



STATUTORY INSTRUMENTS.

**S.I. No. 401 of 2021**

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CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT)  
REGULATIONS 2021

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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 58B (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020) and by the Education and Skills (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. 450 of 2020)) of the Child Care Act 1991 (No. 17 of 1991), after consultation with the Minister for Education and the Minister for Housing, Local Government and Heritage, hereby make the following regulations:

*Title and commencement*

1. (1) These Regulations may be cited as the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2021.
- (2) These Regulations shall come into operation on 1 September 2021.

*Interpretation*

2. In these Regulations:

“Principal Regulations” means the Child Care Act 1991 (Early Years Services) Regulations 2016 (S.I. No. 221 of 2016) as amended by the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016 (S.I. No. 632 of 2016).

*Amendment of Regulation 1 of the Principal Regulations*

3. The Principal Regulations are amended –  
Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended—

- (a) in Regulation 9 paragraph (4), by the substitution of “paragraphs (5), (6), (6A) and (6B)” for “paragraphs (5), (6) and (6A)”, and
- (b) in Regulation 9, by the insertion of the following Paragraph after Paragraph (6A):

“(6B) Furthermore, Paragraph (4) shall not apply before 1 September 2023 to a person who—

  - (a) was previously exempted under Paragraph 6,
  - (b) on 1 September 2021 is employed in a prescribed early years service and is working directly with children,

- (c) has signed a declaration to the effect that he or she will obtain a qualification as set out in Paragraph 4, or, if a childminder, has signed a declaration to the effect that he or she will obtain a qualification as set out in any future Regulations made by the Minister, and
- (d) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.”



L.S.

GIVEN under my Official Seal of the Minister for Children, Equality, Disability, Integration, and Youth,  
29 July, 2021.

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

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