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**AN BILLE UM CHEARTA SEANAITHREACHA AGUS  
SEANMHÁITHREACHA, 2013  
RIGHTS OF GRANDPARENTS BILL 2013**

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**EXPLANATORY MEMORANDUM**

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*Purpose*

This Bill proposes to remove the obligation imposed on the grandparents of a child to first apply to court and obtain leave before exercising the right to apply for access to their grandchild and to facilitate the development of a relationship or a bond between a grandparent and their grandchildren.

To achieve this right, the Bill seeks to amend the Guardianship of Infants Act 1964 by inserting in Section 2 of that Act the following definition: *A grandparent in relation to a child means a grandparent whether of whole/half blood or by affinity and includes the spouse of such person, a parent of a child's adopted parent and an adoptive parent of a child's parent.*

The Bill seeks to provide for the continuing development of a relationship or a bond between a grandparent and their grandchild and to facilitate the development of that bond.

The Bill provides that when deciding to grant an application by the court, the court shall have regard to all circumstances including in particular the applicant's connection with a child, the risk if any of the applicant disrupting the child's life to that extent that a child would be harmed by it, the wishes of the parents of the child and fundamentally the wishes of the child.

*Derek Keating T.D.,  
February, 2013.*