



STATUTORY INSTRUMENTS.

S.I. No. 288 of 2026



CHILD CARE ACT 1991 (SECTION 35L(3)) (PRESCRIBED CLASSES)
REGULATIONS 2026

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I, NORMA FOLEY, Minister for Children, Disability and Equality, in exercise of the powers conferred on me by subsection (3) of section 35L (inserted by section 7 of the Child Care (Amendment) Act 2022 (No. 21 of 2022)) of the Child Care Act 1991 (as adapted by the Children, Equality, Disability, Integration and Youth (Alteration of Name of Department and Title of Minister) Order 2025 (S.I. No. 180 of 2025)), and having had regard to the matters specified in subsection (4) of that section, hereby make the following regulations:

1. (1) These Regulations may be cited as the Child Care Act 1991 (Section 35L (3)) (Prescribed Classes) Regulations 2026.

(2) These Regulations shall come into operation on 23 June 2026.

2. In these Regulations –

“Act of 1991” means the Child Care Act 1991;

“Act of 2005” means the Health and Social Care Professionals Act 2005 (No. 27 of 2005);

“Act of 2007” means the Medical Practitioners Act 2007 (No. 25 of 2007);

“guardian *ad litem*”, other than in Regulation 4, has the same meaning as it has in Part VA of the Act of 1991;

“registered medical practitioner” means a person who is a registered medical practitioner within the meaning of section 2 of the Act of 2007;

“medical specialty” means a medical specialty recognised by the Medical Council under section 89 of the Act of 2007;

“psychiatrist” means a registered medical practitioner whose name is for the time being registered in the Specialist Division of the register of medical practitioners under the medical specialty of “Child and Adolescent Psychiatry”;

“psychologist” means a person –

- (a) who practises as such,
- (b) who holds a qualification listed opposite the profession of psychologist in the third column of Schedule 3 to the Act of 2005 or a qualification that is a corresponding qualification, within the meaning of section 90 of that Act, to that qualification, and
- (c) following the establishment under section 36 of the Act of 2005 of the register of members of the profession of psychologist, whose name is for the time being entered in that register;

“register of medical practitioners” means the register of medical practitioners established under section 43 of the Act of 2007;

“social care worker” means a social care worker whose name is for the time being entered in the register of members of the profession of social care worker established and maintained under section 36 of the Act of 2005;

“social worker” means a social worker whose name is for the time being entered in the register of members of the profession of social worker established and maintained under section 36 of the Act of 2005.

3. (1) The following classes of persons are hereby prescribed for the purposes of section 35L (3)(a) of the Act of 1991:

- (a) a psychiatrist who has practised child and adolescent psychiatry for a relevant period;
- (b) a psychologist who has practised for a relevant period;
- (c) a social care worker who has engaged in the provision of social care services to children for a relevant period;
- (d) a social worker who has engaged in the practice of the profession of social worker, as it relates to the provision of social work services to children, for a relevant period;
- (e) a person to whom Regulation 4 applies.

(2) In this Regulation –

- (a) “relevant period” means a period of at least 5 years, and
- (b) a reference in subparagraph (a) to a period of at least 5 years includes a reference to periods which, when taken together, amount to such a period.

4. This Regulation applies to a person in respect of whom, on the relevant date, each of the following applies:

- (a) he or she had been appointed as a guardian ad litem under section 26 of the Act of 1991 Act on at least 9 occasions in the period of 36 months immediately preceding that date, and
- (b) at least 3 of the appointments referred to in paragraph (a) occurred in the period of 18 months immediately preceding that date.



GIVEN under my Official Seal,
23 June, 2026.

NORMA FOLEY,
Minister for Children, Disability and Equality.

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