



STATUTORY INSTRUMENTS.

S.I. No. 117 of 2025



POLICING, SECURITY AND COMMUNITY SAFETY ACT 2024
(NOTIFIABLE MISCONDUCT) REGULATIONS 2025

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(NOTIFIABLE MISCONDUCT) REGULATIONS 2025

I, JIM O'CALLAGHAN, Minister for Justice, in exercise of the powers conferred on me by sections 193(2) and 252 of the Policing, Security and Community Safety Act 2024 (No. 1 of 2024), with reference to the matters specified in paragraphs (a) to (d) of the said section 193(2), and with the approval of the Government, hereby make the following regulations:

1. These Regulations may be cited as the Policing, Security and Community Safety Act 2024 (Notifiable Misconduct) Regulations 2025.

2. These Regulations shall come into operation on 2 April 2025.

3. In these Regulations, "Act" means the Policing, Security and Community Safety Act 2024 (No. 1 of 2024).

4. Each type of misconduct (within the meaning of paragraph (a) of the definition of misconduct in section 193(1) of the Act) –

(a) specified in the Schedule, and

(b) other than insofar as it is otherwise an incident of concern,

is prescribed for the purposes of paragraph (b) of the definition of "notifiable misconduct" in the said section 193(1).

SCHEDULE

*Regulation 4***Notifiable Misconduct**

1. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the policy document of An Garda Síochána for the time being known as “Covert Human Intelligence Sources policy and procedures of An Garda Síochána”.

2. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the policy document of An Garda Síochána for the time being known as “Substance Misuse Policy of An Garda Síochána”.

3. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by any of the policy documents of An Garda Síochána for the time being known as:

- (a) “Overarching Use of Force Policy of An Garda Síochána”;
- (b) “Restraints and Handcuffs Policy of An Garda Síochána”;
- (c) “Use of Batons Policy of An Garda Síochána”;
- (d) “Deployment and Use of Less-Lethal Devices Policy of An Garda Síochána”;
- (e) “Use of Force and Garda Horses Policy of An Garda Síochána”;
- (f) “Use of Force and Garda Dogs Policy of An Garda Síochána”.

4. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by any of the policy documents of An Garda Síochána for the time being known as:

- (a) “Use of Firearms by Members on Duty Policy”;
- (b) “Use of Official Firearms or Ammunition Policy”;
- (c) “Care and Maintenance of Firearms and Ammunition Policy”.

5. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the policy document of An Garda Síochána for the time being known as “Complaints and Reports made to An Garda Síochána - Duty to Investigate Policy” in relation to –

- (a) domestic, sexual or gender-based violence against a person,
- (b) without prejudice to *subparagraph (a)*, serious harm being caused to a person, or
- (c) the death of a person.

6. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the Criminal Justice (Victims of Crime) Act 2017 (No. 28 of 2017).

7. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Síochána Stations) Regulations 1987 (S.I. No. 119 of 1987).

8. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the policy document of An Garda Síochána for the time being known as “Property and Exhibits Management System Policy of An Garda Síochána”.

9. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by any of the policy documents of An Garda Síochána for the time being known as:

- (a) “An Garda Síochána Security Policy for use of Information and Communications Technology, including portable data devices and the transfer of electronic data”;
- (b) “Communication Systems Policy”;
- (c) “E-Mail Policy”;
- (d) “Internet and E-Mail Usage Policy”;
- (e) “ICT Information and Security Policy”;
- (f) “Data Protection Policy”.

10. Any failure by a member of An Garda Síochána to comply with a requirement imposed on him or her under section 18 of the Ethics in Public Office Act 1995 (No. 22 of 1995).

11. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by either of the policy documents of An Garda Síochána for the time being known as:

- (a) “Prohibited Spare-Time Activities HQ Directive”;
- (b) “Business Interests and Secondary Occupations Policy of An Garda Síochána”.

12. Any failure by a member of An Garda Síochána to comply with an obligation imposed on him or her by the policy document of An Garda Síochána for the time being known as “Anti-Corruption Policy of An Garda Síochána”.

The Government approves of the making of the foregoing Regulations.



GIVEN under the Official Seal of the Government,
2 April, 2025.

MICHEÁL MARTIN,
Taoiseach.



GIVEN under my Official Seal,
2 April, 2025.

JIM O'CALLAGHAN,
Minister for Justice.

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