



STATUTORY INSTRUMENTS.

S.I. No. 464 of 2022



CHILD CARE (AMENDMENT) ACT 2022 (COMMENCEMENT) ORDER
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I, RODERIC O'GORMAN, Minister for Children, Equality, Disability, Integration and Youth, in exercise of the powers conferred on me by section 13(3) of the Child Care (Amendment) Act 2022 (No. 21 of 2022) hereby order as follows:

1. This Order may be cited as the Child Care (Amendment) Act 2022 (Commencement) Order 2022.

2. The 21st day of September 2022 is appointed as the day on which the following provisions of the Child Care (Amendment) Act 2022 (No. 21 of 2022) shall come into operation:

- (a) section 1;
- (b) section 4;
- (c) section 6;
- (d) section 13.



GIVEN under my Official Seal,
15 September, 2022.

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

EXPLANATORY NOTE

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

This Order provides for the commencement of sections 1, 4, 6 and 13 of the Child Care (Amendment) Act 2022 (No. 21 of 2022) with effect from 21st September 2022.

Section 1 sets out the definition of key terms used in the Act.

Section 4 amends the Child Care Act 1991 (the Principal Act) by substituting a new section for the existing section 24. The purpose of this amendment is to reflect the intent of Article 42A of the Constitution, which was inserted into the Constitution by the Thirty-First Amendment of the Constitution (Children) Act 2012 (the "Children's Referendum"). The new section 24, as inserted by section 4, specifies that in any proceedings before a court in relation to the care and protection of a child, under the Principal Act, including proceedings before the High Court in relation to special care, the court shall regard the best interests of the child as the paramount consideration.

Section 6 makes a number of technical amendments to section 29 of the Principal Act. It also inserts a new subsection (5B) into section 29. This new subsection provides that the Minister may grant an approval to an official which will enable that official to attend proceedings under Parts III, IV, IVA or VI of the Principal Act for certain specific defined purposes. Section 6 further amends section 29 by substituting "relevant documents" for "relevant court documents" and provides a definition of 'relevant documents' in a new subsection (10).

Section 13 provides for an updated collective citation for the Child Care Acts.

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