regulations regarding adaptations.

85.—The Minister may by regulations make, in respect of any statute, order or regulation in force at the passing of this Act and relating to any matter or thing dealt with or affected by this Act, any adaptation or modifications which appear to him to be necessary to enable such statute, order or regulation to have effect in conformity with this Act.

Annotations

Editorial Notes:

E461 Power pursuant to section exercised (11.02.1975) by *Health Act, 1970 (Adaptation) Regulations 1975* (S.I. No. 29 of 1975).

E462 Power pursuant to section exercised (29.02.1972) by *Health Act, 1970 (Adaptation) Regulations 1972* (S.I. No. 65 of 1972).

E463 Power pursuant to section exercised (1.04.1971) by *Health Act, 1970 (Adaptation) Regulations 1971* (S.I. No. 106 of 1971), in effect as per reg. 2.

E464 Previous affecting provision: power pursuant to section exercised (21.12.1973) by *Health Act, 1970 (Adaptation) Regulations 1973* (S.I. No. 349 of 1973); rendered obsolete by repeal of *Nurses Act 1950* (1.09.1986) by *Nurses Act 1985* (18/1985), s. 5 and sch. 1, S.I. No. 265 of 1986).

Amendment of City and County Management (Amendment) Act, 1955.

86.—The City and County Management (Amendment) Act, 1955 is hereby amended by the deletion in section 12 (1), section 13 (1) and section 14 (1) of "the Minister for Health and".

Section 3.

FIRST SCHEDULE

Enactments Repealed

Number and Year (1)	Short title (2)	Extent of Repeal (3)
No. 18 of 1933.	Public Hospitals Act, 1933.	Section 14 (except subsection (6)), sections 15 to 19 and section 24 (3) and 24 (4).
No. 9 of 1940.	Public Hospitals (Amendment) Act, 1940.	Sections 2 to 4.
No. 19 of 1945.	Mental Treatment Act, 1945.	Sections 5, 19, 96, 97 and 106, 248 (4) and 248 (5).
No. 28 of 1947.	Health Act, 1947.	Parts II and VII, sections 99, 102 and 104.
No. 47 of 1947.	Health Services (Financial Provisions) Act, 1947.	The whole Act.
No. 27 of 1950.	Nurses Act, 1950.	Section 60.
No. 26 of 1953.	Health Act, 1953.	Parts II and III; sections 45 to 53, 71 and 72.
No. 23 of 1954.	Health Act, 1954.	The whole Act.
No. 16 of 1957.	Health and Mental Treatment Act, 1957.	The whole Act.
No. 37 of 1958.	Health and Mental Treatment (Amendment) Act, 1958.	The whole Act.
No. 9 of 1960.	Health Authorities Act, 1960.	The whole Act except sections 15 (8), 15 (9), 24 and the Fourth Schedule.
No. 18 of 1961.	Nurses Act, 1961.	Section 4 (3).
No. 2 of 1966.	Health and Mental Treatment (Amendment) Act, 1966.	The whole Act.

Section 5 and section 41.

SECOND SCHEDULE

Rules in relation to Membership and Meetings of Health Boards

F167**[...]**

Annotations

Amendments:

F167 Repealed (1.01.2005) by *Health Act 2004* (42/2004), s. 73(1) and sch. 4 part 1, S.I. No. 887 of 2004.

Editorial Notes:

E465 Previous affecting provision: schedule repealed insofar as it applies to a health board, an Area Health Board or the Eastern Regional Health Authority (15.06.2004) by *Health (Amendment) Act 2004* (19/2004), s. 3 and sch., S.I. No. 378 of 2004; schedule repealed in full as per F-note above.

E466 Previous affecting provision: power pursuant to rule 5 exercised (30.07.1999) by *Health Board (Election of Members) (Amendment) Regulations 1999* (S.I. No. 251 of 1999); schedule repealed as per F-note above.

E467 Previous affecting provision: rules 5, 11, 12 and 17 amended (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 22(a)-(e), commenced on enactment; schedule repealed as per F-note above.

E468 Previous affecting provision: rules 1(3), 2(1), 4, 9(2) and 11(2) amended (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4 and sch. 1 part 1, S.I. No. 400 of 1993; schedule repealed as per F-note above.

E469 Previous affecting provision: power pursuant to rule 8(2) exercised (25.01.1985) by *Health (Disqualification of Officers and Servants) Order 1985* (S.I. No. 15 of 1985); schedule repealed as per F-note above.

E470 Previous affecting provision: power pursuant to rule 5 exercised (25.02.1972) by *Health Board (Election of Members) Regulations, 1972* (S.I. No. 60 of 1972); schedule repealed as per F-note above.

E471 Previous affecting provision: power pursuant to rule 8(2) exercised (21.10.1971) by *Health (Disqualification of Officers and Servants) Order 1971* (S.I. No. 289 of 1971); revoked (25.01.1985) by *Health (Disqualification of Officers and Servants) Order 1985* (S.I. No. 15 of 1985), art. 3.

Section 34.

THIRD SCHEDULE

PROVISIONS CONSEQUENTIAL ON DISSOLUTIONS

Transfer of property.

1. (1) Any property, whether real or personal (including choses-in-action) which immediately before the commencement was vested in or belonged to or was held in trust for the dissolved body and all rights, powers and privileges relating to or connected with any such property shall, on the commencement, without any conveyance or assignment but subject where necessary to transfer in the books of any bank, corporation, or company, become and be vested in or the property of or held in trust for (as the case may require) the body to which it is transferred for all the estate, term of interest for which the same immediately before the commencement was vested in or belonged to or was held in trust for the dissolved body, but subject to all trusts and equities affecting the same and then subsisting and capable of being performed.

(2) Any property transferred by this paragraph which, immediately before the commencement, was standing in the books of any bank or was registered in the books of any bank, corporation, or company in the name of the dissolved body shall, upon the request of the body to which it is transferred made at any time after the commencement, be transferred in such books by such bank, corporation or company into the name of that body.

(3) After the commencement, every chose-in-action transferred in accordance with this paragraph to a body may be sued upon, recovered or enforced by that body in its own name, and it shall not be necessary for the body to give notice to the person bound by such chose-in-action of the transfer effected by this paragraph.

Transfer of liabilities.

2. (1) Any debt and other liability (including stock and mortgage debts, and unliquidated liabilities arising from torts or breaches of contract) which immediately before the commencement was owing and unpaid or had been incurred and was

undischarged by the dissolved body shall, on the commencement, become and be the debt or liability of the body to which it is transferred and shall be paid or discharged by and may be recovered from or enforced against that body accordingly.

(2) A dissolution under *section 34* shall not invalidate or affect any paying order which may have been issued by the dissolved body and not presented for payment before the commencement or any authority given by the dissolved body for the payment of the amount of the paying order, and the body to which the relevant liability is transferred shall make arrangements for the payment of the amount of every such paying order upon due presentation within a reasonable time after the commencement.

Preservation of continuing contracts.

3. Any bond, guarantee, or other security of a continuing character made or given by the dissolved body to another person or by any person to the dissolved body and in force immediately before the commencement, and every contract or agreement in writing made between the dissolved body and another person and not fully executed and completed before the commencement shall, notwithstanding the dissolution, continue in force after the commencement but shall be construed and have effect as if the name of the body specified in the relevant order under *section 34* were substituted therein for the name of the dissolved body and such security, contract or agreement shall be enforceable accordingly by or against the body so specified.

Continuance of rules and regulations.

4. Any rule and regulation lawfully made by the dissolved body and in force immediately before the commencement shall, after the commencement and so far as it is not inconsistent with this Act, continue in force and have effect as a rule or regulation made on the commencement by the body in which the relevant functions are vested by this Act for the residue then unexpired of the period and in respect of the area for and in respect of which the same was actually made by the dissolved body, and accordingly every such rule and regulation may be continued, varied or revoked, and penalties and forfeitures arising thereunder before or after the commencement may be recovered and enforced by the body in which the relevant functions are so vested in the like manner and as fully as the same could have been continued, varied, revoked, recovered or enforced by the dissolved body if this Act had not been passed.

Continuance of resolutions, etc.

5. Any resolution passed, order made or notice served by the dissolved body before the commencement the operation, effect or term of which had not ceased or expired before the commencement shall, after the commencement and so far as it is not inconsistent with this Act, continue in force and have effect as if it were a resolution passed, order made or notice served by the body in which the relevant functions are vested by this Act on the date on which the same was actually passed, made or served by the dissolved body and as if the functions of the dissolved body were, on the said date, performable by the body in which the relevant functions are so vested.

Continuance of pending legal proceedings.

6. In any action, suit, prosecution or other proceeding which was pending immediately before the commencement in any court or tribunal and to which the dissolved body was a party, the body specified in the relevant order under *section 34* shall on the commencement become and be a party in the place of the dissolved body and such proceeding shall be continued between the body so specified and the other parties thereto accordingly, and no such proceeding shall abate or be discontinued or prejudicially affected by reason of the dissolution.

Admissibility in evidence of books.

7. (1) All books and other documents directed or authorised by or under any statute to be kept by the dissolved body and which, immediately before the commencement, would be receivable in evidence shall, notwithstanding the dissolution, be admitted in evidence after the commencement as fully as if this Act had not been passed.

(2) Whenever an extract from or certificate of the contents of any book or other document directed or authorised by or under any statute to be kept by the dissolved body would, if verified in a particular manner by a particular officer of that body, have been admissible immediately before the commencement as evidence of such contents, an extract from or certificate of the contents of such book or document shall, if verified in such particular manner by the officer of the health board or

other body corresponding to the particular officer, be admitted after the commencement as evidence of the contents to the same extent as the first-mentioned extract or certificate would have been so admitted if this Act had not been passed.

Audit of accounts.

8. (1) The accounts of all income and expenditure of the dissolved body and of committees thereof and of the respective officers of the dissolved body and such committees up to the commencement shall, as soon as conveniently may be after the commencement, be audited, and disallowances, surcharges, charges and penalties in relation to the accounts, income and expenditure shall be made, recovered and enforced in like manner as nearly as may be as if this Act had not been passed.

(2) Any officer of the dissolved body or of any committee thereof whose duty it is to make up any accounts of or to account for any portion of the income or expenditure of the dissolved body and also every member of the dissolved body or of any such committee shall, until the audit of the accounts of such income and expenditure up to the commencement is complete, be deemed for the purposes of such audit to continue in office and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as if this Act had not been passed.

Transfer of officers.

9. Any person, who immediately before the commencement was an officer of the dissolved body shall, on such commencement, be transferred to the service of the body specified in the relevant order under *section 34* and become and be an officer of that body and, for the purposes of any enactment relating to superannuation, his office under the dissolved body shall be deemed not to have been abolished.

Preservation of contracts of service.

10. Any contract of service (express or implied) in force immediately before the commencement between the dissolved body and any person not being an officer of the dissolved body shall continue in force after the commencement, but shall be construed and have effect as if the body specified in the relevant order under *section 34* were substituted therein for the dissolved body, and every such contract shall be enforceable accordingly by or against the body so specified.

Annotations

Modifications (not altering text):

C55 References to "health board" in art. 7(2) construed as reference to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), ss. 56(a), 66, S.I. No. 887 of 2004.

Definitions (Part 10).

56.—In this Part "specified body" means—

(*a*) the health boards,

...

References to specified bodies.

66.—Subject to this Act, references (however expressed) to a specified body in any Act passed before the establishment day, or in any instrument made before that day under an Act, are to be read as references to the Executive, unless the context otherwise requires.

F168**[**FOURTH SCHEDULE

CHARGES PAYABLE IN RESPECT OF IN-PATIENT SERVICES PROVIDED UNDER SECTION 55.

Section 55.

Column (1)	Column (2)	Column (3)	Column (4)	Column(5)
Reference Number	Hospital Category	Daily charge for in-patient services where overnight accommodation provided in a single occupancy room	Daily charge for in-patient services where overnight accommodation provided in a multiple occupancy room	Daily charge for day case in-patient services where overnight accommodation not provided
1.	Hospital specified in Fifth Schedule	€1,000	€813	€407
2.	Hospital specified in Sixth Schedule	€800	€659	€329

The amount of charges payable by a person to whom in-patient services are provided pursuant to *section 55* shall be calculated in accordance with the Table by reference to—

(*a*) which of the type of in-patient services specified in columns (3), (4) or (5) of the Table are provided to the person, and

(*b*) which of the categories of hospital specified in column (2) of the Table the in-patient services are provided to the person.**]**

Annotations

Amendments:

F168 Inserted (1.01.2014) by *Health (Amendment) Act 2013* (31/2013), s. 15 and sch. 1, commenced as per s. 2(2).

F169**[**FIFTH SCHEDULE

EACH OF THE HOSPITALS SPECIFIED HEREUNDER IS SPECIFIED AS A HOSPITAL FOR THE PURPOSES OF THIS SCHEDULE.

Section 55.

The Adelaide and Meath Hospital, Dublin, incorporating the National Children's Hospital, Tallaght, Dublin.

Beaumont Hospital, Beaumont, Dublin.

F170**[**Children's Health Ireland, Dublin**]**

Children's University Hospital, Temple Street, Dublin.

Connolly Hospital Blanchardstown, Blanchardstown, Dublin.

Coombe Women and Infants University Hospital, Dublin.

Cork University Hospital and Cork University Maternity Hospital, Cork.

Kilcreene Orthopaedic Hospital, Kilcreene, Kilkenny.

Mid-Western Regional Hospital, Dooradoyle, Limerick.

Mid-Western Regional Maternity Hospital, Limerick.

Mid-Western Regional Orthopaedic Hospital, Croom, County Limerick.

Mater Misericordiae University Hospital, Dublin.

Mercy University Hospital, Cork.

National Maternity Hospital, Holles Street, Dublin.

Our Lady of Lourdes Hospital, Drogheda, County Louth.

Our Lady's Children's Hospital, Crumlin, Dublin.

F171**[**...**]**

F171**[**...**]**

F171**[**...**]**

Rotunda Hospital, Dublin.

Royal Victoria Eye and Ear Hospital, Dublin.

Sligo General Hospital.

South Infirmary-Victoria University Hospital, Cork.

St. James's Hospital, James's Street, Dublin.

St. Luke's Hospital, Rathgar, Dublin.

St. Michael's Hospital, Dun Laoghaire, Dublin.

F171**[**...**]**

St. Vincent's University Hospital, Elm Park, Dublin.

University Hospital Galway and Merlin Park University Hospital, Galway.

Waterford Regional Hospital, Waterford.

A hospital specified for the purposes of this Schedule shall continue to stand specified notwithstanding that the name or title of the hospital is altered or the location at which the hospital provides in-patient services is altered.**]**

Annotations

Amendments:

F169 Inserted (1.01.2014) by *Health (Amendment) Act 2013* (31/2013), s. 16 and sch. 2, commenced as per s. 2(2).

F170 Inserted (1.01.2019) by *Health Act 1970 (Fifth Schedule) Regulations 2018* (S.I. No. 554 of 2018), in effect as per reg. 2.

F171 Deleted (11.02.2014) by *Health Act 1970 (Fifth and Sixth Schedules) Regulations 2014* (S.I. No. 75 of 2014), reg. 4, in effect as per reg. 2.

F172**[**SIXTH SCHEDULE

EACH OF THE HOSPITALS SPECIFIED HEREUNDER IS SPECIFIED AS A HOSPITAL FOR THE PURPOSES OF THIS SCHEDULE.

Section 55.

Bantry General Hospital, Bantry, County Cork.

Cappagh National Orthopaedic Hospital, Dublin.

Cavan General Hospital, Cavan, County Cavan.

Ely Hospital, Wexford.

Incorporated Orthopaedic Hospital of Ireland, Clontarf, Dublin.

Kerry General Hospital, Tralee, County Kerry.

Letterkenny General Hospital, Letterkenny, County Donegal.

Louth County Hospital, Dundalk, County Louth.

Mallow General Hospital, Mallow, County Cork.

Mayo General Hospital, Castlebar, County Mayo.

Midland Regional Hospital, Mullingar, County Westmeath.

Midland Regional Hospital, Portlaoise, County Laois.

Midland Regional Hospital, Tullamore, County Offaly.

Mid-Western Regional Hospital, Ennis, County Clare.

Mid-Western Regional Hospital, Nenagh, County Tipperary.

Monaghan General Hospital, Monaghan, County Monaghan.

Naas General Hospital, Naas, County Kildare.

F173**[**Our Lady's Hospice, Blackrock, County Dublin;**]**

F173**[**Our Lady's Hospice, Harold's Cross, Dublin;**]**

Our Lady's Hospital, Manorhamilton, County Leitrim.

Our Lady's Hospital, Navan, County Meath.

F173**[**Peamount Hospital, Newcastle, County Dublin;**]**

Portiuncula Hospital, Ballinasloe, County Galway.

Roscommon Hospital, Roscommon, County Roscommon.

South Tipperary General Hospital, Clonmel, County Tipperary.

St. Columcille's Hospital, Loughlinstown, Dublin.

St. John's Hospital, Limerick.

St. Joseph's Hospital, Raheny, Dublin.

St. Luke's Hospital, Kilkenny.

F173**[**St. Vincent's Hospital, Fairview, Dublin.**]**

Wexford General Hospital, Wexford.

A hospital specified for the purposes of this Schedule shall continue to stand specified notwithstanding that the name or title of the hospital is altered or the location at which the hospital provides in-patient services is altered.**]**

Annotations

Amendments:

F172 Inserted (1.01.2014) by *Health (Amendment) Act 2013* (31/2013), s. 17 and sch. 3, commenced as per s. 2(2).

F173 Inserted (11.02.2014) by *Health Act 1970 (Fifth and Sixth Schedules) Regulations 2014* (S.I. No. 75 of 2014), reg. 5, in effect as per reg. 2.

Number 1 *of* 1970

HEALTH ACT 1970

REVISED

Updated to 30 October 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), ss. 36 and 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 and 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
- *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 and 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)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), Part 2
- *Health Service Executive (Governance) Act 2019* (17/2019), other than Part 3
- *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
- *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), other than s. 7
- *Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024), Part 2 (ss. 3-5), other than s. 5

Acts previously 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)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at https://revisedacts.lawreform.ie/revacts/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026* (32/2026)
- *Family Courts Act 2024* (48/2024)
- *Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024* (42/2024)
- *Health (Miscellaneous Provisions) Act 2024* (23/2024)
- *Health (Amendment) Act 2023* (7/2023)
- *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020)

- *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020)
- *Health Service Executive (Governance) Act 2019* (17/2019)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019)
- *Health (Regulation of Termination of Pregnancy) Act 2018* (31/2018)
- *Health (General Practitioner Service) Act 2018* (13/2018)
- *Health (Amendment) Act 2017* (5/2017)
- *Health Insurance (Amendment) Act 2015* (54/2015)
- *Health (General Practitioner Service) Act 2015* (19/2015)
- *Redress for Women Resident in Certain Institutions Act 2015* (8/2015)
- *Health (Miscellaneous Provisions) Act 2014* (33/2014)
- *Health (General Practitioner Service) Act 2014* (28/2014)
- *Health (Alteration of Criteria for Eligibility) (No. 2) Act 2013* (42/2013)
- *Health (Amendment) Act 2013* (31/2013)
- *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013)
- *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013)
- *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010* (24/2010)
- *Health (Amendment) (No. 2) Act 2010* (20/2010)
- *Fines Act 2010* (8/2010)
- *Nursing Homes Support Scheme Act 2009* (15/2009)
- *Health Act 2008* (21/2008)
- *Health (Nursing Homes) (Amendment) Act 2007* (1/2007)
- *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006)
- *Health (Amendment) Act 2005* (3/2005)
- *Health Act 2004* (42/2004)
- *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004)
- *Health (Amendment) Act 2004* (19/2004)
- *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004)
- *Local Government Act 2001* (37/2001)
- *Health (Miscellaneous Provisions) Act 2001* (14/2001)
- *Health (Eastern Regional Health Authority) Act 1999* (13/1999)
- *Health (Amendment) (No. 2) Act 1996* (23/1996)
- *Social Welfare Act 1996* (7/1996)
- *Local Government (Dublin) Act 1993* (31/1993)
- *Social Welfare (Consolidation) Act 1993* (27/1993)
- *Comptroller and Auditor General (Amendment) Act 1993* (8/1993)
- *Health (Amendment) Act 1991* (15/1991)
- *Social Welfare Act 1991* (7/1991)
- *Health (Nursing Homes) Act 1990* (23/1990)
- *Status of Children Act 1987* (26/1987)
- *Health (Amendment) Act 1987* (3/1987)
- *Local Authorities (Officers and Employees) Act 1983* (1/1983)
- *Local Government (Superannuation) Act 1980* (8/1980)
- *Misuse of Drugs Act 1977* (12/1977)
- *Social Welfare (Supplementary Welfare Allowances) Act 1975* (28/1975)

All Acts up to and including the *Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Act 2026* (38/2026), enacted 27 October 2026, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Health Services (Revocation of Certain Provisions) Regulations 2026* (S.I. No. 329 of 2026)
- *Health Act 1970 (Section 67F) (Payments in Respect of Menopause Products Dispensing Services) Regulations 2025* (S.I. No. 227 of 2025)
- *Health Act 1970 (Section 59(4)) (Menopause Products) Regulations 2025* (S.I. No. 226 of 2025)
- *Health (Provision of Information for Health Examination and Treatment Service) Regulations 2024* (S.I. No. 750 of 2024)
- *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) Regulations 2024* (S.I. No. 286 of 2024)
- *Health Act 1970 (Section 58A (12)) (Classes of Payments) Regulations 2024* (S.I. No. 154 of 2024)
- *Health Act 1970 (Section 45A (7)) (Classes of Payments) Regulations 2024* (S.I. No. 153 of 2024)
- *Health Act 1970 (Section 45(3)) (Classes of Persons) Regulations 2024* (S.I. No. 152 of 2024)

- *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) (No. 2) Regulations 2023* (S.I. No. 614 of 2023)
- *Health Act 1970 (Section 58C) (Payments to Relevant Medical Practitioners) (Amendment) Regulations 2023* (S.I. No. 459 of 2022)
- *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) (Amendment) Regulations 2023* (S.I. No. 408 of 2022)
- *Specialist Community-Based Disability Services (Transfer of Departmental Administration and Ministerial Functions) Order 2022* (S.I. No. 688 of 2022)
- *Health Act 1970 (Section 67E) (Prescription of Further Age to Whom Contraceptive Services Will Be Made Available Without Charge) Regulations 2022* (S.I. No. 675 of 2022)
- *Health Act 1970 (Section 67E) (Payments in respect of Contraception Services) Regulations 2022* (S.I. No. 451 of 2022)
- *Health Services (Amendment) Regulations 2022* (S.I. No. 77 of 2022)
- *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2022* (S.I. No. 1 of 2022)
- *Health Services (Amendment) Regulations 2021* (S.I. No. 595 of 2021)
- *Health (Acute In-Patient Charges) Regulations 2021* (S.I. No. 213 of 2021)
- *Health Services (Prescription Charges) (Over 70s) Regulations 2020* (S.I. No. 465 of 2020)
- *Health Services (Prescription Charges) Regulations 2020* (S.I. No. 464 of 2020)
- *Health Services (Amendment) Regulations 2020* (S.I. No. 463 of 2020)
- *Health (Out-Patient Charges) Regulations 2019* (S.I. No. 693 of 2019)
- *Health Act 1970 (Section 58A(8)) (Classes of Payments) Regulations 2019* (S.I. No. 416 of 2019)
- *Health Act 1970 (Section 45A(7)) (Classes of Payments) Regulations 2019* (S.I. No. 415 of 2019)
- *Health (Residential Support Services Maintenance And Accommodation Contributions) (Amendment) Regulations 2019* (S.I. No.106 of 2019)
- *Health Services (Amendment) Regulations 2019* (S.I. No. 59 of 2019)
- *Health Services (Prescription Charges) (Over 70s) Regulations 2018* (S.I. No. 639 of 2018)
- *Public Service Pay and Pensions Act 2017 (Payments in Respect of Certain Services under Section 62A of the Health Act 1970) Regulations 2018* (S.I. No. 598 of 2018)
- *Health Act 1970 (Fifth Schedule) Regulations 2018* (S.I. No. 554 of 2018)
- *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2018* (S.I. No. 94 of 2018)
- *Health Services (Drug Payment Scheme) Regulations 2017* (S.I. No. 577 of 2017)
- *Health Services (Prescription Charges) Regulations 2017* (S.I. No. 553 of 2017)
- *Health (Out-Patient Charges) Regulations 2017* (S.I. No. 548 of 2017)
- *Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2017* (S.I. No. 58 of 2017)
- *Health Act 1970 (Section 59(4)) Regulations 2016* (S.I. No. 635 of 2016)
- *Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016* (S.I. No. 467 of 2016)
- *Health Act 1970 (Section 59(4)) Regulations 2015* (S.I. No. 382 of 2015)
- *Health Act 1970 (Section 58C) (Payments to Relevant Medical Practitioners) Regulations 2015* (S.I. No. 284 of 2015)
- *Health Act 1970 (Section 58A(8)) (Classes of Payments) Regulations 2015* (S.I. No. 278 of 2015)
- *Health Act 1970 (Section 45A(7)) (Classes of Payments) Regulations 2015* (S.I. No. 277 of 2015)
- *Saint Patrick's Hospital Dublin (Charter Amendment) Order 2014* (S.I. No. 517 of 2014)
- *Health Act 1970 (Fifth and Sixth Schedules) Regulations 2014* (S.I. No. 75 of 2014)
- *Health Services (Prescription Charges) Regulations 2013* (S.I. No. 437 of 2013)
- *Health (Out-Patient Charges) Regulations 2013* (S.I. No. 45 of 2013)
- *Health Services (Prescription Charges) Regulations 2012* (S.I. No. 545 of 2012)
- *Health Services (Drug Payment Scheme) Regulations 2012* (S.I. No. 526 of 2012)
- *Health Services (Drug Payment Scheme) Regulations 2011* (S.I. No. 648 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Health (Charges for In-Patient Services) (Amendment) Regulations 2011* (S.I. No. 382 of 2011)
- *Health Services (Drugs Payment Scheme) Regulations 2009* (S.I. No. 536 of 2009)
- *Health (Out-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 544 of 2008)
- *Health (In-Patient Charges) (Amendment) Regulations 2008* (S.I. No. 543 of 2008)

- *Health (Charges for In-Patient Services) (Amendment) Regulations 2008* (S.I. No. 521 of 2008)
- *Health Services Regulations 2008* (S.I. No. 519 of 2008)
- *Health Services Regulations 2007* (S.I. No. 837 of 2007)
- *Health (Out-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 825 of 2007)
- *Health (In-Patient Charges) (Amendment) Regulations 2007* (S.I. No. 824 of 2007)
- *Health (Charges for In-Patient Services) (Amendment) Regulations 2006* (S.I. No. 649 of 2006)
- *Health (In-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 762 of 2005)
- *Health (Out-Patient Charges) (Amendment) Regulations 2005* (S.I. No. 761 of 2005)
- *Health (Charges For In-Patient Services) Regulations 2005* (S.I. No. 276 of 2005)
- *Health Services Regulations 2005* (S.I. No. 832 of 2004)
- *Health (Out-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 826 of 2004)
- *Health (In-Patient Charges) (Amendment) Regulations 2004* (S.I. No. 825 of 2004)
- *Health Services Regulations 2004* (S.I. No. 658 of 2003)
- *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 654 of 2003)
- *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 653 of 2003)
- *Health Act 1970 (Section 76) Simpson's Hospital Estate Act (Amendment) Order 2003* (S.I. No. 516 of 2003)
- *Health (Out-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 349 of 2003)
- *Health (In-Patient Charges) (Amendment) Regulations 2003* (S.I. No. 348 of 2003)
- *Health Services Regulations 2003* (S.I. No. 603 of 2002)
- *Health (In-Patient Charges) (Amendment) (No. 2) Regulations 2002* (S.I. No. 553 of 2002)
- *Health Services Regulations 2002* (S.I. No. 368 of 2002)
- *Health (In-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 367 of 2002)
- *Health (Out-Patient Charges) (Amendment) Regulations 2002* (S.I. No. 366 of 2002)
- *Health (Community Pharmacy Contractor Agreement) Regulations, 1996 (Revocation) Regulations 2002* (S.I. No. 28 of 2002)
- *Health (Out-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 583 of 2001)
- *Health (In-Patient Charges) (Amendment) Regulations 2001* (S.I. No. 582 of 2001)
- *Health Services Regulations 2001* (S.I. No. 66 of 2001)
- *National Breast Screening Board (Establishment), 1998 (Amendment) (No. 2) Order 2000* (S.I. No. 139 of 2000)
- *General Medical Services (Payments) Board (Establishment) (Amendment) Order 2000* (S.I. No. 75 of 2000)
- *Health (Out-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 402 of 1999)
- *Health (In-Patient Charges) (Amendment) Regulations 1999* (S.I. No. 401 of 1999)
- *Health Board (Election of Members) (Amendment) Regulations 1999* (S.I. No. 251 of 1999)
- *National Breast Screening Board (Establishment), 1998 (Amendment) Order 1999* (S.I. No. 84 of 1999)
- *National Breast Screening Board (Establishment) Order 1998* (S.I. No. 319 of 1998)
- *Health Board (Miscellaneous Assignment of Duties) Regulations 1998* (S.I. No. 251 of 1998)
- *Health (Inpatient Charges) (Amendment) Regulations 1997* (S.I. No. 510 of 1997)
- *Health (Outpatient Charges) (Amendment) Regulations 1997* (S.I. No. 509 of 1997)
- *Health (Official Control of Food) Approved Laboratories Order 1996* (S.I. No. 242 of 1996)
- *Health (Official Control of Food) Regulations 1996* (S.I. No. 241 of 1996)
- *Health Act 1970 (Section 76) (Adelaide and Meath Hospital Dublin Incorporating The National Children's Hospital) Order 1996* (S.I. No. 228 of 1996)
- *Disabled Persons Maintenance Allowances Regulations 1996* (S.I. No. 165 of 1996)
- *Health (Community Pharmacy Contractor Agreement) Regulations 1996* (S.I. No.152 of 1996)
- *Maintenance Allowances (Increased Payment) Regulations 1995* (S.I. No. 313 of 1995)
- *Health (Extraction Solvents in Foodstuffs) Regulations 1995* (S.I. No. 283 of 1995)
- *Disabled Persons Maintenance Allowances Regulations 1995* (S.I. No. 141 of 1995)

- *General Medical Services (Payments) Board (Establishment) Order, 1972 (Amendment) Order 1994* (S.I. No. 442 of 1994)
- *Maintenance Allowances (Increased Payment) Regulations 1994* (S.I. No. 336 of 1994)
- *Disabled Persons Maintenance Allowances Regulations 1994* (S.I. No. 237 of 1994)
- *Health (In-Patient Charges) (Amendment) Regulations 1994* (S.I. No. 38 of 1994)
- *Health (Out-Patient Charges) Regulations 1994* (S.I. No. 37 of 1994)
- *Maintenance Allowances (Increased Payment) Regulations 1993* (S.I. No. 331 of 1993)
- *Health (In-Patient Services) Regulations 1993* (S.I. No. 224 of 1993)
- *Disabled Persons (Maintenance Allowances) Regulations 1993* (S.I. No. 211 of 1993)
- *Health Services (Out-Patient) Regulations 1993* (S.I. No. 178 of 1993)
- *Medical Preparations (Licensing, Advertisement & Sale) (Amendment) Regulations 1993* (S.I. No. 70 of 1993)
- *Health (Out-Patient Charges) (Amendment) Regulations 1993* (S.I. No. 51 of 1993)
- *Health (In-Patient Charges) (Amendment) Regulations 1993* (S.I. No. 50 of 1993)
- *Maintenance Allowances (Increased Payment) Regulations 1992* (S.I. No. 339 of 1992)
- *Disabled Persons (Maintenance Allowances) Regulations 1992* (S.I. No. 212 of 1992)
- *Health (Cylamate in Food) (Amendment) Regulations 1992* (S.I. No. 73 of 1992)
- *Health (Arsenic and Lead in Food) (Amendment) Regulations 1992* (S.I. No. 72 of 1992)
- *Health (Mineral Hydrocarbons in Food) (Amendment) Regulations 1992* (S.I. No. 71 of 1992)
- *Health (Solvents in Food) (Amendment) Regulations 1992* (S.I. No. 70 of 1992)
- *Health (Antioxidant in Food) (Amendment) Regulations 1992* (S.I. No. 69 of 1992)
- *Health (Colouring Agents in Food) (Amendment) Regulations 1992* (S.I. No. 68 of 1992)
- *Health (Erucic Acid in Food) (Amendment) Regulations 1992* (S.I. No. 67 of 1992)
- *Health (Preservatives in Food) (Amendment) Regulations 1992* (S.I. No. 66 of 1992)
- *Health (Vinyl Chloride in Food) (Amendment) Regulations 1992* (S.I. No. 65 of 1992)
- *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) (Amendment) Regulations 1992* (S.I. No. 24 of 1992)
- *Health (In-Patient Charges) (Amendment) Regulations 1991* (S.I. No. 366 of 1991)
- *Health (Official Control of Food) Regulations 1991* (S.I. No. 332 of 1991)
- *Maintenance Allowance (Increased Payment) Regulations 1991* (S.I. No. 309 of 1991)
- *Health Services Regulations 1991* (S.I. No. 203 of 1991)
- *Disabled Persons (Maintenance Allowances) Regulations 1991* (S.I. No. 200 of 1991)
- *Royal Hospital, Donnybrook (Charter Amendment) Order 1990* (S.I. No. 194 of 1991)
- *Health Services (Out-Patient) Regulations 1991* (S.I. No. 136 of 1991)
- *Health Services (In-Patient) Regulations 1991* (S.I. No. 135 of 1991)
- *Health (In-Patient Charges) (Amendment) Regulations 1990* (S.I. No. 335 of 1990)
- *Health Services Regulations 1990* (S.I. No. 334 of 1990)
- *Maintenance Allowances (Increased Payment) Regulations 1990* (S.I. No. 284 of 1990)
- *General Medical Services (Payments) Board (Establishment) Order, 1972 (Amendment) Order 1990* (S.I. No. 223 of 1990)
- *Disabled Persons (Maintenance Allowances) Regulations 1990* (S.I. No. 193 of 1990)
- *Health Services (Amendment) Regulations 1990* (S.I. No. 132 of 1990)
- *Health (Emulsifiers, Stabilisers, Thicking and Gelling Agents in Food) (Amendment) Regulations 1990* (S.I. No. 102 of 1990)
- *Health Boards (Amendment) Regulations 1990* (S.I. No. 61 of 1990)
- *Maintenance Allowances (Increased Payment) Regulations 1989* (S.I. No. 320 of 1989)
- *Health (Preservatives in Food) (Amendment) Regulations 1989* (S.I. No. 263 of 1989)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1989* (S.I. No. 193 of 1989)
- *Health Services (Amendment) Regulations 1989* (S.I. No. 113 of 1989)
- *Food Hygiene (Amendment) Regulations 1989* (S.I. No. 62 of 1989)
- *Maintenance Allowances (Increased Payment) Regulations 1988* (S.I. No. 316 of 1988)
- *Health (Superannuation Provisions) Order 1988* (S.I. No. 278 of 1988)

- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1988* (S.I. No. 150 of 1988)
- *Health Services (Amendment) Regulations 1988* (S.I. No. 106 of 1988)
- *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1987* (S.I. No. 305 of 1987)
- *Health (Charges For In-Patient Services) (Amendment) Regulations 1987* (S.I. No. 300 of 1987)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1987* (S.I. No. 196 of 1987)
- *Health Services (Amendment) (No. 2) Regulations 1987* (S.I. No. 134 of 1987)
- *Health (In-Patient Charges) Regulations 1987* (S.I. No. 116 of 1987)
- *Health (Out-Patient Charges) Regulations 1987* (S.I. No. 115 of 1987)
- *Health Services (Amendment) Regulations 1987* (S.I. No. 114 of 1987)
- *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1986* (S.I. No. 403 of 1986)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1986* (S.I. No. 252 of 1986)
- *Health (Hospital In-Patient Charges) (Amendment) Regulations 1986* (S.I. No. 221 of 1986)
- *Health Services (Amendment) Regulations 1986* (S.I. No. 109 of 1986)
- *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1985* (S.I. No. 373 of 1985)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1985* (S.I. No. 190 of 1985)
- *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) (Amendment) Regulations 1985* (S.I. No. 186 of 1985)
- *Health Services (Amendment) Regulations 1985* (S.I. No. 145 of 1985)
- *Health (Disqualification of Officers and Servants) Order 1985* (S.I. No. 15 of 1985)
- *Disabled Persons (Maintenance Allowances) (No. 2) Regulations 1984* (S.I. No. 305 of 1984)
- *Health Services (Amendment) Regulations 1984* (S.I. No. 123 of 1984)
- *Health (Vinyl Chloride in Food) Regulations 1984* (S.I. No. 95 of 1984)
- *Health (Hospital In-Patient Charges) Regulations 1984* (S.I. No. 94 of 1984)
- *Disabled Persons (Maintenance Allowances) Regulations 1984* (S.I. No. 71 of 1984)
- *Health Services (No. 4) Regulations 1983* (S.I. No. 389 of 1983)
- *Health Services (No. 3) Regulations 1983* (S.I. No. 381 of 1983)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1983* (S.I. No. 154 of 1983)
- *Health Services (No. 2) Regulations 1983* (S.I. No. 139 of 1983)
- *Health Services Regulations 1983* (S.I. No. 54 of 1983)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 3) Regulations 1982* (S.I. No. 340 of 1982)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1982* (S.I. No. 285 of 1982)
- *Health Services Regulations 1982* (S.I. No. 283 of 1982)
- *Health (Foods For Particular Nutritional Uses) Regulations 1982* (S.I. No. 272 of 1982)
- *Health Services (Amendment) Regulations 1982* (S.I. No. 151 of 1982)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1982* (S.I. No. 77 of 1982)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 3) Regulations 1981* (S.I. No. 407 of 1981)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1981* (S.I. No. 341 of 1981)
- *Health (Preservatives in Food) Regulations 1981* (S.I. No. 337 of 1981)
- *Health (Colouring Agents in Food) (Amendment) Regulations 1981* (S.I. No. 336 of 1981)
- *Health Services Regulations 1981* (S.I. No. 267 of 1981)
- *Health Services (Amendment) Regulations 1981* (S.I. No. 173 of 1981)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1981* (S.I. No. 100 of 1981)
- *Adelaide Hospital (Charter Amendment) Order 1980* (S.I. No. 374 of 1980)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1980* (S.I. No. 367 of 1980)
- *Health Services (Amendment) Regulations 1980* (S.I. No. 93 of 1980)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1980* (S.I. No. 92 of 1980)
- *Health Services Regulations 1980* (S.I. No. 61 of 1980)
- *Health (Emulsifiers, Stabilisers, Thickening and Gelling Agents in Food) Regulations 1980* (S.I. No. 35 of 1980)

- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1979* (S.I. No. 338 of 1979)
- *Health Services (No. 2) Regulations 1979* (S.I. No. 134 of 1979)
- *Health Services (Limited Eligibility) Regulations 1979* (S.I. No. 110 of 1979)
- *Health Services Regulations 1979* (S.I. No. 109 of 1979)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1979* (S.I. No. 79 of 1979)
- *Health Services Regulations 1978* (S.I. No. 371 of 1979)
- *Health (Hospital Bodies) Regulations, 1972, (Amendment) Regulations 1978* (S.I. No. 338 of 1978)
- *Health (Colouring Agents in Food) (Amendment) Regulations 1978* (S.I. No. 140 of 1978)
- *Health (Erucic Acid in Food) Regulations 1978* (S.I. No. 123 of 1978)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1978* (S.I. No. 54 of 1978)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1977* (S.I. No. 314 of 1977)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1977* (S.I. No. 79 of 1977)
- *Health (Local Committees) Regulations 1977* (S.I. No. 68 of 1977)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1976* (S.I. No. 260 of 1976)
- *Health (Charges For In-Patient Services) Regulations 1976* (S.I. No. 180 of 1976)
- *Health Services (Amendment) Regulations 1976* (S.I. No. 142 of 1976)
- *Health Services (Limited Eligibility) Regulations 1976* (S.I. No. 141 of 1976)
- *Health Services Regulations 1976* (S.I. No. 97 of 1976)
- *Hospitals Commission (Dissolution) Order 1976* (S.I. No. 79 of 1976)
- *Health Act, 1970, (Commencement) Order 1976* (S.I. No. 78 of 1976)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1976* (S.I. No. 67 of 1976)
- *Disabled Persons (Maintenance Allowances) (Amendment) (No. 2) Regulations 1975* (S.I. No. 221 of 1975)
- *Health Services Regulations, 1972 (Amendment) Regulations 1975* (S.I. No. 181 of 1975)
- *Health Services (Amendment) Regulations 1975* (S.I. No. 64 of 1975)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1975* (S.I. No. 39 of 1975)
- *Health Act, 1970 (Adaptation) Regulations 1975* (S.I. No. 29 of 1975)
- *Meath County Infirmary (Abolition) Order 1974* (S.I. No. 284 of 1974)
- *Royal Hospital For Incurables, Dublin (Charter Amendment) Order 1974* (S.I. No. 244 of 1974)
- *Disabled Persons (Maintenance Allowances) (Amendment) Regulations 1974* (S.I. No. 185 of 1974)
- *Health Services Regulations 1974* (S.I. No. 90 of 1974)
- *Health Act, 1970 (Adaptation) Regulations 1973* (S.I. No. 349 of 1973)
- *Disabled Persons (Rehabilitation) Regulations 1973* (S.I. No. 186 of 1973)
- *Health Services Regulations 1973* (S.I. No. 184 of 1973)
- *Health (Removal of Officers and Servants) (Amendment) Regulations 1973* (S.I. No. 180 of 1973)
- *Disabled Persons (Maintenance Allowances) Regulations 1973* (S.I. No. 160 of 1973)
- *Health Act, 1970 (Commencement) Order 1973* (S.I. No. 159 of 1973)
- *Health (Colouring Agents in Food) Regulations 1973* (S.I. No. 149 of 1973)
- *Health (Antioxidant in Food) Regulations 1973* (S.I. No. 148 of 1973)
- *Health (Preservatives in Food) Regulations 1973* (S.I. No. 147 of 1973)
- *Health (Solvents in Food) Regulations, 1972* (S.I. No. 304 of 1972)
- *Health (Antioxidant in Food) (Amendment) Regulations 1972* (S.I. No. 303 of 1972)
- *Health (Preservatives in Food) (Amendment) Regulations 1972* (S.I. No. 302 of 1972)
- *Health (Colouring Matter in Food) (Amendment) Regulations 1972* (S.I. No. 301 of 1972)
- *Maternity Cash Grants Regulations 1972* (S.I. No. 241 of 1972)
- *Health Act, 1970 (Commencement) (No. 2) Order 1972* (S.I. No. 240 of 1972)
- *Social Welfare (Removal of Officers) Regulations 1972* (S.I. No. 200 of 1972)
- *General Medical Services (Payments) Board (Establishment) Order 1972* (S.I. No. 184 of 1972)
- *Social Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 1972* (S.I. No. 183 of 1972)
- *Health (Removal of Officers and Servants) (Amendment) Regulations 1972* (S.I. No. 165 of 1972)
- *Health (Hospital Bodies) Regulations 1972* (S.I. No. 164 of 1972)

- *Rotunda Hospital (Amendment of Charter) Order 1972* (S.I. No. 137 of 1972)
- *Health Services Regulations 1972* (S.I. No. 88 of 1972)
- *Health Act, 1970 (Commencement) Order 1972* (S.I. No. 87 of 1972)
- *Health Act, 1970 (Adaptation) Regulations 1972* (S.I. No. 65 of 1972)
- *Health Board (Election of Members) Regulations 1972* (S.I. No. 60 of 1972)
- *Health (Mineral Hydrocarbons in Food) Regulations 1972* (S.I. No. 45 of 1972)
- *Health (Arsenic and Lead in Food) Regulations 1972* (S.I. No. 44 of 1972)
- *Health (Preservatives in Food) Regulations 1972* (S.I. No. 43 of 1972)
- *Health (Antioxidant in Food) Regulations 1972* (S.I. No. 42 of 1972)
- *Health (Colouring Matter in Food) Regulations 1972* (S.I. No. 41 of 1972)
- *Health (Local Committees) Regulations 1972* (S.I. No. 31 of 1972)
- *Food Hygiene (Amendment) Regulations 1971* (S.I. No. 322 of 1971)
- *Health (Disqualification of Officers and Servants) Order 1971* (S.I. No. 289 of 1971)
- *Health Services (Amendment) Regulations 1971* (S.I. No. 277 of 1971)
- *Health Services (Limited Eligibility) Regulations 1971* (S.I. No. 276 of 1971)
- *Health Act, 1970 (Commencement) (No. 2) Order 1971* (S.I. No. 271 of 1971)
- *Joint Health Boards (Dissolution) Order 1971* (S.I. No. 118 of 1971)
- *Health Authorities (Dissolution) Order 1971* (S.I. No. 117 of 1971)
- *Health (Removal of Officers and Servants) Regulations 1971* (S.I. No. 110 of 1971)
- *Health (Officers Age Limit) Order 1971* (S.I. No. 109 of 1971)
- *Mental Treatment Acts (Adaptation) Order 1971* (S.I. No. 108 of 1971)
- *Health Boards (Functions of Chief Executive Officers) Order 1971* (S.I. No. 107 of 1971)
- *Health Act, 1970 (Adaptation) Regulations 1971* (S.I. No. 106 of 1971)
- *Health Services Regulations 1971* (S.I. No. 105 of 1971)
- *Health Act, 1970 (Commencement) Order 1971* (S.I. No. 90 of 1971)
- *Health Boards Regulations 1970* (S.I. No. 170 of 1970)
- *Health (Possession of Controlled Substances) Regulations 1970* (S.I. No. 99 of 1970)
- *Health Act, 1970 (Commencement) Order 1970* (S.I. No. 47 of 1970)

All statutory instruments up to and including the *Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Act 2026 (Commencement) Order 2026* (S.I. No. 550 of 2026), made 30 October 2026, were considered in the preparation of this revision.