

**EMERGENCY POWERS (COVID 19 PANDEMIC)
(MANAGEMENT AND RECOVERY) (SPECIAL
PROVISIONS) ORDER, 2021**

Arrangement of Orders

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**EMERGENCY POWERS (COVID 19 PANDEMIC)
(MANAGEMENT AND RECOVERY) REGULATIONS, 2021**

**EMERGENCY POWERS (COVID 19 PANDEMIC)
(MANAGEMENT AND RECOVERY) (SPECIAL
PROVISIONS) ORDER, 2021**

In exercise of the powers conferred by the Emergency Powers (Covid 19 Pandemic) (Management and Recovery) Regulations, 2021, I **HEREBY** make the following order —

1. Citation.

This Order may be cited as the Emergency Powers (Covid 19 Pandemic) (Management and Recovery)(Special Provisions) Order, 2021.

2. Data Protection (Privacy of Personal Information) Act.

- (1) The National Insurance Board is, in accordance with section 13(e) of the Data Protection (Privacy of Personal Information) Act (*Ch. 324A*), permitted to share with a money transmission service provider approved in writing by the Competent Authority, the personal data of a data subject for the purpose of facilitating the payment of a national insurance benefit to the data subject through the money transmission service.
- (2) Nothing in this order shall be construed as relieving the approved money transmission service provider of the requirement to safeguard any personal data received by it in respect of any data subject in accordance with paragraph (1).

3. Employment of student nurses.

- (1) Notwithstanding regulations 8 and 9 of the Nurses and Midwives Regulations¹ any student nurse who has completed the relevant curriculum of study set out in Part 1 of the *First Schedule* to Nurses and Midwives Regulations², and is currently undergoing practical training at a public health care facility shall —

¹*S.I. No. 3 of 1993*

²*S.I. No. 3 of 1993.*

- (a) be deemed to be registered as a registered nurse for the purposes of the Nurses and Midwives Act (*Ch. 225*) during the state of public emergency; and
 - (b) be employed by the Ministry of Health under a contract of service during the state of the public emergency or until such other time as contracted between the parties.
- (2) The Ministry of Health shall immediately cause a person referred to in paragraph (1) to be registered with the National Insurance Board, and that person shall be entitled to the benefits of an employed person under the National Insurance Act (*Ch. 350*).

4. Employment Act.

- (1) For the duration of the period of the state of public emergency and thirty days thereafter, section 28C of the Employment Act (*Ch. 321A*) shall be suspended.
- (2) Where an employee has been laid off as a result of the Covid 19 pandemic, the period referred to in paragraph (1) shall not be taken into account in the calculation of any period used to presume redundancy in accordance with section 28C of the Employment Act (*Ch. 321A*).
- (3) Notwithstanding paragraphs (1) and (2), where the operations of a business has ceased during the period referred to in paragraph (1), section 28C of the Employment Act (*Ch. 321A*) shall apply.

5. Immigration Act.

Any work permit, annual residence or other permit issued under the Immigration Act (*Ch. 191*) that expired during the state of public emergency shall be deemed to be extended until thirty days after the expiry of the state of public emergency.

6. Local Government Act.

- (1) Section 17(1) of the Local Government Act (*Ch. 37*) (hereinafter "the Act"), is suspended with effect from 30th day of June, 2020, until the cessation of the state of public emergency.
- (2) The period of suspension referred to in paragraph (1) shall not be taken into account in determining the date of the holding of the next election of committee members and Councillors which by section 17(1) of the Act, must be held within three years of the last election of such members and Councillors which was held in June 2017.
- (3) In calculating the three year period referred to in paragraph (2), that period shall be extended by the number of days of the period of suspension.

- (4) The term of office of the committee members and Councillors holding office at the date of this Order, shall be extended until the cessation of the state of public emergency, or the date of issue of the writ of election for the next election of committee members and Councillors, if sooner.
- (5) The term of office of committee members and Councillors elected subsequently to periods of suspension referred to in paragraph (2), shall be reduced by the same period by which the term of office of the previous committee members and Councillors have been extended by paragraph (4).

7. Education Act.

- (1) Any election for any School Board to be held pursuant to section 14 of the Education Act (*Ch. 46*) and in accordance with the Education (School Board Elections) Regulations, 1996³ shall be suspended until the cessation of the state of public emergency.
- (2) The term of office of the members of a School Board —
 - (a) holding office at the date of this Order, shall be extended until the cessation of the state of public emergency; and
 - (b) elected subsequently to period of suspension referred to in paragraph (1), shall be reduced by the same period by which the term of office of the previous members have been extended in accordance with subparagraph (a).

Made this 16th day of May, 2021



PRIME MINISTER

³S.I. No. 71 of 1996.