



Number 7 of 2025

Supports for Survivors of Residential Institutional Abuse Act 2025



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**SUPPORTS FOR SURVIVORS OF RESIDENTIAL INSTITUTIONAL ABUSE ACT
2025**

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[No. 7.]

*Supports for Survivors of
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[2025.]

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Health Act 1970 (No. 1)
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Medical Practitioners Act 2007 (No. 25)
Mother and Baby Institutions Payment Scheme Act 2023 (No. 20)
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Number 7 of 2025

**SUPPORTS FOR SURVIVORS OF RESIDENTIAL INSTITUTIONAL ABUSE ACT
2025**

An Act to provide for the making available of certain supports to survivors of residential institutional abuse; to provide for the dissolution of the Residential Institutions Statutory Fund Board; to provide for the transfer of certain functions of that Board to the Minister for Education and Youth; to amend the Nursing Homes Support Scheme Act 2009 and the Mother and Baby Institutions Payment Scheme Act 2023; and to provide for related matters.

[15th July, 2025]

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 Supports for Survivors of Residential Institutional Abuse Act 2025.
- (2) This Act (other than *sections 4, 7, 8, 9, 20 and 21*) 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 and different provisions.
- (3) *Sections 4 and 20* shall come into operation on such day or days as the Minister may, after consultation with the Minister for Health, 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 and different provisions.
- (4) *Section 21* shall come into operation on such day or days as the Minister may, after consultation with the Minister for Children, Disability and Equality, 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 and different provisions.

Definitions

2. In this Act—

“Act of 2012” means the Residential Institutions Statutory Fund Act 2012;

“Act of 2023” means the Mother and Baby Institutions Payment Scheme Act 2023;

“dissolution day” means the day appointed by order under *section 7*;

“dissolved body” shall be construed in accordance with *section 8*;

“enactment” has the same meaning as it has in the Interpretation Act 2005;

“former resident” shall be construed in accordance with section 3 of the Act of 2012;

“General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

“health support payment” means a payment to which a former resident is entitled under *section 5(1)*;

“Minister” means the Minister for Education and Youth;

“personal data” has the same meaning as it has in the General Data Protection Regulation;

“processing”, in relation to personal data, has the same meaning as it has in the General Data Protection Regulation;

“relevant participant” has the same meaning as it has in the Redress for Women Resident in Certain Institutions Act 2015;

“relevant person” has the same meaning as it has in section 2 of the Act of 2023;

“special categories of personal data” has the same meaning as it has in the Data Protection Act 2018;

“suitable and specific measures” means measures to safeguard the fundamental rights and freedoms of data subjects (within the meaning of the General Data Protection Regulation) in processing the personal data of those subjects and may include measures referred to in section 36(1) of the Data Protection Act 2018.

Expenses

3. Any expenses incurred by the Minister or the Minister for Health in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, be paid out of moneys provided by the Oireachtas.

¹ OJ No. L 119, 4.5.2016, p. 1

PART 2

SUPPORTS

Provision of health services without charge to former residents

4. (1) The Executive shall make available without charge to persons in respect of whom it is satisfied are former residents—
- (a) a general practitioner medical and surgical service,
 - (b) drugs, medicines and medical and surgical appliances for the time being on the Reimbursement List within the meaning of the Health (Pricing and Supply of Medical Goods) Act 2013,
 - (c) the nursing service specified in section 60 of the Act of 1970,
 - (d) the home help service specified in section 61 of the Act of 1970, following an assessment of needs made on behalf of the Executive that the service is so required,
 - (e) the dental, ophthalmic and aural services specified in section 67 of the Act of 1970,
 - (f) a counselling service relevant to a former resident's admission to and experience in any of the institutions specified in the Schedule to the Residential Institutions Redress Act 2002,
 - (g) a chiropody service, following a referral made in that regard by a registered medical practitioner or registered nurse, and
 - (h) a physiotherapy service, following a referral made in that regard by a registered medical practitioner.
- (2) Notwithstanding any other enactment but subject to the taking of suitable and specific measures—
- (a) the Minister may disclose personal data, including special categories of personal data, to the Executive where necessary and proportionate to enable the Executive to process such data pursuant to, and for the purposes of, *paragraph (c)*,
 - (b) the Executive may disclose personal data, including special categories of personal data, to the Minister where necessary and proportionate to enable the Minister to process such data pursuant to, and for the purposes of, *paragraph (d)*,
 - (c) the Executive may process personal data, including special categories of personal data, disclosed to the Executive by the Minister, pursuant to *paragraph (a)*, where necessary and proportionate for the purposes of enabling the Executive to provide the services set out in *subsection (1)*, and
 - (d) the Minister may process personal data, including special categories of personal data, disclosed to him or her by the Executive, pursuant to *paragraph (b)*, where

necessary and proportionate for the purposes of enabling the Executive to provide the services set out in *subsection (1)*.

(3) In this section—

“Act of 1970” means the Health Act 1970;

“Executive” means the Health Service Executive;

“registered medical practitioner” has the same meaning as it has in the Medical Practitioners Act 2007;

“registered nurse” has the same meaning as it has in the Nurses and Midwives Act 2011.

Health support payment for former residents not ordinarily resident in State

5. (1) Subject to *subsection (2)*, the Minister shall, upon—

(a) application, in a form (which may include a statutory declaration) specified by the Minister for the purposes of this section, made to him or her by, or on the behalf of, a person in respect of whom the Minister is satisfied is a former resident, and

(b) subject to *subsection (3)*, being satisfied that the former resident is not ordinarily resident in the State,

make a payment once only in the amount of €3,000 to the former resident.

(2) *Subsection (1)* shall not apply to a former resident in respect of whom the Minister is satisfied is—

(a) a relevant participant, or

(b) a relevant person who has received a payment under section 18(5) of the Act of 2023.

(3) For the purposes of this section, a former resident shall be taken to be not ordinarily resident in the State only where his or her principal place of residence, in the 12 months immediately preceding his or her application referred to in *subsection (1)(a)*, has been outside the State.

(4) Notwithstanding any other enactment but subject to the taking of suitable and specific measures—

(a) the Minister may disclose personal data, including special categories of personal data, to the Chief Deciding Officer where necessary and proportionate to enable the Chief Deciding Officer to process such data pursuant to, and for the purposes of, section 18(7A)(a) of the Act of 2023, and

(b) the Minister may process personal data, including special categories of personal data, disclosed to him or her by the Chief Deciding Officer, pursuant to section 18(7A)(b) of the Act of 2023, where necessary and proportionate for the purposes

of enabling the Minister to determine whether or not he or she is satisfied, as referred to in *subsection (2)*, in respect of a former resident.

- (5) In this section, “Chief Deciding Officer” has the same meaning as it has in section 2 of the Act of 2023.

Educational service support for former residents

6. (1) The Minister may, upon application, in a form (which may include a statutory declaration) specified by the Minister for the purposes of this section, made to him or her by a person in respect of whom the Minister is satisfied is a former resident wishing to engage in, or engaging in, education (whether provided in or outside the State), make such grant as will assist such person to—
- (a) engage in education, or
 - (b) continue to engage in education,
- as the case may be.
- (2) A grant referred to in *subsection (1)* shall be of such amount, be in respect of such educational service, be paid at such time or times, and be subject to such conditions, as the Minister may determine and communicate in writing to the person who made the application concerned referred to in that subsection.
- (3) (a) Subject to *paragraph (b)*, the Minister shall determine the criteria by reference to which he or she shall make decisions under this section as to the payment of grants under it and the Minister shall make any such decision by reference to those criteria accordingly.
- (b) The Minister shall, in determining the criteria under *paragraph (a)*, have regard to the following in relation to his or her consideration of an educational service in respect of which a grant referred to in *subsection (1)* may be paid:
- (i) the likely effect of the provision of such service on the educational development, personal and social development and health and general well-being of a former resident;
 - (ii) any other matter that the Minister considers is a proper matter to be taken into account.
- (4) Criteria determined under *subsection (3)* shall be recorded in writing and published on a website maintained by or on behalf of the Minister and in such other manner (if any) as the Minister considers appropriate.
- (5) (a) The Minister shall review the criteria determined under *subsection (3)* on a regular basis and may amend the criteria following any such review.
- (b) The first review under *paragraph (a)* shall be carried out not later than 3 years from the date on which the criteria under *subsection (3)* are first published, and, in the case of each subsequent review, not later than 3 years from the date of the previous review.

- (c) The Minister, on being satisfied that no application has been made under *subsection (1)* for a period of not less than three years, may, by order, appoint a day on which this subsection shall cease to have effect.

PART 3

DISSOLUTION OF RESIDENTIAL INSTITUTIONS STATUTORY FUND BOARD

Dissolution day

7. The Minister shall, by order, appoint a day to be the dissolution day for the purposes of this Part.

Dissolution of Residential Institutions Statutory Fund Board

8. (1) The Residential Institutions Statutory Fund Board (in this Act referred to as the “dissolved body”), and any committee established under paragraph 9(1) of the Schedule to the Act of 2012, is dissolved.
- (2) This section shall come into operation on the dissolution day.

Transfer of functions to Minister

9. (1) All functions that, immediately before the dissolution day, were vested in the dissolved body are, on that day, transferred to the Minister.
- (2) All functions that, immediately before the dissolution day, were vested in the dissolved body as a relevant authority by or under the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 are, on that day, transferred to the Minister.
- (3) References in any enactment passed before the dissolution day, or in any instrument made before that day under an enactment, to—
- (a) the dissolved body, or
- (b) the dissolved body as a relevant authority,
- shall, to the extent such references relate to a function transferred to the Minister under this section, be construed as references to the Minister.
- (4) This section shall come into operation on the dissolution day.
- (5) In this section, “relevant authority” has the same meaning as it has in section 5(1) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

Liability for loss occurring before dissolution day

10. (1) A claim in respect of any loss or injury alleged to have been suffered by any person arising out of the performance before the dissolution day of any of the functions of the

dissolved body transferred to the Minister under this Act shall, on and after that day, lie against the Minister and not against the dissolved body.

- (2) Any legal proceedings pending immediately before the dissolution day to which the dissolved body is a party, that relate to a function transferred to the Minister under this Act, shall be continued, on and after that day, with the substitution in the proceedings of the Minister for the dissolved body.
- (3) Where, before the dissolution day, agreement has been reached between the parties concerned in settlement of a claim to which *subsection (1)* relates, the terms of which have not been implemented, or judgment in such a claim has been given in favour of a person but has not been enforced, the terms of the agreement or judgment, as the case may be, shall, on and after that day, in so far as they are enforceable against the dissolved body, be enforceable against the Minister and not the dissolved body.
- (4) Any claim made or proper to be made by the dissolved body in respect of any loss or injury arising from the act or default of any person before the dissolution day shall, on or after that day, where the claim relates to a function of the dissolved body transferred to the Minister under this Act, be regarded as having been made by or proper to be made by the Minister and may be pursued and sued for by the Minister as if the loss or injury had been suffered by the Minister.

Transfer of property

11. (1) On the dissolution day, all property, including choses-in-action, that, immediately before that day, was vested in the dissolved body shall stand vested in the Minister without any assignment.
- (2) Every chose-in-action vested in the Minister by virtue of *subsection (1)* may, on and after the dissolution day, be sued on, recovered or enforced by the Minister in his or her own name, and it shall not be necessary for the Minister, or the dissolved body, to give notice to any person bound by the chose-in-action of the vesting effected by that subsection.

Transfer of rights and liabilities

12. (1) All rights and liabilities of the dissolved body arising by virtue of any contract or commitment (expressed or implied) entered into by it before the dissolution day shall on that day stand transferred to the Minister.
- (2) Every right and liability transferred by *subsection (1)* to the Minister may, on and after the dissolution day, be sued on, recovered or enforced by or against the Minister in his or her own name, and it shall not be necessary for the Minister, or the dissolved body, to give notice to the person whose right or liability is transferred by that subsection of such transfer.

Provisions consequent upon transfer of functions, assets and liabilities

13. (1) Anything commenced and not completed before the dissolution day by or under the authority of the dissolved body may, in so far as it relates to a function transferred to the Minister under this Act, be carried on or completed on or after the dissolution day by the Minister.
- (2) Every instrument made under an enactment and every document (including any certificate) granted or made, in the performance of a function transferred to the Minister under this Act, shall, if and in so far as it was operative immediately before the dissolution day, have effect on or after that day as if it had been granted or made by the Minister.

Records of dissolved body

14. (1) Subject to *subsection (2)*, records held by the dissolved body immediately before the dissolution day shall on that day stand transferred to the Minister and shall, on and after that day, be the property of the Minister and be regarded as being held by the Minister.
- (2) Subject to the taking of suitable and specific measures, the Minister may process personal data, including special categories of personal data, contained in the records referred to in *subsection (1)*, where necessary and proportionate for the performance of his or her functions as follows:
- (a) the confirmation of eligibility for the services set out in *section 4(1)*;
 - (b) the confirmation of eligibility for a health support payment;
 - (c) the confirmation of eligibility for grants referred to in *section 6(1)*;
 - (d) the preparation of an effective defence against any legal proceedings transferred to the Minister under *section 10(2)* or arising from any liability transferring to the Minister under *section 10* or *12*;
 - (e) the enforcement of any rights arising from contracts or commitments transferred to the Minister under *section 12*;
 - (f) the preparation of the final accounts referred to in *section 15(1)*;
 - (g) compliance with his or her obligation in respect of the audit by the Comptroller and Auditor General referred to in *section 15(2)*;
 - (h) the preparation of the final report referred to in *section 15(4)*.

Final accounts and final report of dissolved body

15. (1) As soon as may be after the dissolution day, but not later than 12 months thereafter, the Minister shall cause to be prepared final accounts of the dissolved body in respect of the period specified under *subsection (3)*.
- (2) Accounts prepared pursuant to this section shall be submitted as soon as may be by the Minister to the Comptroller and Auditor General for audit and immediately after

the audit, a copy of the accounts as audited and a copy of the Comptroller and Auditor General's report on the accounts shall be presented to the Minister who shall cause copies of those audited accounts and that report to be laid before each House of the Oireachtas.

- (3) For the purposes of *subsection (1)*, the Minister may specify a period that is longer or shorter than a financial year of the dissolved body.
- (4) The Minister shall cause to be prepared the final report for the dissolved body not later than 6 months after the dissolution day and the Minister shall, as soon as may be after the report is prepared, cause copies of that report to be laid before each House of the Oireachtas.

Closure of investment account and cessation of certain functions

16. (1) The Minister shall, not later than 30 days after the laying of accounts by him or her under *section 15(2)*, request the Agency to close the Caranua investment account and to pay moneys (if any) standing in that account to the Minister and the Agency shall comply with that request.

(2) The Minister shall not perform any functions conferred on the Residential Institutions Statutory Fund Board under *section 7* of the Act of 2012 on or after the day the Caranua investment account is closed under *subsection (1)*.

(3) In this section—

“Agency” means the National Treasury Management Agency;

“Caranua investment account” means the account established under *section 29(3)* of the Act of 2012.

Utilisation of moneys paid to Minister

17. (1) Any moneys vested in the Minister under *section 11(1)* or paid to the Minister under *section 16(1)* shall be utilised by the Minister for any of the purposes referred to in *subsection (2)(a)*.

(2) The Minister shall, as soon as is practicable after the commencement of this section, determine, and publish on a website maintained by or on behalf of the Minister and in such other manner (if any) as he or she considers appropriate—

(a) the purposes, being purposes benefitting former residents, for which he or she shall utilise the moneys referred to in *subsection (1)*, and

(b) the criteria by reference to which he or she shall make decisions under this subsection as to the utilisation of the moneys referred to in *subsection (1)* for any of the purposes referred to in *paragraph (a)*.

(3) The Minister shall make decisions referred to in *subsection (2)(b)* by reference to the criteria determined under that subsection.

PART 4

MISCELLANEOUS

Transfer of certain data from Residential Institutions Redress Board

18. (1) Notwithstanding anything contained in the Residential Institutions Redress Acts 2002 to 2011 or any other enactment, the Residential Institutions Redress Board shall disclose relevant personal data to the Minister upon being requested to do so by the Minister.
- (2) The Minister may process relevant personal data disclosed under *subsection (1)* where necessary and proportionate for one or more of the following purposes:
- (a) the confirmation of the eligibility of a person for the services set out in *section 4(1)*;
 - (b) the confirmation of the eligibility of a person for a health support payment;
 - (c) the confirmation of the eligibility of a person for grants referred to in *section 6(1)*.
- (3) In this section, “relevant personal data” means the name, address and date of birth of a person referred to in section 3(1)(a) of the Act of 2012.

Regulations relating to personal data

19. (1) The Minister may by regulations prescribe additional bodies or classes of bodies to which personal data may be disclosed, where necessary and proportionate for the provision of—
- (a) services set out in *section 4(1)*, or
 - (b) grants referred to in *section 6(1)*.
- (2) The Minister may by regulations prescribe suitable and specific measures for the processing of personal data and special categories of personal data under this Act.
- (3) Regulations made under this section may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.
- (4) Every regulation made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Amendment of Schedule 1 to Nursing Homes Support Scheme Act 2009

20. Schedule 1 to the Nursing Homes Support Scheme Act 2009 is amended, in Part 3, in the

definition of “relevant payment” (as amended by section 46 of the Act of 2023)—

- (a) in paragraph (ea), by the substitution of “2023,” for “2023, or”, and
- (b) by the insertion of the following paragraph after paragraph (ea):
 - “(eb) a payment or payments made to the person arising from an award under the Residential Institutions Redress Scheme, or from a court award or settlement referred to in section 7(2) of the Residential Institutions Redress Act 2002, or”.

Amendment of section 18 of Act of 2023

21. Section 18 of the Act of 2023 is amended—

- (a) by the substitution of the following subsection for subsection (7):
 - “(7) A relevant person shall not be eligible for the provision without charge of the health services referred to in subsection (4) to him or her, or entitled to a health support payment, if he or she—
 - (a) is a relevant participant within the meaning of section 2 of the Redress for Women Resident in Certain Institutions Act 2015, or
 - (b) a former resident, within the meaning of the *Act of 2025*, who has received a payment under *section 5(1)* of that Act.”,
- (b) by the insertion of the following subsection after subsection (7):
 - “(7A) Notwithstanding any other enactment—
 - (a) the Chief Deciding Officer may process personal data, including special categories of personal data, disclosed to him or her under *section 5(4)(a)* of the *Act of 2025* where necessary and proportionate for the purposes of enabling him or her to determine whether or not a former resident has received a payment under *section 5(1)* of that Act, and
 - (b) the Chief Deciding Officer may disclose personal data, including special categories of personal data, to the Minister for Education and Youth where necessary and proportionate to enable that Minister to process such data pursuant to, and for the purposes of, *section 5(4)(b)* of the *Act of 2025*.”,

and

- (c) by the insertion of the following subsection after subsection (8):
 - “(9) In this section—
 - ‘*Act of 2025*’ means the *Supports for Survivors of Residential Institutional Abuse Act 2025*;
 - ‘former resident’ has the same meaning as it has in the *Act of 2025*.”.