



STATUTORY INSTRUMENTS.

S.I. No. 112 of 2025

POLICING, SECURITY AND COMMUNITY SAFETY ACT 2024
(ADMISSIONS AND APPOINTMENTS) REGULATIONS 2025

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I, JIM O'CALLAGHAN, Minister for Justice, in exercise of the powers conferred on me by sections 252, 254, and 261 of the Policing, Security and Community Safety Act 2024 (No. 1 of 2024), having consulted with the Garda Commissioner and the Authority and with the approval of the Government, hereby make the following regulations:

Short title and commencement

1. (a) These Regulations may be cited as the Policing, Security and Community Safety Act 2024 (Admissions and Appointments) Regulations 2025.
- (b) These Regulations shall come into operation on 2 April 2025.

Definitions

2. In these Regulations –
 - “Act of 2004” means the Public Service Management (Recruitment and Appointments) Act 2004 (No. 33 of 2004);
 - “Act of 2024” means the Policing, Security and Community Safety Act 2024 (No. 1 of 2024);
 - “appointment” means appointment under section 50 of the Act of 2024 and enrolment as a member of An Garda Síochána;
 - “candidate” means a person who enters a competition;
 - “clearance process” includes any process, including vetting, used to establish the character and suitability of a person;
 - “code of ethics” means a code of ethics issued by the Authority under section 78 of the Act of 2024 and a reference in these Regulations to the code of ethics shall be construed in accordance with section 2(3)(f) of that Act;
 - “competition” has the meaning assigned to it in Regulation 5;
 - “panel” has the meaning assigned to it in Regulation 9;
 - “probationary period” shall be construed in accordance with Regulation 17;
 - “registered medical practitioner” has the same meaning as it has in the Medical Practitioners Act 2007 (No. 25 of 2007);
 - “relevant code of practice” has the meaning assigned to it in Regulation 5(a)(ii)(I);
 - “selection competition” shall be construed in accordance with Regulation 5(a).

Application of Regulations

3. (1) Subject to subparagraphs (2) to (5), these Regulations shall apply, on and after the date on which they come into operation, in relation to –

- (a) the admission of trainees and appointment of trainees as members,
- (b) trainees in accordance with section 53(3) of the Act of 2024,
- (c) the appointment of former members as members, and
- (d) the appointment of persons having special knowledge, skill or technical qualifications as members.

(2) The Regulations of 2013 shall continue to apply in respect of a member on probation under those Regulations on the coming into operation of these Regulations.

(3) Where a person has made an application for admission under Regulation 4 of the Regulations of 2013 before the coming into operation of these Regulations and the application has not been determined on such coming into operation, those Regulations shall continue to apply in respect of that application until such time as it has been determined whether or not the person concerned has been successful in a competitive selection process referred to in Regulation 5 of those Regulations.

(4) Where a person referred to in paragraph (3) is successful in a competitive selection process referred to in that paragraph, the admission of that person as a trainee shall be in accordance with these Regulations and the Act of 2024 and upon such admission these Regulations and the Act of 2024 shall apply accordingly.

(5) Where a person has been successful in a competitive selection process referred to in Regulation 5 of the Regulations of 2013 before the coming into operation of these Regulations but the person has not been admitted as a trainee on such coming into operation, the admission of that person as a trainee shall be in accordance with these Regulations and the Act of 2024 and upon such admission these Regulations and the Act of 2024 shall apply accordingly.

(6) In this Regulation, “Regulations of 2013” means the Garda Síochána (Admissions and Appointments) Regulations 2013 (S.I. No. 470 of 2013).

Board to keep requirement for competitions under review

4. (1) The Board shall keep under review the need for competitions to be held and shall ensure that the Garda Commissioner has arrangements in place to undertake required competitions without undue delay.

(2) The Garda Commissioner shall keep the Board fully informed of any likely need for the admission of trainees to enable the Board to comply with paragraph (1).

Competition for admission and appointment

5. For the purposes of these Regulations, a competition (in these Regulations referred to as a “competition”) shall consist of –

- (a) a selection competition undertaken by the Service –
 - (i) in accordance with such criteria as the Garda Commissioner, having consulted with the Minister and the Board, determines, and
 - (ii) in accordance with –
 - (I) a code of practice (in these Regulations referred to as a “relevant code of practice”) in force and published by the Commission for Public Service Appointments in accordance with the Act of 2004,
 - (II) the Act of 2004, and
 - (III) these Regulations,
- (b) an admission process undertaken by the Garda Commissioner and conducted in accordance with the relevant code of practice, these Regulations and the Act of 2024, and
- (c) an appointment process undertaken by the Garda Commissioner and conducted in accordance with these Regulations and the Act of 2024.

Principles governing competitions

6. (1) The Service shall at all times observe the standards set out in the relevant code of practice and shall select candidates to go forward for consideration for admission as trainees by means of a selection competition based on merit.

- (2) A competition shall be conducted in a manner which is –
 - (a) fair, impartial and objective,
 - (b) in line with best practice,
 - (c) consistent throughout, and
 - (d) open, accountable and transparent.

Holding a competition and information to be provided to potential candidates

7. (1) Where the Garda Commissioner decides to hold a competition, he or she shall –

- (a) request the Service to undertake a selection competition,
- (b) determine, subject to Regulation 10(2), the period of time a panel shall remain in place following the competition, and
- (c) inform the Board of the competition.

(2) On receipt of a request under paragraph (1)(a), the Service shall, in sufficient time to enable potential candidates to be given a reasonable opportunity to become aware of and enter a competition, make the following information in relation to the competition available to the public:

- (a) details of the eligibility criteria set out in Regulation 8;
- (b) a description of the general responsibilities and expected competencies of a trainee;
- (c) details of the application process;
- (d) such other information as it considers appropriate.

(3) In this Regulation, “potential candidate” means, in relation to a competition, a person who wishes, or may wish, to enter the competition and is eligible to do so.

Eligibility to apply for competition

8. (1) Subject to Regulation 12, a person is eligible to apply for a competition where on the closing date specified in the advertisement for the competition –

- (a) the person has attained 18 years of age but has not yet attained 50 years of age,
- (b) he or she –
 - (i) is a national of a Member State, an EEA State, the United Kingdom of Great Britain and Northern Ireland or the Swiss Confederation,
 - (ii) subject to paragraph (2), has had a period of one year’s continuous residence in the State and, during the 8 years immediately preceding that period, has had a total period of residence in the State of 4 years, or
 - (iii) is entitled under section 53, 56, 57 or 59 of the Act of 2015 to the rights and privileges specified in section 53 of that Act,
- (c) he or she has obtained –
 - (i) a grade of not less than H7, O6 or D3 in 5 subjects at not lower than ordinary level in the Leaving Certificate Examination,
 - (ii) a Level 5 Certificate (Major Award) or greater that is recognised within the National Framework of Qualifications, or
 - (iii) such other qualification that, in the opinion of Quality and Qualifications Ireland, is of a standard in terms of both level and volume of learning that is not lower than the standard of those qualifications specified at subparagraphs (i) and (ii),

and

- (d) he or she is proficient in either the Irish language, the English language, or both.

(2) A period of residence in the State shall not be reckonable for the purposes of determining whether a person meets the residency requirement referred to in paragraph (1)(b)(ii) where the period of residence –

- (a) is in contravention of section 5(1) of the Immigration Act 2004 (No. 1 of 2004), or
- (b) consists of a period during which the person was entitled to remain in the State only in accordance with section 16 of the Act of 2015.

(3) In this Regulation –

“Act of 2015” means the International Protection Act 2015 (No. 66 of 2015);

“EEA Agreement” has the same meaning as it has in the European Communities (Amendment) Act 1993 (No. 25 of 1993);

“EEA State” means a state, other than a Member State, that is a contracting party to the EEA Agreement.

Undertaking a selection competition and creation of panel

9. (1) The Service shall, on receipt of a request from the Garda Commissioner under Regulation 7(1)(a), undertake a selection competition.

(2) On completion of a selection competition, the Service shall –

- (a) prepare a list of candidates in order of merit (in these Regulations referred to as a “panel”) whom it has selected to go forward for consideration for admission as trainees,
- (b) inform the Garda Commissioner of the outcome of the selection competition and furnish him or her with the details of the candidates on the panel, and
- (c) by notice in writing, inform each candidate who participated in a selection competition –
 - (i) where he or she has been placed on a panel, of that fact, his or her place in the order of merit on the panel and the period of time that panel shall, subject to Regulation 10(2), remain in place, or
 - (ii) where he or she has not been placed on a panel, of that fact.

Selection of candidates from panel and admission as trainees

10. (1) The Garda Commissioner shall, while a panel is in place, select candidates for admission as trainees from the panel in the order of merit candidates have been placed on that panel and shall, subject to Regulations 11 and 12, admit those candidates as trainees.

(2) The Garda Commissioner may, with the approval of the Board, extend the period a panel remains in place and, where he or she extends the period, each candidate on the panel concerned shall be notified in writing of the period of extension.

Candidate on panel not to be admitted in certain circumstances

11. (1) The Garda Commissioner shall not admit a candidate as a trainee –
 - (a) unless the candidate –
 - (i) undertakes any clearance process required as part of the competition,
 - (ii) continues to meet the requirements of Regulation 8(1)(b),
 - (iii) agrees to perform the duties attached to the role of trainee, having regard to the conditions under which those duties are, or may be required to be, performed,
 - (iv) is certified by a registered medical practitioner or, as required, more than one such practitioner, nominated by the Garda Commissioner, to be capable of performing the physical and psychological aspects of the duties of a trainee, and
 - (v) has passed a physical competence test, the content of which has been approved by the Garda Commissioner,
and
 - (b) the Garda Commissioner is satisfied –
 - (i) as to the outcome of any clearance process undertaken by or in respect of the candidate, and
 - (ii) at the time of admission, that the candidate is competent to undertake, and capable of undertaking, the duties attached to the role of trainee, having regard to the conditions under which those duties are, or may be required to be, performed.
- (2) Where a candidate does not satisfy any of the requirements in paragraph (1)(a), or where the Garda Commissioner is not satisfied as to any of the matters in paragraph (1)(b) –
 - (a) the Garda Commissioner shall notify the candidate that he or she will not be admitted and specify the reasons for that decision,
 - (b) the candidate concerned may request the Garda Commissioner, in accordance with the relevant code of practice and Regulation 16, to review that decision, and
 - (c) the Garda Commissioner may proceed to select and admit the next candidate in accordance with Regulation 10.

Disqualification of candidates

12. (1) A candidate shall be disqualified for and excluded from a competition and shall not be admitted as a trainee by the Garda Commissioner where any attempt, direct or indirect, is made by the candidate, or, on behalf of the candidate with his or her consent, to –

- (a) canvass in relation to the competition,
- (b) personate him or her at any stage of the competition,
- (c) influence a decision of any person in relation to the competition, or
- (d) interfere with or compromise the competition in any way.

(2) Paragraph (1) is in addition to any provision of the Act of 2004 or the relevant code of practice which places an obligation on persons in respect of recruitment and selection procedures.

Appointment of trainees as members

13. The Garda Commissioner may appoint a trainee as a member where he or she is satisfied that the trainee –

- (a) has successfully completed such period of service as a trainee as the Garda Commissioner may determine,
- (b) continues to meet the requirements of Regulation 8(1)(b),
- (c) agrees to perform the duties attached to the rank of garda, having regard to the conditions under which those duties are, or may be required to be, performed,
- (d) at the time of appointment, is competent to undertake, and capable of undertaking, the duties attached to the rank of garda, having regard to the conditions under which those duties are, or may be required to be, performed,
- (e) is certified by a registered medical practitioner or, as required, more than one such practitioner, nominated by the Garda Commissioner, to be capable of performing the physical and psychological aspects of the duties of a member, and
- (f) has provided a signed undertaking to observe the code of ethics when carrying out his or her duties as a member.

Appointment of former member as member

14. (1) Subject to paragraph (2), the Garda Commissioner may appoint a person to a specified rank where the Garda Commissioner is satisfied that the person previously served as a member at that rank.

(2) The Garda Commissioner shall not appoint a person as a member in accordance with paragraph (1) unless he or she is satisfied –

- (a) that the person meets the requirements of Regulation 8(1)(b),

- (b) that, at the time of appointment –
 - (i) in the case of appointment to the rank of inspector or sergeant, there is no panel in place under the Garda Síochána (Appointment to the Ranks of Inspector and Sergeant) Regulations 2021 (S.I. No. 370 of 2021) for the rank concerned, or
 - (ii) in the case of an appointment to the rank of Assistant Garda Commissioner, chief superintendent or superintendent, there is no panel in place under the Policing, Security and Community Safety Act 2024 (Appointment to the Ranks of Assistant Garda Commissioner, Chief Superintendent and Superintendent) Regulations 2025 for the rank concerned,
 - (c) having regard to the period of time that has elapsed since the person was a member, that the person is competent to undertake, and capable of undertaking, the duties attached to the appointment concerned, having regard to the conditions under which those duties are, or may be required to be, performed,
 - (d) as to the person's disciplinary record relating to the period he or she previously served as a member,
 - (e) that the person agrees to perform the duties attached to the rank he or she is to be appointed to, having regard to the conditions under which those duties are, or may be required to be, performed,
 - (f) as to the outcome of any clearance process undertaken by or in respect of the person,
 - (g) where applicable, that the person successfully completed a probationary period in relation to the rank to which he or she is being appointed during his or her time as a member,
 - (h) that the person is certified by a registered medical practitioner or, as required, more than one such practitioner, nominated by the Garda Commissioner, to be capable of performing the physical and psychological aspects of the duties of a member, and
 - (i) that the person has provided a signed undertaking to observe the code of ethics when carrying out his or her duties as a member.
- (3) In this Regulation, “specified rank” means any of the following ranks of An Garda Síochána:
- (a) Assistant Garda Commissioner;
 - (b) chief superintendent;
 - (c) superintendent;
 - (d) inspector;
 - (e) sergeant;
 - (f) garda.

Appointment of person having special knowledge, skill or technical qualifications

15. The Garda Commissioner may appoint a person as a member for a particular post requiring special knowledge, skill or technical qualifications where the Garda Commissioner is satisfied –

- (a) that the person has special knowledge, skill or technical qualifications which, in the opinion of the Garda Commissioner, warrant the person's appointment in accordance with this Regulation to that post,
- (b) that the person meets the requirements of Regulation 8(1)(b),
- (c) that the person agrees to perform the duties attached to the role they are to be appointed to, having regard to the conditions under which those duties are, or may be required to be, performed,
- (d) as to the outcome of any clearance process undertaken by or in respect of the person,
- (e) that the person, at the time of appointment, is competent to undertake, and capable of undertaking, the duties attached to the appointment concerned, having regard to the conditions under which those duties are, or may be required to be, performed,
- (f) that the person is certified by a registered medical practitioner or, as required, more than one such practitioner, nominated by the Garda Commissioner, to be capable of performing the physical and psychological aspects of the duties of a member, and
- (g) that the person has provided a signed undertaking to observe the code of ethics when performing his or her duties as a member.

Procedures for review or complaint

16. (1) A candidate may, in accordance with the relevant code of practice –

- (a) request the Service to review a selection competition, or
- (b) bring a complaint to the Service in relation to a selection competition undertaken by it.

(2) A candidate may, in accordance with the relevant code of practice –

- (a) request the Garda Commissioner to review a decision made by him or her under Regulation 10 or 11, or
- (b) bring a complaint to the Garda Commissioner in relation to a decision made by him or her under Regulation 10 or 11.

(3) A request or complaint referred to in paragraph (1) or (2) shall be addressed to the Service or the Garda Commissioner, as appropriate, and shall be dealt with in accordance with the relevant code of practice.

(4) A candidate may, by notice in writing, request the Garda Commissioner to review a decision made by him or her under Regulation 12(1) or Regulation

13 that affects the candidate and the request shall be accompanied by representations by the candidate in relation to the decision.

(5) A person may, by notice in writing, request the Garda Commissioner to review a decision made by him or her under Regulation 14 or 15 that affects the person and the request shall be accompanied by representations by the person in relation to the decision.

(6) On receipt of a request from a candidate or person under paragraph (4) or (5), the Garda Commissioner shall consider the representations made by the candidate or person and, having considered those representation, the Garda Commissioner shall either –

- (a) confirm the decision, or
- (b) amend the decision.

Probation

17. (1) A candidate or person (in this Regulation referred to as a “probationer”) appointed to the rank of garda in accordance with Regulation 13 or 15, as the case may be, shall not be confirmed in that rank unless he or she has satisfactorily completed a probationary period.

(2) Subject to this Regulation, a probationary period shall be 2 years.

(3) Subject to paragraphs (18), (19) and (20), a probationary period shall not, save in exceptional circumstances, exceed a total of 3 years and shall, where it exceeds the 2 year period referred to in paragraph (2), be extended by a direction or directions given under paragraph (8) or (9), or both, as the case may be.

(4) Where a probationer is absent due to adoptive leave, carer’s leave, domestic violence leave, leave for medical care purposes, maternity leave, parental leave, parent’s leave, paternity leave or sick leave, the period of absence shall not be reckonable for the purposes of satisfying the probationary period and the probationary period shall continue on the return to work of the probationer after such absence.

(5) Where the Garda Commissioner considers that the absence of a probationer, on leave of a kind not referred to in paragraph (4), would not be consistent with the continuance of probation, the Garda Commissioner may require that the period of absence not be reckonable for the purposes of satisfying the probationary period and the probationary period shall continue on the return to work of the probationer after such absence.

(6) Where a probationer is absent due to a period of suspension having been imposed on him or her (whether under the Act of 2024, regulations made under that Act or otherwise), the period of the absence shall not be reckonable for the purposes of satisfying the probationary period and the probationary period shall continue on the return to work of the probationer after such absence.

(7) Where a probationer is absent for a consecutive period of 4 weeks or more during the probationary period for a reason other than one referred to in paragraph (4), (5) or (6), the period of absence shall not be reckonable for the

purpose of satisfying the probationary period and the probationary period shall continue on the return to work of the probationer after such absence.

(8) Subject to paragraph (3), the Garda Commissioner may, where he or she is of the view that a probationer has not, during the probationary period, demonstrated to the satisfaction of the Garda Commissioner that the probationer is suitable for the role or has the ability to perform the functions of the role efficiently and effectively, give a direction in writing that the probationary period of the probationer be extended for such period as is specified in the direction.

(9) Subject to paragraph (3), the Garda Commissioner may give a direction in writing that the probationary period of a probationer be extended for such period as is specified in the direction where –

- (a) there is an allegation of misconduct (within the meaning of section 257(8) of the Act of 2024) in relation to the probationer that is being considered under the Conduct Regulations,
- (b) the performance or attendance of the probationer is being considered under the Performance Regulations,
- (c) a complaint has been made against the probationer under section 196 of the Act of 2024,
- (d) the probationer is the subject of a notification to the Police Ombudsman of an incident of concern under section 204 of the Act of 2024,
- (e) the probationer is the subject of an investigation under section 205 of the Act of 2024, or
- (f) either within the State or outside the State –
 - (i) the probationer is the subject of a criminal investigation, or
 - (ii) criminal proceedings are pending against the probationer.

(10) Where a direction is given under paragraph (8) or (9), the Garda Commissioner shall by notice in writing to the probationer concerned confirm –

- (a) that a direction has been given and enclose a copy of the direction with the notice, and
- (b) the reasons for the giving of the direction.

(11) Subject to paragraph (3), where a direction is given under paragraph (8) or (9) in respect of a probationer –

- (a) in the case of the first such direction given, the period of extension specified in the direction shall commence on the date of the expiration of the 2 year probationary period of the probationer referred to in paragraph (2), and
- (b) in the case of the second and each subsequent such direction, the period of extension specified in the direction shall commence on the date of the expiration of the period of extension specified in the immediately preceding direction.

(12) Subject to paragraphs (18), (19) and (20), where the probationary period of a probationer has been extended by reason of a direction given under paragraph (8) or (9), the probationary period shall end on the applicable date, in accordance with paragraph (13).

(13) Subject to paragraphs (14), (15) and (16), in this Regulation, “applicable date” means –

- (a) in relation to a direction under paragraph (8), the date of the expiration of the period of extension specified in the direction, and
- (b) in relation to a direction under paragraph (9) –
 - (i) given in the circumstances referred to in subparagraph (a) of that paragraph, the date that is 28 days from the date on which the proceedings under the Conduct Regulations in relation to the alleged misconduct concerned are concluded,
 - (ii) given in the circumstances referred to in subparagraph (b) of that paragraph, the date that is 28 days from the date on which the consideration of the performance or attendance, as the case may be, of the probationer under the Performance Regulations is concluded,
 - (iii) given in the circumstances referred to in subparagraph (c), (d) or (e) of that paragraph, the date that is 28 days from the date on which consideration of the complaint, notification or investigation concerned is concluded under the Act of 2024, or
 - (iv) given in the circumstances referred to in subparagraph (f) of that paragraph, the date that is 28 days from the date on which, as applicable –
 - (I) where clause (i) of that subparagraph applies, the investigation concerned is concluded or, where proceedings are brought following such conclusion, such proceedings are concluded and any appeal connected with those proceedings is concluded, or
 - (II) where clause (ii) of that subparagraph applies, the proceedings concerned are concluded and any appeal connected with those proceedings is concluded.

(14) Where more than one direction under paragraph (8) is given in respect of a probationer, the applicable date for the purposes of paragraph (12) shall be the date of the expiration of the period of extension specified in the last direction so given.

(15) Where –

- (a) more than one direction under paragraph (9) is given in respect of a probationer, the applicable date for the purposes of paragraph (12) shall be the latest of the applicable dates under paragraph (13) (and, where applicable, subparagraph (b)) in respect of the directions, and

(b) the circumstances specified in more than one of the subparagraphs of paragraph (9) apply in the giving of a direction under that paragraph, the applicable date for the purposes of paragraph (12) in respect of the direction shall be the latest of the applicable dates under paragraph (13) in respect of such circumstances.

(16) Where one or more than one direction has been given under each of paragraphs (8) and (9) in respect of a probationer, the applicable date for the purposes of paragraph (12) shall be the latest of the applicable dates under paragraph (13) in respect of such directions.

(17) Subject to paragraphs (18), (19) and (20), the Garda Commissioner shall, having assessed the suitability of a probationer within the probationary period, by notice in writing to that probationer prior to the expiration of the probationary period –

- (a) confirm that, at the expiration of the probationary period, he or she is appointed to the rank of garda, or
- (b) terminate his or her appointment from the date specified in the notice.

(18) Where the Garda Commissioner is proposing to terminate the appointment of a probationer, the Garda Commissioner may, prior to the expiration of the probationary period of the probationer, give a direction in writing to that probationer that the probationary period in respect of him or her is not completed for such further period, not exceeding 56 days, as is specified in the notice, from the date the probationary period would otherwise expire, to ensure, in the interests of fairness, that there is sufficient time –

- (a) to collect the information that is relevant to enable the Garda Commissioner to make an informed decision whether or not to terminate the appointment, and
- (b) for the Garda Commissioner to consider that information prior to making that decision.

(19) Where the Garda Commissioner proposes to terminate the appointment of a probationer under paragraph (17)(b), the Garda Commissioner shall by notice in writing to the probationer prior to the expiration of the probationary period (where paragraph (18) does not apply), or on the expiration of the period specified in the direction referred to in paragraph (18) (where that paragraph applies), inform him or her –

- (a) of the proposal,
- (b) of the reasons for that proposal,
- (c) that he or she is entitled to make submissions, within 28 days from the date specified in the notice, to the Garda Commissioner in relation to the proposal, and
- (d) that the probationary period in respect of him or her is not completed until the Garda Commissioner has made a decision in accordance with paragraph (20).

(20) The Garda Commissioner shall make a decision under paragraph (17) whether to confirm or terminate the appointment of a probationer to whom paragraph (19) applies, within 28 days from the expiration of the 28 day period referred to in subparagraph (c) of that paragraph and in making that decision shall have regard to –

- (a) where submissions are made by the probationer concerned within the period of time allowed for submissions under that subparagraph, those submissions,
- (b) whether the probationer has demonstrated, during the probationary period, competence to undertake, and the capability of undertaking, the duties attached to the rank of garda, having regard to the conditions under which those duties are, or may be required to be, performed, taking account of –
 - (i) the performance of the probationer during the probationary period, and
 - (ii) any assessments made by the probationer's superintendent relating to the probationer during the probationary period,
- (c) the attendance record of the probationer during the probationary period, and
- (d) the disciplinary record of the probationer during the probationary period.

The Government hereby approve of the making of the foregoing Regulations.



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

MICHEÁL MARTIN,
Taoiseach.



GIVEN under my Official Seal,
2 April, 2025.

JIM O'CALLAGHAN,
Minister for Justice.

BAILE ÁTHA CLIATH
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