Changes to Legislation: as of 13 October 2026, this Act is up to date with all changes known to be in force.

Number 7 *of* 2022

GARDA SÍOCHÁNA (FUNCTIONS AND OPERATIONAL AREAS) ACT 2022

REVISED

Updated to 7 February 2024

This Revised Act is an administrative consolidation of the *Garda Síochána (Functions and Operational Areas) Act 2022*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Policing, Security and Community Safety Act 2024* (1/2024), enacted 7 February 2024, and all statutory instruments up to and including *Circular Economy and Miscellaneous Provisions Act 2022 (Commencement of Certain Provisions) Order 2024* (S.I. No. 40 of 2024), made 9 February 2024, were considered in the preparation of this Revised Act.

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Number 7 *of* 2022

GARDA SÍOCHÁNA (FUNCTIONS AND OPERATIONAL AREAS) ACT 2022

REVISED

Updated to 7 February 2024

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Number 7 *of* 2022

GARDA SÍOCHÁNA (FUNCTIONS AND OPERATIONAL AREAS) ACT 2022

REVISED

Updated to 7 February 2024

An Act to amend certain enactments, consequent upon changes in the manner in which the Garda Síochána are to be distributed and stationed throughout the State; to provide that references in certain enactments to Garda districts are to be, or to be construed as, references to Garda Síochána divisions; to provide that specified functions of members of the Garda Síochána under certain enactments may be performed by members of a different rank; to amend certain enactments to provide that references to a district be references to an area; to amend the Firearms Act 1925 to provide for the delegation of specified functions of a superintendent under that Act to an Inspector; to provide that notifications under the Sex Offenders Act 2001 and the Criminal Justice Act 2006 can take place at Garda Síochána stations designated by the Commissioner of the Garda Síochána; to empower the Minister to make regulations to amend statutory instruments in order to give effect to a determination of the Commissioner of the Garda Síochána under section 33(1) of the Garda Síochána Act 2005; to make transitional arrangements in respect of the aforementioned changes; to provide for the revocation of the Garda Siochana (Designations, Appointments and Discipline) Regulations 1924; to amend the Garda Síochána Act 2005 by amending Schedule 5 and by creating regulation-making powers in order to make provision for a testing regime of members and certain other persons to detect the presence of controlled drugs or psychoactive substances in samples provided, to prohibit their presence in specified concentrations other than where exposure in the course of functions or employment occurs and to make provision for disciplinary sanctions relating to these matters; and to provide for related matters.

[4*th May*, 2022]

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title and commencement

1. (1) This Act may be cited as the Garda Síochána (Functions and Operational Areas) Act 2022.

(2) This Act shall come into operation on such day or days as the Minister may by order or orders appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

Definitions

2. In this Act—

"Act" has the same meaning as it has in section 2(1) of the Interpretation Act 2005;

"Act of 1925" means the Firearms Act 1925;

"Act of 2005" means the Garda Síochána Act 2005;

"Commissioner of the Garda Síochána" means the person for the time being appointed as the Commissioner of the Garda Síochána in accordance with section 9 of the Act of 2005, or a person performing the functions of the Commissioner of the Garda Síochána pursuant to an authorisation under section 32 of that Act;

"county of Dublin" means the area comprising the local government areas (within the meaning of the Local Government Act 2001) of—

(a) Dún Laoghaire-Rathdown,

(b) Fingal,

(c) South Dublin, and

(d) Dublin City;

"Dublin Metropolitan Region" means the operational area of the Garda Síochána known by that name that comprises the county of Dublin, whether or not it also comprises an area of any other county, as determined by the Commissioner of the Garda Síochána under section 33(1) of the Act of 2005;

"enactment" has the same meaning as it has in section 2(1) of the Interpretation Act 2005;

"equivalent division" means, in relation to a Garda district in being immediately before the date on which this section comes into operation, the Garda Síochána division that contains the geographical area of which the district comprised;

"Garda Síochána division" means a division of the Garda Síochána in being that was—

(a) created under a determination under section 33(1) of the Act of 2005 on or after the date on which this section comes into operation,

(b) continued in being on that date by virtue of a determination under section 33(1) of the Act of 2005, or

(c) continued in being on that date by virtue of *section 3(2)* ;

"Minister" means the Minister for Justice;

"operational area" means an area in which the Garda Síochána are distributed and stationed in the State as may be determined from time to time by the Commissioner of the Garda Síochána;

"statutory instrument" has the same meaning as it has in section 2(1) of the Interpretation Act 2005.

Annotations

Amendments:

F1 Inserted by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(a)(iv), not commenced as of date of revision.

F2 Substituted by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(a)(i)(I), (II), (ii), (iii)(I), (II), not commenced as of date of revision.

Modifications (not altering text):

C1 Prospective affecting provision: section amended by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(a)(i)-(iv), not commenced as of date of revision.

F1**[**"Act of 2024" means the Policing, Security and Community Safety Act 2024;**]**

...

"Commissioner of the Garda Síochána" means the person for the time being appointed as the Commissioner of the Garda Síochána in accordance with F2**[**section 26 of the Act of 2024**]**, or a person performing the functions of the Commissioner of the Garda Síochána F2**[**pursuant to subsection (1) or (4) of section 28 of that Act**]**;

...

"Dublin Metropolitan Region" means the operational area of the Garda Síochána known by that name that comprises the county of Dublin, whether or not it also comprises an area of any other county, as determined by the Commissioner of the Garda Síochána under F2**[**subsection (1)(c)(i) of section 33 of the Act of 2024 or is deemed under subsection (4) of that section to have been so determined**]**;

...

"Garda Síochána division" means a division of the Garda Síochána in being that was—

(a) created under a determination under F2**[**section 33(1)(c)(i) of the Act of 2024**]** on or after the date on which this section comes into operation,

(b) continued in being on that date by virtue of a determination under F2**[**section 33(1)(c)(i) of the Act of 2024**]**, or ...

Revocation

3. (1) The Regulations of 1924, in so far as they are not already revoked, are revoked.

(2) Subject to *subsections (3)* and *(4)*, on or after the date on which this section comes into operation, notwithstanding the revocation of the Regulations of 1924 by *subsection (1)*, Regulation 1 of those Regulations shall remain in operation in respect of each Division to which it applies.

(3) Regulation 1 of the Regulations of 1924 shall no longer apply in respect of a Division where, on or after the date on which this section comes into operation, the Commissioner of the Garda Síochána makes a determination under section 33(1) of the Act of 2005 in respect of the area previously covered by the Division.

(4) The determination referred to in *subsection (3)* is a determination specifying the Garda Síochána division in which the area previously covered by the Division is situated.

(5) In this section—

"Division" means a Division referred to in Regulation 1 of the Regulations of 1924;

"Regulations of 1924" means the Garda Siochana (Designations, Appointments and Discipline) Regulations 1924 (30/06/1924).

Annotations

Amendments:

F3 Substituted by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(b), not commenced as of date of revision.

Modifications (not altering text):

C2 Prospective affecting provision: subs. (3) amended by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(b), not commenced as of date of revision.

(3) Regulation 1 of the Regulations of 1924 shall no longer apply in respect of a Division where, on or after the date on which this section comes into operation, the Commissioner of the Garda Síochána makes a determination under F3**[**subsection (1)(c)(i) of section 33 of the Act of 2024 or is deemed under subsection (4) of that section to have made such a determination**]** in respect of the area previously covered by the Division.

PART 2

Amendments

Amendment of enactments relating to functions and operational areas of Garda Síochána

4. (1) Each provision, specified in column (4) of *Schedule 1* , of the corresponding Act specified in column (3) of that Schedule, is amended in the manner specified in column (5) of that Schedule opposite the mention of that provision.

(2) Each provision, specified in column (4) of *Schedule 2* , of the corresponding statutory instrument specified in column (3) of that Schedule, is amended in the manner specified in column (5) of that Schedule opposite the mention of that provision.

Amendment of certain enactments by substitution of "area" for "district"

5. (1) Each provision, specified in column (4) of *Schedule 3* , of the corresponding Act specified in column (3) of that Schedule, is amended in the manner specified in column (5) of that Schedule opposite the mention of that provision.

(2) Each provision, specified in column (4) of *Schedule 4* , of the corresponding statutory instrument specified in column (3) of that Schedule, is amended in the manner specified in column (5) of that Schedule opposite the mention of that provision.

Amendment of Act of 1925

6. The Act of 1925 is amended by the insertion of the following section after section 25C:

"Delegation of certain functions of Superintendent

25CA. (1) A Superintendent in a Garda division may delegate in writing the functions conferred on a Superintendent by the following sections:

(a) section 2(5);

(b) section 2(7);

(c) section 3 in relation to applications for firearm certificates (other than restricted firearm certificates);

(d) section 4A(12);

to an Inspector of the Garda Síochána in the division, to be performed in accordance with this section.

(2) An Inspector to whom functions are delegated under subsection (1) shall not be considered by virtue of that delegation to be acting as a Superintendent within the meaning of section 1(3).

(3) Where functions of a Superintendent are delegated under subsection (1)—

(a) the delegation shall confer on and vest in the Inspector to whom the functions are delegated each of the functions so delegated,

(b) every function so delegated shall be exercisable and performed by the Inspector in his or her own name but subject to the general superintendence and control of the Superintendent who made the delegation and subject to any conditions or restrictions stated in the delegation,

(c) every function so delegated shall, subject to paragraph (b)—

(i) continue to be vested in the Superintendent who made the delegation,

(ii) be vested concurrently with the Inspector to whom the function is delegated, and

(iii) be capable of being exercised or performed by either that Superintendent or that Inspector,

(d) a reference in this Act to a Superintendent performing a function that has been delegated under subsection (1) shall include a reference to the Inspector to whom the function has been delegated,

(e) the Superintendent who made the delegation may at any time revoke the delegation in writing, and

(f) the delegation shall terminate if the Superintendent who made the delegation ceases to be a Superintendent in the division concerned or if the Inspector to whom the delegation is made ceases to be an Inspector in the division concerned.".

Amendment of section 10 of Sex Offenders Act 2001

7. F4**[**...**]**

Annotations

Amendments:

F4 Repealed (13.11.2023) by *Sex Offenders (Amendment) Act 2023* (9/2023), s. 30(1), S.I. No. 539 of 2023.

Amendment of section 92 of Criminal Justice Act 2006

8. Section 92 of the Criminal Justice Act 2006 is amended—

(a) in paragraph (a) of subsection (8), by the substitution of "divisional headquarters or which has been designated by the Commissioner of the Garda Síochána for the purposes of this subsection" for "divisional or district headquarters",

(b) in paragraph (b) of subsection (8), by the substitution of "headquarters or is designated under paragraph (a)" for "headquarters", and

(c) by the insertion of the following subsection after subsection (8):

"(8A) A designation under subsection (8)(a) shall be in writing and the Commissioner of the Garda Síochána shall cause a list of the Garda Síochána stations so designated to be published.".

Power to amend certain statutory instruments

9. (1) The Minister may, by regulations made under this section, amend a statutory instrument made under an Act other than this Act, for the following purposes:

(a) to amend a reference to a Garda district or sub-district to refer to a division of the Garda Síochána (howsoever expressed);

(b) to amend a reference to a specified superintendent of the Garda Síochána (including in relation to the performance by the superintendent of functions) to refer to one or more superintendents or inspectors of the Garda Síochána;

(c) to amend a reference to a specified sergeant of the Garda Síochána (including in relation to the performance by the sergeant of functions) to refer to one or more sergeants of the Garda Síochána;

(d) to amend a reference to a specified District Garda Síochána Headquarters to a specified Garda Síochána station;

(e) to amend a definition where that definition refers to a Garda district or a specified superintendent to refer to a division of the Garda Síochána (howsoever expressed) or to one or more superintendents or inspectors of the Garda Síochána, as the case may be;

(f) to provide that a reference in a statutory instrument that came into operation on or after 1 January 1946 to a Garda operational area called the Dublin Metropolitan Area is to be construed as a reference to the Dublin Metropolitan Region;

in order to give effect to a determination of the Commissioner of the Garda Síochána under section 33(1) of the Act of 2005, whether the determination was made before or after the date on which this section comes into operation.

(2) Regulations made under this section may amend more than one statutory instrument, and each such instrument may have been made under a different Act.

(3) Regulations made under this section may include any necessary savings or transitional provisions.

Annotations

Amendments:

F5 Substituted by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(c), not commenced as of date of revision.

Modifications (not altering text):

C3 Prospective affecting provision: subs. (1) amended by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(c), not commenced as of date of revision.

9. (1) ...

in order to give effect to a determination of the Commissioner of the Garda Síochána F5**[**made under subsection (1)(c)(i) of section 33 of the Act of 2024 or deemed under subsection (4) of that section to have been so made**]**, whether the determination was made before or after the date on which this section comes into operation.

Construction of references in certain enactments

10. (1) Subject to *subsections (2)* and *(3)*, on or after the date on which this section comes into operation, a reference howsoever expressed in any enactment that is in operation on that date—

(a) to a Garda district or a Garda Síochána district, or to a sub-district of any such district, shall be construed as a reference to the equivalent division, and

(b) to—

(i) the superintendent of the Garda Síochána for the district,

(ii) the superintendent of the Garda Síochána of the district,

(iii) the superintendent in the Garda Síochána district,

(iv) the superintendent of the Garda Síochána within whose district,

(v) the superintendent in charge of the Garda Síochána district, or

(vi) the superintendent of the district,

shall be construed as a reference to a superintendent of the Garda Síochána in the equivalent division.

(2) *Subsection (1)(a)* shall not apply to a reference to an operational area that is referred to in the enactment concerned as, or is, by virtue of any other enactment, to be construed as a reference to, the Dublin Metropolitan District.

(3) *Subsection (1)* shall not apply to an enactment—

(a) specified in *Schedule 1* , *2* , *3* or *4* ,

(b) specified in *section 6* , *7* or *8* , or

(c) amended by regulations under *section 9* .

Construction of references to Garda division in certain enactments

11. (1) A reference in an enactment to which this section applies to a Garda division shall be construed as a reference to a Garda Síochána division.

(2) This section applies to an enactment—

(a) specified in *Schedule 1* or *2* ,

(b) specified in *section 6* , *7* or *8* ,

(c) amended by regulations under *section 9* , or

(d) that comes into operation on or after the date on which this section comes into operation.

Construction of references to Royal Irish Constabulary or Civic Guard districts in certain enactments

12. (1) A reference in an enactment, other than an enactment amended by this Act, to a district or other operational area of the Royal Irish Constabulary or the Civic Guard insofar as that reference is not already to be construed as a reference to an operational area within the meaning of this Act shall, on and after the date on which this section comes into operation, and unless the contrary intention appears, be construed as a reference to the relevant division.

(2) In this section "relevant division" means the Garda Síochána division that contains the geographical area of which the district or other operational area referred to in *subsection (1)* comprised.

PART 3

Transitional Provisions

General transitional provisions relating to amendment of certain enactments by *sections 4* and *10*

13. (1) A register that, immediately before the date on which this section comes into operation, was kept by a Superintendent of a Garda district under a relevant provision shall, on and after that date, be kept by the relevant person in the equivalent division.

(2) Where, before the date on which this section comes into operation, a certificate, licence, notice or other document has been granted, made or given by a person under a relevant enactment and is effective immediately before that date—

(a) if the Superintendent of a Garda district granted, made or gave the certificate, licence, notice or other document under a relevant provision, the document shall, on or after that date, be taken to have been granted, made or given by a relevant person in the equivalent division,

(b) a reference in the certificate, licence, notice or other document to the Superintendent of a Garda district (whether by rank or name) in accordance with a relevant provision shall, on or after that date, be taken to be a reference to a relevant person in the equivalent division, and

(c) a reference in the certificate, licence, notice or other document to a Garda district in accordance with a relevant provision shall, on or after that date, be taken to be a reference to the equivalent division.

(3) A document provided, or a notice or notification given, before the date on which this section comes into operation, in accordance with a relevant provision, by a person other than a member of the Garda Síochána, or by a court, to the Superintendent of a Garda district and that is effective immediately before that date, shall, on or after that date, be taken to have been provided or given to a relevant person in the equivalent division.

(4) If an order of a court has been made under a relevant enactment before the date on which this section comes into operation and is in effect immediately before that date, a reference in the order, under a relevant provision, to a Garda district or to the Superintendent of a Garda district shall, on or after that date, be taken to be a reference to the equivalent division or, as the case may be, to a relevant person in the equivalent division.

(5) Where, immediately before the date on which this section comes into operation, any legal proceedings relating to any act or decision of the Superintendent of a Garda district under a relevant provision or to which a relevant provision refers are pending or in being (including proceedings where an appeal of a decision may be made), the relevant person in the equivalent division shall be substituted in the proceedings for that of the Superintendent of the Garda district and the proceedings shall not abate by reason of such substitution.

(6) Where a relevant enactment is amended by this Act, any legal proceedings (civil or criminal) in respect of a right, privilege, obligation or liability acquired, accrued or incurred under, or an offence against or contravention of, the relevant enactment before the date on which this section comes into operation may, on or after that date, be instituted, continued or enforced, and any penalty, forfeiture or punishment in respect of such offence or contravention may be imposed and carried out, and for those purposes—

(a) any step in the proceedings in accordance with a relevant provision may be taken with reference to the equivalent division or taken by or with reference to the relevant person, as the case may be, and

(b) the proceedings shall not abate by reason of the operation of this Act.

(7) Where a process (including any type of application process) provided for in a relevant enactment is ongoing at the date on which this section comes into operation and one or more steps in the process was taken in accordance with the relevant enactment before that date—

(a) if any step in the process was taken by or with reference to the Superintendent of a Garda district before that date in accordance with a relevant provision, it shall, on or after that date, be taken to have been made by or with reference to the relevant person in the equivalent division,

(b) if any step in the process was taken with reference to a Garda district before that date in accordance with a relevant provision, it shall, on or after that date, be taken to have been taken with reference to the equivalent division,

(c) other steps in the process may be taken on or after that date in accordance with the relevant enactment as amended by this Act, and

(d) any right of appeal may be exercised in accordance with the relevant enactment concerned as amended by this Act.

(8) Where, before the date on which this section comes into operation, the Superintendent of a Garda district does an act or performs a function that is in effect immediately before that date under a relevant provision, then, on or after that date, the act shall be deemed to have been done, or the function performed, by the relevant person in the equivalent division.

(9) This section is without prejudice to *sections 14* to *23*.

(10) In this section—

"relevant enactment" means—

(a) an enactment specified in column (3) of *Schedule 1* ,

(b) a statutory instrument specified in column (3) of *Schedule 2* , or

(c) an enactment to which *section 10* applies;

"relevant person" means the member of the Garda Síochána referred to in a relevant provision as amended—

(a) in column (5) of *Schedule 1* ,

(b) in column (5) of *Schedule 2* , or

(c) by *section 10* ;

"relevant provision" means a provision—

(a) listed in column (4) of *Schedule 1* or column (4) of *Schedule 2* , as the case may be, of a relevant enactment, or

(b) that contains a reference to which *paragraph (a)* or *(b)* of *section 10(1)* applies, and is a provision of an enactment referred to in *paragraph (c)* of the definition of "relevant enactment".

Additional transitional provision relating to amendment of Petty Sessions (Ireland) Act 1851 by *section 4(1)*

14. A warrant that—

(a) before the date on which this section comes into operation, is addressed to the superintendent or an inspector of the Garda Síochána of the Garda Síochána district within which the place where the warrant is issued is situated or the person named in the warrant resides, in accordance with section 25(1) of the Petty Sessions (Ireland) Act 1851, and

(b) is in effect immediately before that date,

shall, on or after that date, be deemed to have been addressed to a superintendent or an inspector of the Garda Síochána in the Garda Síochána division within which the place where the warrant is issued is situated or the person named in the warrant resides, as the case may be.

Additional transitional provisions relating to amendment of Act of 1925 by *section 4(1)*

15. Where, before the date on which this section comes into operation—

(a) a firearm certificate was granted by a superintendent falling within the definition of "issuing person" in section 1 of the Act of 1925, then on or after that date, the superintendent falling within that definition as amended by *section 4(1)*, shall, where required for the purposes of the

application of section 5(1) of the Act of 1925, be deemed to be the person who granted the firearm certificate referred to in that section,

(b) a certificate referred to in section 5A(1) of the Act of 1925 was granted by a superintendent falling within the definition of "issuing person" in section 1 of the Act of 1925, then on or after that date, the superintendent falling within that definition as amended by *section 4(1)*, shall, where required for the purposes of the application of section 5A(1) of the Act of 1925, be deemed to be the person who granted the certificate referred to in that section, and

(c) a decision was made, or deemed to have been made, by a superintendent falling within the definition of "issuing person" in section 1 of the Act of 1925 that was appealed, whether before or after that date, under section 15A(1) of the Act of 1925, then, on or after that date, the superintendent falling within that definition as amended by *section 4(1)* shall, where required for the purposes of the application of subsections (3)(b) and (4) of the said section 15A, be deemed to be the person who made the decision referred to in that section.

Additional transitional provisions relating to amendment of Betting Act 1931 by *section 4(1)*

16. (1) Where, before the date on which this section comes into operation, an application for a certificate of personal fitness was made to the Superintendent for a Garda district under section 4 of the Act of 1931, then on or after that date—

(a) the Inspector of the Garda Síochána referred to in subsection (1)(a), (1)(b), (2)(a) or (2)(b), as the case may be, of section 4 of the Act of 1931 shall, where required for the purposes of the application of section 4(5) of that Act, be deemed to be the person to whom the application concerned referred to in that section was made, and

(b) the Inspector of the Garda Síochána referred to in subsection (1)(a), (1)(b), (2)(a) or (2)(b), as the case may be, of section 4 of the Act of 1931 shall, where required for the purposes of the application of section 4(6) of that Act, be deemed to be the person to whom the application concerned referred to in that section was made.

(2) On or after the date on which this section comes into operation, any legal proceedings (civil or criminal) in respect of a right, privilege, obligation or liability acquired, accrued or incurred under, or an offence against or contravention of, the Act of 1931 before that date may be instituted, continued or enforced, and any penalty, forfeiture or punishment in respect of such offence or contravention may be imposed and carried out, as if the Act of 1931 had not been amended by this Act.

(3) Where, before the date on which this section comes into operation, a Superintendent has made a decision in relation to an application for a certificate of personal fitness but has not notified the Revenue Commissioners in accordance with section 4(10) of the Act of 1931 before that date, the said section 4(10) shall, on or after that date, be construed as if the Inspector referred to in that section had made the decision and he or she may so notify the Revenue Commissioners accordingly.

(4) On or after the date on which this section comes into operation, a reference in paragraph (b), (c) or (d) of section 5B(2) of the Act of 1931 to a refusal by an Inspector of the Garda Síochána concerned shall include a reference to a refusal by the Superintendent of the Garda Síochána concerned within the meaning of that Act before that date.

(5) On or after the date on which this section comes into operation, a reference in section 5C(1)(b) of the Act of 1931 to information provided to an Inspector of the Garda Síochána shall include a reference to information provided to a Superintendent of the Garda Síochána before that date.

(6) On or after the date on which this section comes into operation, a reference in section 10(4) of the Act of 1931 to the receipt by an inspector of the Garda Síochána of an application shall include a reference to receipt by a superintendent of the Garda Síochána of an application before that date.

(7) On or after the date on which this section comes into operation, a reference in section 11(1)(mm) of the Act of 1931 to notification by the Revenue Commissioners of an Inspector of the Garda Síochána in the Garda Síochána division in which the premises referred to in that section are situate shall include a reference to notification by the Revenue Commissioners before that date of the Superintendent of the Garda Síochána for the district in which the relevant premises were situate.

(8) In this section "Act of 1931" means the Betting Act 1931.

Additional transitional provisions relating to amendment of Gaming and Lotteries Act 1956 by *section 4(1)*

17. (1) Where, before the date on which this section comes into operation, an application for a gaming permit was made to a superintendent of the Garda Síochána under section 9A(1) of the Act of 1956, then on or after that date—

(a) the inspector of the Garda Síochána referred to in section 9A(1) of the Act of 1956 shall, where required for the purposes of the application of section 9A(3) of that Act, be deemed to be the person to whom the application concerned referred to in that section was made, and

(b) the inspector of the Garda Síochána referred to in section 9A(1) of the Act of 1956 shall, where required for the purposes of the application of section 9A(4) of that Act, be deemed to be the person to whom the application for a gaming permit referred to in that section was made.

(2) Each register kept by a superintendent of the Garda Síochána under section 9A(16) of the Act of 1956 immediately before the date on which this section comes into operation shall, on and after that date, continue in being and shall form part of the register kept by the Chief Superintendent of the equivalent division under the said section 9A(16).

(3) If a hearing referred to in section 17(2) of the Act of 1956 is held on or after the date on which this section comes into operation and a notice in writing under section 16(1)(a) of that Act had been given to a Superintendent before that date, the Superintendent, in addition to the other persons referred to in the said section 17(2), may appear and may adduce evidence at the hearing in relation to the application referred to in that section.

(4) Where, before the date on which this section comes into operation, an application for a lottery permit was made to a superintendent of the Garda Síochána under section 27B(1) of the Act of 1956, then on or after that date—

(a) the inspector of the Garda Síochána referred to in section 27B(1) of the Act of 1956 shall, where required for the purposes of the application of section 27B(3) of that Act, be deemed to be the person to whom the application concerned referred to in that section was made,

(b) the inspector of the Garda Síochána referred to in section 27B(1) of the Act of 1956 shall, where required for the purposes of the application of section 27B(4) of that Act, be deemed to be the person to whom the application for a lottery permit referred to in that section was made, and

(c) the inspector of the Garda Síochána referred to in section 27B(1) of the Act of 1956 shall, where required for the purposes of the application of section 27B(5) of that Act, be deemed to be the person to whom the application for a lottery permit referred to in that section was made.

(5) Each register kept by a superintendent of the Garda Síochána under section 27B(15) of the Act of 1956 immediately before the date on which this section comes into operation shall, on and after that date, continue in being and shall form part of the register kept by the Chief Superintendent of the equivalent division under the said section 27B(15).

(6) If—

(a) before the date on which this section comes into operation, the superintendent of the Garda Síochána referred to in section 28(4) of the Act of 1956 has appeared and adduced evidence in a hearing referred to in that section, and

(b) the hearing is still ongoing on or after that date,

then, on or after that date, that superintendent may continue to adduce evidence and be heard at that hearing.

(7) In this section "Act of 1956" means the Gaming and Lotteries Act 1956.

Additional transitional provision relating to amendment of Firearms Act 1964 by *section 4(1)*

18. Where, before the date on which this section comes into operation, an authorisation was granted under section 13 of the Firearms Act 1964 by the Superintendent of a district, then, on or after that date, a reference in section 13(5) of that Act to the division in which the authorisation was granted shall be taken to be a reference to the equivalent division.

Additional transitional provision relating to amendment of Firearms and Offensive Weapons Act 1990 by *section 4(1)*

19. Where, before the date on which this section comes into operation, an authorisation was granted under section 9B of the Firearms and Offensive Weapons Act 1990 by the Superintendent of a district, then, on or after that date, a reference in section 9B(5) of that Act to the division in which the authorisation was granted shall be taken to be a reference to the equivalent division.

Additional transitional provisions relating to amendment of Control of Horses Act 1996 by *section 4(1)*

20. (1) Where, before the date on which this section comes into operation, a Superintendent referred to in section 39(4) of the Act of 1996 has entered into arrangements with a person under that section, then, on or after that date, for the purposes of section 18(3)(e) of that Act, an Inspector shall be deemed to have entered into those arrangements.

(2) Any reference to a Superintendent in bye-laws made before the date on which this section comes into operation by a local authority under section

39(2) of the Act of 1996 shall, on and after that date, be deemed to be a reference to an Inspector.

(3) Where the date on which this section comes into operation occurs after representations were made to a Superintendent under section 40(3) of the Act of 1996 but before a decision was made by the Superintendent under section 40(4) of that Act, then, on or after that date, the reference in the said section 40(4) to representations made to him or her shall be taken to be a reference to the representations made to the Superintendent.

(4) Each register kept by a Superintendent under section 42(2) of the Act of 1996 before the date on which this section comes into operation shall, on and after that date, continue in being and shall form part of the register kept by the Chief Superintendent of the Garda Síochána division concerned under the said section 42(2).

(5) *Section 13* shall apply to the amendment of the Act of 1996 by *section 4(1)* as if—

(a) before the date of the coming into operation of this section, a reference in the definition of "Superintendent" in section 2(1) of the Act of 1996 to the Superintendent for an area were a reference to the Superintendent of a Garda district, and

(b) on or after the date of the coming into operation of this section, a reference in the definition of "Inspector" in section 2(1) of the Act of 1996 to an Inspector in an area were a reference to an Inspector in a Garda Síochána division.

(6) In this section—

"Act of 1996" means the Control of Horses Act 1996;

"Inspector" has the same meaning as it has in section 2(1) (as amended by *section 4(1)*) of the Act of 1996.

Additional transitional provisions relating to amendment of Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 by *section 4(1)*

21. (1) Where, before the date on which this section comes into operation, an individual in applying for a certificate of fitness under section 109B of the Act of 2010, makes a statement or provides information to a Superintendent of the Garda Síochána that he or she knows, or ought reasonably to know, is false or misleading in a material respect, then, on or after that date, for the purposes of the operation of section 109B(7) of that Act, the statement or information shall be deemed to have been made or provided, as the case may be, to an Inspector of the Garda Síochána in the equivalent division.

(2) Where, before the date on which this section comes into operation, a Superintendent of the Garda Síochána refuses an application for a certificate of fitness, then, on or after that date, a reference in section 109D(2) or 109E of the Act of 2010 to the Inspector of the Garda Síochána concerned shall be construed as if the Inspector had refused the application.

(3) In this section "Act of 2010" means the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010.

Additional transitional provisions relating to amendment of Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 by *section 4(1)*

22. Where, before the date on which this section comes into operation, a superintendent in the Garda Síochána district referred to in section 25(7) of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 was informed of the fact that the sample referred to in that section had proved to be insufficient or was inadequately labelled, as the case may be, and the date on which this section comes into operation occurs within the period of one month referred to in that section, then, on or after that date, a superintendent of the equivalent division shall be deemed to have been so informed.

Additional transitional provisions relating to amendment of European Union (Making Available on the Market and Supervision of Explosives for Civil Uses) Regulations 2016 by *section 4(2)*

23. (1) If, before the date on which this section comes into operation, an application under Regulation 25(1) of the Regulations of 2016 was made to a person specified in paragraph (d) of the definition in those Regulations of "recipient competent authority" for approval of a transfer but approval under Regulation 25(2) of the Regulations of 2016 had not been granted before that date, then, on or after that date—

(a) a reference in Regulation 25(2) of the Regulations of 2016 to the recipient competent authority that receives an application under Regulation 25(1) shall be read as if the person specified in the said paragraph (d), as amended by *section 4(2)*, had received the application, and

(b) a reference in Regulation 26(1) of the Regulations of 2016 to the recipient competent authority to which an application under Regulation 25(1) is made shall be read as if the person specified in the said paragraph (d), as amended by *section 4(2)*, had been the recipient competent authority to which the application was made.

(2) If, before the date on which this section comes into operation, a person specified in paragraph (d) of the definition in the Regulations of 2016 of "recipient competent authority" has—

(a) made a determination under Regulation 26(3)(a) of the Regulations of 2016 and has required an economic operator to provide information, then, on or after that date, a reference in Regulation 27 of those Regulations to the recipient competent authority concerned or the authority concerned shall be read as a reference to the person specified in the said paragraph (d), as amended by *section 4(2)*, or

(b) granted an approval under Regulation 28 of the Regulations of 2016, then, on or after that date, a reference in Regulation 30(1) of those Regulations to the recipient competent authority or the authority concerned shall be read as a reference to the person specified in the said paragraph (d), as amended by *section 4(2)*.

(3) In this section "Regulations of 2016" means the European Union (Making Available on the Market and Supervision of Explosives for Civil Uses) Regulations 2016 (S.I. No. 423 of 2016).

General transitional provisions relating to amendment of certain enactments by *section 5*

24. (1) Where, before the date of the coming into operation of this section, a person (whether by notice in writing, notification or otherwise) or a court has imposed—

(a) a condition on a person requiring him or her, or

(b) a requirement on a person,

to reside or remain in a particular Garda district in accordance with a relevant provision then, on or after that date, the requirement to reside or remain in the Garda district shall be taken to be a requirement to reside or remain in the geographical area of which that Garda district comprised immediately before that date.

(2) Where, before the date of the coming into operation of this section, a person has entered into a recognisance that is subject to the condition that the person resides or remains in a particular Garda district in accordance with a relevant provision, then, on or after that date, the condition shall be taken to be that the person resides or remains in the geographical area of which the Garda district comprised immediately before that date.

(3) In this section—

"relevant enactment" means an enactment specified—

(a) in column (3) of *Schedule 3* , or

(b) in column (3) of *Schedule 4* ;

"relevant provision" means a provision, listed—

(a) in column (4) of *Schedule 3* , or

(b) in column (4) of *Schedule 4* ,

of a relevant enactment.

Transitional provisions relating to amendment of section 10 of Sex Offenders Act 2001 by *section 7* and amendment of section 92 of Criminal Justice Act 2006 by *section 8*

25. Any legal proceedings (civil or criminal) in respect of a right, privilege, obligation or liability acquired, accrued or incurred under, or an offence against or contravention of—

(a) section 10 of the Sex Offenders Act 2001, or

(b) section 92 of the Criminal Justice Act 2006,

before the date of the coming into operation of this section may, on or after that date, be instituted, continued or enforced, and any penalty, forfeiture or punishment in respect of such offence or contravention may be imposed and carried out, as if the said section 10 had not been amended by *section 7* , or the said section 92 had not been amended by *section 8* , as the case may be.

Annotations

Amendments:

F6 Substituted by *Sex Offenders (Amendment) Act 2023* (9/2023), s. 30(2), not commenced as of date of revision.

Modifications (not altering text):

C4 Prospective affecting provision: section substituted by *Sex Offenders (Amendment) Act 2023* (9/2023), s. 30(2), not commenced as of date of revision.

F6**[Transitional provisions relating to amendment of section 92 of Criminal Justice Act 2006 by section 8**

25. Any legal proceedings (civil or criminal) in respect of a right, privilege, obligation or liability acquired, accrued or incurred under, or an offence against or contravention of section 92 of the Criminal Justice Act 2006 before the date of the coming into operation of this section may, on or after that date, be instituted, continued or enforced, and any penalty, forfeiture or punishment in respect of such offence or contravention may be imposed and carried out, as if the said section 92 had not been amended by section 8.**]**

Transitional provisions relating to later amalgamation of Garda Síochána divisions by determination under section 33(1) of Act of 2005

26. (1) This section shall apply where, on or after the date on which this section comes into operation, under a determination under section 33(1) of the Act of 2005, a Garda Síochána division (in this section referred to as an "existing division") is amalgamated with one or more other Garda Síochána divisions to form a new division (in this section referred to as a "new division").

(2) Where a determination referred to in *subsection (1)* is made, the relevant enactments shall apply, with any necessary modifications, in respect of the new division concerned.

(3) Without prejudice to the generality of *subsection (2)*, for the purposes of that subsection, *sections 13* to *23* shall apply to the relevant enactments as if—

(a) a reference in those sections to the date of the coming into operation of the section were a reference to the date of the coming into effect of the determination referred to in *subsection (1)*,

(b) a reference in those sections to a Garda Síochána district, howsoever expressed, were a reference to the existing division,

(c) a reference in those sections to the equivalent division, howsoever expressed, were a reference to the new division, and

(d) in the case of a reference in those sections to the Superintendent of a Garda Síochána district, howsoever expressed—

(i) the reference to the Superintendent were a reference to the member of the rank provided for in the relevant enactment concerned as amended by *section 4* or construed under *section 10* , as the case may be, and

(ii) the reference to the Garda Síochána district were a reference to the existing division.

(4) In this section "relevant enactments" means the enactments to which *sections 13* to *23* apply.

Annotations

Amendments:

F7 Substituted by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(d), not commenced as of date of revision.

Modifications (not altering text):

C5 Prospective affecting provision: subs. (1) amended by *Policing, Security and Community Safety Act 2024* (1/2024), s. 300(d), not commenced as of date of revision.

26. (1) This section shall apply where, on or after the date on which this section comes into operation, under a determination under F7**[**subsection (1)(c)(i) of section 33 of the Act of 2024 or to which subsection (4) of that section applies**]**, a Garda Síochána division (in this section referred to as an "existing division") is amalgamated with one or more other Garda Síochána divisions to form a new division (in this section referred to as a "new division").

PART 4

Amendment of Act of 2005

Amendment of section 3(1) of Act of 2005

27. Section 3(1) of the Act of 2005 is amended by the insertion of the following definitions:

" 'controlled drug' has the same meaning as it has in section 2 of the Misuse of Drugs Act 1977;

'psychoactive substance' means a psychoactive substance within the meaning of section 1 of the Criminal Justice (Psychoactive Substances) Act 2010 to which that Act applies;

'sample' means a sample of any of the following taken, or to be taken, from a person:

(a) urine;

(b) hair, other than pubic hair;

(c) oral fluid, including saliva;

(d) blood;".

Amendment of section 26 of Act of 2005

28. Section 26 of the Act of 2005 is amended by the insertion of the following paragraph after paragraph (a):

"(aa) to perform the functions assigned to him or her by regulations made under section 122(1)(kk) and any associated functions;".

Amendment of section 122 of Act of 2005

29. Section 122 of the Act of 2005 is amended—

(a) in subsection (1), by the insertion of the following paragraph after paragraph (k):

"(kk) the establishment, maintenance and operation of a regime of testing for controlled drugs and psychoactive substances, which may provide for—

(i) subject to subparagraph (ii), a prohibition on the presence of controlled drugs or psychoactive substances above a specified concentration in a sample,

(ii) the procedures to be followed where a person is exposed to a controlled drug or psychoactive substance in the course of and as a result of his or her functions or employment,

(iii) the taking of samples,

(iv) a prohibition on tampering with a sample,

(v) the persons from whom a sample may be taken for testing,

(vi) the persons who may be permitted to take a sample,

(vii) the information to be provided to a person required to provide a sample,

(viii) matters with regard to the testing and analysis of samples,

(ix) the reasons for testing, which may include—

(I) pre-employment testing,

(II) testing of Garda trainees,

(III) random testing,

(IV) targeted drug testing,

(V) with-cause testing, or

(VI) post-incident testing,

(x) the concentration of a controlled drug or psychoactive substance required to be present to yield a positive result in a sample,

(xi) how samples are to be stored,

(xii) the period during which samples may be stored,

(xiii) the reviewing of test results, and

(xiv) such ancillary and incidental provisions as he or she considers necessary or expedient for the purposes of establishing, maintaining and operating the regime of testing for controlled drugs and psychoactive substances;",

and

(b) by the insertion of the following subsection after subsection (5):

"(5A) A regulation under section 122(1)(kk) may apply to any or all of the following:

(a) applicants seeking appointment to the position of member of the Garda Síochána;

(b) Garda trainees;

(c) members (including members on probation);

(d) the persons referred to in subparagraphs (ii) to (v) of section 122(5)(b);

(e) members of the civilian staff of the Garda Síochána;

and make different provision for the different persons, or categories, grades or ranks of persons, falling within paragraphs (a) to (e) above.".

Amendment of section 123 of Act of 2005

30. Section 123(2) of the Act of 2005 is amended—

(a) in paragraph (f), by the substitution of "station," for "station, and",

(b) in paragraph (g), by the substitution of "performance, and" for "performance.", and

(c) by the insertion of the following paragraph after paragraph (g):

"(h) failure to comply with regulations made under section 122(1)(kk).".

Amendment of Schedule 5 to Act of 2005

31. Schedule 5 to the Act of 2005 is amended, in paragraph 7, by the substitution of "liquor, controlled drugs or psychoactive substances or a combination of liquor, controlled drugs or psychoactive substances" for "liquor or drugs or a combination of liquor and drugs".

SCHEDULE 1

Amendment of Acts by *section 4(1)*

Section 4(1)

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
1.	No. 93 of 1851	Petty Sessions (Ireland) Act 1851	Section 25(1)	By the substitution of "a superintendent or an inspector of the Garda Síochána in the Garda Síochána division" for "the superintendent or an inspector of the Garda Síochána of the Garda Síochána district".
2.	No. 9 of 1904	Registration of Clubs (Ireland) Act 1904	Section 3(1)	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the Garda district".
3.	No. 17 of 1925	Firearms Act 1925	Section 1	In the definition of "issuing person", by the substitution of "a superintendent of the Garda Síochána in the Garda division in which" for "the superintendent of the Garda Síochána of the district where".
			Section 2(5)(a)	By the substitution of "A Superintendent in any Garda division may authorise in writing the possession, use or carriage of firearms or ammunition in that division" for "The Superintendent of any district may authorise in writing the possession, use or carriage of firearms or ammunition in that district".
			Section 2(5)(e)	By the substitution of "a Superintendent in the Garda division" for "the Superintendent of the district".
			Section 2(7)	By the substitution of "A superintendent in any Garda division" for "The superintendent of any district".
			Section 3(1)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána of the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 4A(12)	By the substitution of "a Superintendent in the Garda division" for "the superintendent of the district".
			Section 5(3)	By the substitution of "a superintendent in the Garda division in which" for "the superintendent of the district where".
			Section 6(a)	By the substitution of "a Superintendent in the Garda division" for "the Superintendent of the district".
			Section 10(3)(b)	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Gárda Síochána of the district".
			Section 10(3A)(a)	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Gárda Síochána of the district".
			Section 16(1)	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Gárda Síochána of the district".
			Section 23(2)	By the substitution of "a superintendent of the Garda Síochána in the area" for "the superintendent of the Gárda Síochána of the area".
4.	No. 27 of 1931	Betting Act 1931	Section 4(1)(a)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 4(1)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 4(2)(a)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 4(2)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 4(5)	By the substitution of "Inspector of the Garda Síochána to whom the application concerned is made with all such information (including information relating to the applicant's financial circumstances) as that Inspector" for "Superintendent of the Garda Síochána to whom the application concerned is made with all such information (including information relating to the applicant's financial circumstances) as that Superintendent".
			Section 4(6)	By the substitution of "An Inspector" for "A Superintendent".
			Section 4(7)	By the substitution of "An Inspector" for "A Superintendent".
			Section 4(9)	By the substitution of "an Inspector" for "a Superintendent".
			Section 4(10)	By the substitution of "An Inspector" for "A Superintendent".
			Section 5B(2)(b)	By the substitution of "Inspector" for "Superintendent".
			Section 5B(2)(c)	By the substitution of "Inspector" for "Superintendent".
			Section 5B(2)(d)	By the substitution of "Inspector" for "Superintendent".
			Section 5C(1)(b)	By the substitution of "an Inspector" for "a Superintendent".
			Section 7D(1)	By substituting "Inspector" for "Superintendent".
			Section 10(1)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Gárda Síochána for the district".

Reference	Number and Year	Short Title	Provision Affected	Extent of Amendment
(1)	(2)	(3)	(4)	(5)
			Section 10(2)	By the substitution of "Garda division" for "district".
			Section 10(4)	By the substitution of "An inspector of the Garda Síochána" for "A superintendent of the Gárda Síochána".
			Section 11(1)(k)	By the substitution of "Garda division" for "district".
			Section 11(1)(mm)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 13(1)	By the substitution of "an Inspector of the Garda Síochána refuses an application for a certificate of personal fitness, that Minister of the Government or the Inspector" for "a Superintendent of the Garda Síochána refuses an application for a certificate of personal fitness, that Minister of the Government or the Superintendent".
			Section 13(2)	By the substitution of "an Inspector" for "a Superintendent".
			Section 13(4)(b)(i)	By the substitution of "Inspector" for "Superintendent".
			Section 13(4)(b)(ii)	By the substitution of "Inspector" for "Superintendent".
			Section 13(5)(b)(i)	By the substitution of "Inspector" for "Superintendent".
			Section 13(5)(b)(ii)	By the substitution of "Inspector" for "Superintendent".
			Section 13(6)	By the substitution of "Inspector" for "Superintendent".
			Section 13(12)(a)	By the substitution of "An Inspector" for "A Superintendent".
			Section 14(2)	By the substitution of "inspector of the Garda Síochána" for "superintendent of the Gárda Síochána".
			Section 14(3)(b)	By the substitution of "Inspector" for "Superintendent".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 14(3)(c)	By the substitution of "Inspector" for "Superintendent".
			Section 14(3)(d)	By the substitution of "Inspector" for "Superintendent".
			Section 32E(1)(b)	By the substitution of "an Inspector of the Garda Síochána to whom an application under section 4 is made of any offence under section 1078 of the Taxes Consolidation Act 1997 of which the person making the application stands convicted, upon receiving a request in writing in that behalf from that Inspector." for "a Superintendent of the Garda Síochána to whom an application under section 4 is made of any offence under section 1078 of the Taxes Consolidation Act 1997 of which the person making the application stands convicted, upon receiving a request in writing in that behalf from that Superintendent.".
5.	No. 2 of 1935	Public Dance Halls Act 1935	Section 3(2)(a)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which the place to which such application relates is situate" for "the Superintendent of the Gárda Síochána within whose district is situate the place to which such application relates".
			Section 3(2)(b)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which" for "the Superintendent of the Gárda Síochána within whose district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
6.	No. 42 of 1947	Seanad Electoral (Panel Members) Act 1947	Rule 8(2)(f) in the First Schedule	By the substitution of "a superintendent of the Garda Síochána in the Garda division in which the said premises is situate or, where the superintendent is unable through illness, absence or other cause to perform his duties, such inspector of the Garda Síochána performing duties in that division" for "the superintendent of the Garda Síochána in whose district is situate the said premises or, where the superintendent is unable through illness, absence or other cause to perform his duties, such inspector of the Garda Síochána performing duties in that district".
7.	No. 2 of 1951	Criminal Justice Act 1951	Section 16	By the substitution of "an inspector in the Garda division in which the person resides" for "the officer of the Garda Síochána in charge of the district in which such person resides".
8.	No. 30 of 1953	Intoxicating Liquor Act 1953	Section 8(3)(b)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which" for "the Superintendent of the Garda Síochána, within whose district".
9.	No. 2 of 1956	Gaming and Lotteries Act 1956	Section 9A(1)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the district".
			Section 9A(2)(c)	By the substitution of "inspector" for "superintendent".
			Section 9A(3)	By the substitution of "inspector" for "superintendent" in both places where it occurs.
			Section 9A(4)	By the substitution of "An inspector" for "A superintendent".
			Section 9A(5)	By the substitution of "inspector" for "superintendent".
			Section 9A(16)	By the substitution of

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
				"The chief superintendent of the Garda Síochána division shall cause to be kept a register of all gaming permits—
				(a) issued within his or her division"
				for
				"Every superintendent of the Garda Síochána shall keep a register of all gaming permits—
				(a) issued by him or her".
			Section 16(1)(a)	By the substitution of "an Inspector of the Garda division in which the said premises are situate" for "the Superintendent of the Garda Síochána for the locality".
			Section 17(2)	By the substitution of "an Inspector" for "the Superintendent".
			Section 27B(1)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the district".
			Section 27B(2)(c)	By the substitution of "inspector" for "superintendent".
			Section 27B(3)	By the substitution of "inspector" for "superintendent" in both places where it occurs.
			Section 27B(4)	By the substitution of "An inspector" for "A superintendent".
			Section 27B(5)	By the substitution of "inspector" for "superintendent".
			Section 27B(15)	By the substitution of
				"F8**[**The chief superintendent of the Garda Síochána division shall cause to be kept a register of all lottery permits**]**—
				(a) issued within his or her division"
				for
				"Every superintendent of the Garda Síochána shall keep a register of all lottery permits—

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
				(a) issued by him or her".
			Section 28(4)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the district".
			Section 33(1)	By the substitution of "inspector" for "superintendent".
			Section 46(1)	By the substitution of "in the Garda division in which" for "within whose district".
			Section 49(1)	By the substitution of "Inspector" for "Superintendent".
10.	No. 18 of 1960	Intoxicating Liquor Act 1960	Section 15(3)(b)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which" for "the Superintendent of the Garda Síochána, within whose district".
			Section 16(3)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which" for "the Superintendent of the Garda Síochána, within whose district".
11.	No. 31 of 1964	Pawnbrokers Act 1964	Section 35(1)	By the substitution of "an Inspector of the Garda Síochána in a Garda division who shall be nominated by a Superintendent in the division to notify forthwith and to give a full description to all pawnbrokers within that division" for "every Superintendent of the Garda Síochána to notify forthwith and to give a full description to all pawnbrokers within the district to which he is attached".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
12.	No. 1 of 1964	Firearms Act 1964	Section 3(3)	By the substitution of "a Superintendent in any Garda division has granted a permit which is in force to use and carry a firearm for a purpose (other than the shooting of such protected wild animals or wild birds) specified in the permit in that division" for "the Superintendent of any district has granted a permit which is in force to use and carry a firearm for a purpose (other than the shooting of such protected wild animals or wild birds) specified in the permit in that district".
			Section 3(4)(a)	By the substitution of "Garda division, a Superintendent in that division" for "district, the Superintendent of that district".
			Section 3(4)(b)	By the substitution of that paragraph with the following paragraph: "A Superintendent in any Garda division may revoke a permit granted under this section in relation to that division.".
			Section 9(2)	By the substitution of "A superintendent in the Garda division in which" for "The superintendent of the district where".
			Section 9(3)	By the substitution of "A superintendent in the Garda division" for "The superintendent of a district".
			Section 9(4)	By the substitution of "in the Garda division in which" for "in the district where".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 11(2)	By the substitution of "a Superintendent in any Garda division or any member of the Garda Síochána in any Garda division duly authorised to do so by a Superintendent in that division may substitute for the description of a firearm (other than a restricted firearm) in a firearm certificate held by a person residing in that division" for "the Superintendent of any district or any member of the Garda Síochána in any district duly authorised to do so by the Superintendent of that district may substitute for the description of a firearm (other than a restricted firearm) in a firearm certificate held by a person residing in that district".
			Section 13(2)	By the substitution of "A Superintendent in any Garda division may authorise in writing an auctioneer (being the holder of a licence within the meaning of section 2(1) of the Property Services (Regulation) Act 2011, or a relevant authorisation within the meaning of section 82 of that Act, in respect of a service which falls, or substantially falls, as the case requires, within paragraph (a) of the definition of 'property service' in that first-mentioned section) in that division" for "The Superintendent of any district may authorise in writing an auctioneer (being the holder of a licence within the meaning of section 2(1) of the Property Services (Regulation) Act 2011, or a relevant authorisation within the meaning of section 82 of that Act, in respect of a service which falls, or substantially falls, as the case requires, within paragraph (a) of the definition of 'property service' in that first-mentioned section) in that district".
			Section 13(5)	By the substitution of "a Superintendent in the Garda division" for "the Superintendent of the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
13.	No. 39 of 1976	Wildlife Act 1976	Section 39(1)	By the substitution of "division" for "district".
			Section 75(2)	By the substitution of "a Superintendent of the Garda Síochána in the Garda Síochána division" for "the Superintendent of the Garda Síochána of the district".
14.	No. 11 of 1985	Animals Act 1985	Section 6(1)	By the deletion of the definition of "superintendent".
			Section 6(5)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the district".
15.	No. 16 of 1988	Intoxicating Liquor Act 1988	Section 10	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the Garda district".
16.	No. 12 of 1990	Firearms and Offensive Weapons Act 1990	Section 6(1)	By the substitution of "A superintendent of the Garda Síochána in a Garda division may grant an authorisation in writing to a person resident in the division" for "The superintendent of the Garda Síochána of a district may grant an authorisation in writing to a person resident in the district".
			Section 6(2)	By the substitution of "A superintendent in the Garda division in which" for "The superintendent of the district where".
			Section 7(1)	By the substitution of "a superintendent in the Garda division" for "the superintendent of the district".
			Section 7(3)	By the substitution of "A superintendent in the Garda division in which" for "The superintendent of the district where".
			Section 7(4)	By the substitution of "a superintendent in the Garda division in which" for "the superintendent of the district where".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 9B(1)	By the substitution of "A Superintendent in a Garda division may authorise in writing the possession, use or carriage of realistic imitation firearms in that division" for "The Superintendent of any district may authorise in writing the possession, use or carriage of realistic imitation firearms in that district".
			Section 9B(5)	By the substitution of "a Superintendent in the Garda division" for "the Superintendent of the District".
17.	No. 14 of 1993	Roads Act 1993	Section 74(2)	By the substitution of "an Inspector of the Garda Síochána in the Garda division in which" for "the Superintendent of the Garda Síochána within whose district".
18.	No. 37 of 1996	Control of Horses Act 1996	Section 2	(a) by the deletion of the definition of "Superintendent", and (b) by the insertion of the following definition after the definition of "horse licence": " 'Inspector' means an Inspector of the Garda Síochána in the area in which a horse is seized or detained under section 37;".
			Section 18(3)(e)	By the substitution of "an Inspector" for "a Superintendent".
			Section 37(3)	By the substitution of "an Inspector" for "the Superintendent".
			Section 38	By the substitution of "an Inspector, as the case may be, may cause to be attached to the horse such identification mark or device as the authority or the Inspector" for "the Superintendent, as the case may be, may cause to be attached to the horse such identification mark or device as the authority or the Superintendent".
			Section 39(1)	By the substitution of "an Inspector" for "the Superintendent".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 39(2)	By the substitution of "an Inspector" for "the Superintendent" wherever it occurs.
			Section 39(2)(e)	By the substitution of "Inspector or" for "Superintendent or".
			Section 39(4)	By the substitution of "an Inspector" for "a Superintendent".
			Section 39(5)	By the substitution of "an Inspector" for "a Superintendent".
			Section 39(6)	By the substitution of "Inspector" for "Superintendent".
			Section 40(1)	By the substitution of "Inspector" for "Superintendent" wherever it occurs.
			Section 40(3)	(a) by the substitution of "an Inspector" for "a Superintendent", and (b) by the substitution of "Inspector" for "Superintendent" in both places where it occurs.
			Section 40(4)	(a) by the substitution of "an Inspector" for "a Superintendent", and (b) by the substitution of "Inspector" for "Superintendent".
			Section 40(7)	By the substitution of "an Inspector" for "a Superintendent".
			Section 41	(a) by the substitution of "an Inspector" for "the Superintendent", and (b) by the substitution of "Inspector" for "Superintendent".
			Section 42(2)	(a) by the substitution of "Chief Superintendent" for "Superintendent", and (b) by the substitution of "Chief Superintendent's" for "Superintendent's".
19.	No. 20 of 2000	Firearms (Firearm Certificates For Non-Residents)Act 2000	Section 2(14)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána of the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 2(17)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána of the district".
20.	No. 18 of 2001	Sex Offenders Act 2001	Section 11(3)	By the substitution of "a superintendent of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána of the district".
21.	No. 24 of 2001	Children Act 2001	Section 257C(1)	By the substitution of "A superintendent in a Garda Síochána division, on receipt of a report from a member of the Garda Síochána in that division" for "The superintendent in charge of a district, on receipt of a report from a member of the Garda Síochána in that district".
			Section 257E(2)	By the substitution of "a superintendent in the Garda Síochána division" for "the superintendent in charge of the Garda Síochána district".
22.	F9**[**...**]**	F9**[**...**]**	F9**[**...**]**	F9**[**...**]**
23.	No. 20 of 2005	Garda Síochána Act 2005	Section 33(2)	By the substitution of "an area" for "a district".
24.	No. 26 of 2006	Criminal Justice Act 2006	Section 93(3)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána of the district".
			Section 93(4)	By the substitution of "A superintendent or any other member of the Garda Síochána in the Garda division in which the applicant ordinarily resides" for "That superintendent or any other member of the Garda Síochána".
			Section 115(8)(a)	By the substitution of "division" for "district".
			Section 116(2)	By the substitution of "division" for "district".
25.	No. 29 of 2007	Criminal Justice Act 2007	Section 26(2)	By the substitution of "in the Garda division" for "of the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 26(9)	By the substitution of "in the Garda division" for "of the district" in both places where it occurs.
			Section 26A(7)	By the substitution of "in the Garda division" for "of the district" in both places where it occurs.
26.	No. 17 of 2008	Intoxicating Liquor Act 2008	Section 7(3)(a)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which the premises are situate" for "the Superintendent of the Garda Síochána within whose district".
			Section 7(5)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division in which" for "the Superintendent of the Garda Síochána within whose district".
27.	No. 6 of 2010	Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	Section 109A(1)	By the substitution of "an Inspector" for "a Superintendent".
			Section 109B(1)(a)(i)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 109B(1)(a)(ii)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 109B(4)	By the substitution of "Inspector" for "Superintendent".
			Section 109B(5)	By the substitution of "An Inspector" for "A Superintendent".
			Section 109B(7)	By the substitution of "an Inspector" for "a Superintendent".
			Section 109B(8)	By the substitution of "An Inspector" for "A Superintendent".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 109C(1)	By the substitution of "An Inspector" for "A Superintendent".
			Section 109D(2)(b)	By the substitution of "Inspector" for "Superintendent".
			Section 109D(2)(c)	By the substitution of "Inspector" for "Superintendent".
			Section 109D(2)(d)	By the substitution of "Inspector" for "Superintendent".
			Section 109E(1)	By the substitution of "an Inspector" for "a Superintendent".
			Section 109E(3)	By the substitution of "Inspector" for "Superintendent".
			Section 109E(4)(b)	By the substitution of "Inspector" for "Superintendent".
			Section 109E(5)	By the substitution of "Inspector" for "Superintendent".
28.	No. 22 of 2010	Criminal Justice (Psychoactive Substances) Act 2010	Section 9(3)(b)	By the substitution of "inspector in the Garda Síochána division" for "superintendent in the Garda Síochána district".
			Section 11(3)(c)	By the substitution of "inspector in the Garda Síochána division" for "superintendent in the Garda Síochána district".
29.	No. 37 of 2013	Taxi Regulation Act 2013	Section 30(13)(a)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 30(13)(b)(i)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 30(13)(c)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
30.	No. 11 of 2014	Criminal Justice (Forensic Evidence and DNA Database System) Act 2014	Section 25(7)	By the substitution of "division" for "district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 31(9)	By the substitution of "division" for "district".
			Section 32(9)	By the substitution of "division" for "district".
			Section 50(4)	By the substitution of "division" for "district".
31.	No. 20 of 2019	Criminal Justice (Mutual Recognition of Probation Judgments and Decisions) Act 2019	Section 23(1)(a)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the district".
			Section 27(d)	By the substitution of "an inspector of the Garda Síochána in the Garda division" for "the superintendent of the Garda Síochána for the district".
32.	No. 21 of 2020	Criminal Justice (Mutual Recognition of Decisions on Supervision Measures) Act 2020	Section 31(5)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 33(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 35(5)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 35(6)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 36(5)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Section 37(4)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".
			Section 38(2)(b)	By the substitution of "an Inspector of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district".

Annotations

Amendments:

F8 Substituted (31.07.2023) by *Courts and Civil Law (Miscellaneous Provisions) Act 2023* (18/2023), s. 125, S.I. No. 389 of 2023.

F9 Deleted (22.07.2022) by *Civil Law (Miscellaneous Provisions) Act 2022* (19/2022), s. 37(a), S.I. No. 370 of 2022.

SCHEDULE 2

Amendment of statutory instruments by *section 4(2)*

Section 4(2)

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
1.	F10[...]	F10[...]	F10[...]	F10[...]
2.	F10[...]	F10[...]	F10[...]	F10[...]
3.	No. 611 of 2014	European Union (Marketing and Use of Explosives Precursors) Regulations 2014	Regulation 2(1)	In the definition of "Competent Authority", by the substitution of "a Superintendent of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána for the district" in both places where that term occurs.

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
			Schedule 1	In paragraph 6 of the "Notes for Filling out the Form" by the substitution of "a Garda Superintendent" for "the Garda Superintendent" in both places where it occurs.
			Schedule 2	By the substitution of "Division" for "District".
4.	No. 309 of 2015	European Union (Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography) Regulations 2015	Regulation 7(2)	By the substitution of "a Superintendent of the Garda Síochána in the Garda division" for "the Superintendent of the Garda Síochána of the district".
5.	F10**[**...**]**	F10**[**...**]**	F10**[**...**]**	F10**[**...**]**
6.	No. 423 of 2016	European Union (Making Available on the Market and Supervision of Explosives for Civil Uses) Regulations 2016	Regulation 2	In paragraph (1)— (a) in the definition of "recipient competent authority", by the substitution, in paragraph (d) of that definition, of "a superintendent in the Garda division in which the internal transfer will terminate or a member of the Garda Síochána in such division" for "the superintendent of the district in which the internal transfer will terminate or a member of the Garda Síochána in such district", and (b) in the definition of "transfer document", by the substitution, in paragraph (d) of that definition, of "a superintendent in the Garda division in which the internal transfer will terminate or a member of the Garda Síochána in such division" for "the superintendent of the district in which the internal transfer will terminate or a member of the Garda Síochána in such district".

Annotations

Amendments:

F10 Deleted (22.07.2022) by *Civil Law (Miscellaneous Provisions) Act 2022* (19/2022), s. 37(b)(i)-(iii), S.I. No. 370 of 2022.

SCHEDULE 3

Amendment of Acts by *section 5(1)*

Section 5(1)

Reference (1)	Number and Year (2)	Short Title (3)	Provision Affected (4)	Extent of Amendment (5)
1.	No. 17 of 1996	Refugee Act 1996	Section 9(5)(a)(i)	By the substitution of "areas" for "districts".
			Section 9(10)(b)(ii)(I)	By the substitution of "area" for "district".
2.	No. 16 of 1997	Bail Act 1997	Section 6(1)(b)(i)	By the substitution of "area" for "district".
3.	No. 22 of 1999	Immigration Act 1999	Section 3(9)(a)(i)(IV)	By the substitution of "area" for "district".
			Section 5(7)(a)	By the substitution of "area" for "district".
4.	No. 26 of 2003	Immigration Act 2003	Section 5(4)(a)	By the substitution of "area" for "district".
5.	No. 1 of 2004	Immigration Act 2004	Section 14(1)(a)	By the substitution of "area" for "district".
6.	No. 29 of 2007	Criminal Justice Act 2007	Section 12	By the substitution of "area" for "district".
7.	No. 66 of 2015	International Protection Act 2015	Section 16(3)(d)(i)	By the substitution of "area" for "district".
			Section 20(3)(b)(i)	By the substitution of "area" for "district".
8.	No. 28 of 2019	Parole Act 2019	Section 28(4)(b)	By the substitution of "area" for "district".

SCHEDULE 4

Amendment of statutory instruments by *section 5(2)*

Section 5(2)

Reference	Number and Year	Short Title	Provision Affected	Extent of Amendment
(1)	(2)	(3)	(4)	(5)
1.	No. 548 of 2015	European Communities (Free Movement of Persons) Regulations 2015	Regulation 18(2)(a)	By the substitution of "areas" for "districts".
			Regulation 19(2)(a)	By the substitution of "areas" for "districts".
			Regulation 21(6)(d)	By the substitution of "area" for "district".

Number 7 *of* 2022

GARDA SÍOCHÁNA (FUNCTIONS AND OPERATIONAL AREAS) ACT 2022

REVISED

Updated to 7 February 2024

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Policing, Security and Community Safety Act 2024* (1/2024)
- *Courts and Civil Law (Miscellaneous Provisions) Act 2023* (18/2023)
- *Sex Offenders (Amendment) Act 2023* (9/2023)
- *Civil Law (Miscellaneous Provisions) Act 2022* (19/2022)

All Acts up to and including *Policing, Security and Community Safety Act 2024* (1/2024), enacted 7 February 2024, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

None

All statutory instruments up to and including *Circular Economy and Miscellaneous Provisions Act 2022 (Commencement of Certain Provisions) Order 2024* (S.I. No. 40 of 2024), made 9 February 2024, were considered in the preparation of this revision.