



STATUTORY INSTRUMENTS.

S.I. No. 88 of 2024

MOTHER AND BABY INSTITUTIONS PAYMENT SCHEME ACT 2023
(FINANCIAL SUPPORT IN RESPECT OF LEGAL COSTS AND
EXPENSES) REGULATIONS 2024

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I, RODERIC O’GORMAN, Minister for Children, Equality, Disability, Integration and Youth, in the exercise of the powers conferred on me by section 44 of the Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023), hereby make the following Regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Mother and Baby Institutions Payment Scheme Act 2023 (Financial support in respect of legal costs and expenses) Regulations 2024.

(2) These Regulations shall come into operation on 20 March 2024.

Interpretation

2. In these Regulations —

“Act of 2023” means the Mother and Baby Institutions Payment Scheme Act 2023.

Application for Payment Support

3. (1) An applicant or a person to whom *section 39(3)* of the Act of 2023 applies, may apply to the Scheme for the provision of support towards legal costs incurred following consultation with a legal practitioner for the purpose of:

- (a) providing an affidavit for the purposes of establishing or verifying an applicant’s residence in a relevant institution; or
- (b) their decision to accept or reject an offer under the Scheme.

(2) The applicant or a person to whom *section 39(3)* of the Act of 2023 applies, shall submit an invoice or proof of payment to support his or her application and this shall include the following information:

- (a) the applicant’s name;
- (b) where applicable, the name of the person to whom *section 39(3)* of the Act of 2023 applies;
- (c) the Application Reference Number provided by the Scheme in relation to the application concerned;
- (d) confirmation that the costs were incurred in accordance with Regulation 3(1).

(3) The Scheme shall consider the application and, if satisfied that the legal cost has been incurred in accordance with Regulation 3(1), shall make payment directly to the applicant or, where applicable, the person to whom section 39(3) of the Act of 2023 applies.

Amount of Payment

4. (1) The amount of financial support which may be provided to facilitate legal assistance in accordance with Regulation 3(1)(a) shall be the amount charged by the legal practitioner in respect of that legal assistance up to a limit of €200.

(2) The amount of financial support which may be provided to facilitate seeking independent legal advice in accordance with Regulation 3(1)(b) shall be the amount charged by the legal practitioner in respect of that legal advice up to a limit of €500 plus the amount of VAT in respect of this amount.



GIVEN under my Official Seal,
6 March, 2024.

RODERIC O’GORMAN,
Minister for Children, Equality, Disability, Integration and
Youth.

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