



STATUTORY INSTRUMENTS.

S.I. No. 267 of 2026

EUROPEAN UNION (INTERIM CHIEF INSPECTOR OF ASYLUM
BORDER PROCEDURES) REGULATIONS 2026

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I, JIM O'CALLAGHAN, Minister for Justice, Home Affairs and Migration, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Interim Chief Inspector of Asylum Border Procedures) Regulations 2026.

(2) These Regulations shall come into operation on 12 June 2026.

2. In these Regulations -

“Act of 2026” means the International Protection Act 2026 (No. 9 of 2026);

“Asylum Procedures Regulation” means Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024¹ establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, as amended by Regulation (EU) 2026/463 of the European Parliament and of the Council of 24 February 2026² and Regulation (EU) 2026/464 of the European Parliament and of the Council of 24 February 2026³;

“Chief Inspector” means the Chief Inspector of Asylum Border Procedures;

“interim Chief Inspector” means the person appointed by the Minister in accordance with Regulation 3 to be the interim Chief Inspector of Asylum Border Procedures;

“Minister” means the Minister for Justice, Home Affairs and Migration.

3. The Minister may –

(a) pending the appointment of a Chief Inspector in accordance with section 260 of the Act of 2026, and

(b) subject to Regulation 4,

appoint a person as interim Chief Inspector to perform such functions as may be necessary for the purposes of ensuring compliance with the monitoring obligations under Article 43 of the Asylum Procedures Regulation.

¹ OJ L, 2024/1348, 22.5.2024

² OJ L, 2026/463, 26.2.2026

³ OJ L, 2026/464, 26.2.2026

4. The appointment of a person as interim Chief Inspector shall cease to have effect on –

- (a) the appointment of the Chief Inspector under section 260(1) of the Act of 2026, or
- (b) 12 September 2026,

whichever is the earlier.

5. Part 14 of the Act of 2026 shall apply to, and in respect of, the interim Chief Inspector while his or her appointment is in effect as if he or she had been appointed as Chief Inspector under section 260(1) of the Act of 2026, and references in the Act of 2026 to the Chief Inspector shall be construed as including references to the interim Chief Inspector, subject to the following modifications:

- (a) section 257 shall be construed as if the following were substituted for the definition of “formal investigation”:

“ ‘formal investigation’ means an investigation, by the Chief Inspector, of a breach, or allegation of a breach, of fundamental rights in relevant activities in relation to asylum border procedures and includes the collection and analysis of evidence, the identification of causal factors and the making of recommendations, as necessary;”;

- (b) subsections (1), (2), (4), (5), and (6) of section 260 shall not apply in respect of the interim Chief Inspector;
- (c) section 263(1) shall be construed as if the following were substituted for paragraph (a) of that subsection:

“(a) to monitor asylum border procedures and compliance with European Union and international law, including the Charter, in designated asylum border facilities, in line with the independent monitoring mechanism referred to in Article 43 of the Asylum Procedures Regulation;”.

6. (1) Any act done, decision made, or investigation commenced by the interim Chief Inspector in the performance by him or her of his or her functions under these Regulations shall, on and after the appointment of the Chief Inspector under section 260 of the Act of 2026 -

- (a) be treated for all purposes, and
- (b) continue in force,

as if it had been done by the Chief Inspector.

(2) Any legal proceedings pending immediately before the date of the appointment of the Chief Inspector under section 260 of the Act of 2026 to which the interim Chief Inspector is a party, that relate to the performance of a function by the interim Chief Inspector under Part 14 of the Act of 2026, shall, on and

after that date, be continued with the substitution in the proceedings of the Chief Inspector for the interim Chief Inspector, and shall not abate by reason of such substitution.



GIVEN under my Official Seal,
12 June, 2026.

JIM O'CALLAGHAN,
Minister for Justice, Home Affairs
and Migration.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations provide for the appointment of an interim Chief Inspector of Asylum Border Procedures pending the appointment of a Chief Inspector in accordance with the International Protection Act 2026.

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