



An Bille um Chinnteoireacht Chuidithe (Cumas) (Leasú), 2026
Assisted Decision-Making (Capacity) (Amendment) Bill 2026

Mar a tionscnaíodh

As initiated



AN BILLE UM CHINNTEOIREACHT CHUIDITHE (CUMAS) (LEASÚ), 2026
ASSISTED DECISION-MAKING (CAPACITY) (AMENDMENT) BILL 2026

Mar a tionscnaíodh

As initiated

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ACT REFERRED TO

Assisted Decision-Making (Capacity) Act 2015 (No. 64)



AN BILLE UM CHINNTEOIREACHT CHUIDITHE (CUMAS) (LEASÚ), 2026
ASSISTED DECISION-MAKING (CAPACITY) (AMENDMENT) BILL 2026

Bill

entitled

An Act to enable the wardship court to extend, in certain circumstances, in respect of 5
certain individual wardship cases, the time period specified in section 54(2) or section
54(3) of the Assisted Decision-Making (Capacity) Act 2015 for a capacity declaration to
be made under section 55(1) of the Act, in circumstances where the expiry of that time
period is imminent and will not be met in those individual cases; for these and other
purposes to amend the Assisted Decision-Making (Capacity) Act 2015; and to provide 10
for related matters.

Amendment of section 54 of Assisted Decision-Making (Capacity) Act 2015

1. Section 54 of the Assisted Decision-Making (Capacity) Act 2015 is amended—

(a) by the insertion of the following subsection after subsection (2):

“(2A) In any matter before the wardship court under subsection (1) or (2)— 15

(a) the wardship court may, in relation to that matter, extend the time
period specified in subsection (2) for a declaration under
section 55(1) where the wardship court is satisfied that—

(i) good reason has been shown as to why that time period will not
be met, and 20

(ii) it is in the interests of justice to do so,

and, where the court so extends the time period, subsection (2)
shall thereafter be construed accordingly in relation to that matter,

(b) the time period of any extension granted under paragraph (a) shall,
subject to paragraph (g), be such period as the wardship court 25
considers necessary and proportionate in the circumstances of the
case,

(c) the wardship court may extend the time period granted under
paragraph (a) where the wardship court is satisfied that—

(i) exceptional circumstances have been shown as to why a further 30
extension of time will be required, and

(ii) it is in the interests of justice to do so,

and, where the court so extends the time period, subsection (2) shall thereafter be construed accordingly in relation to that matter,

- (d) the time period of any extension granted under paragraph (c) shall, subject to paragraph (g), be such further period as the wardship court considers necessary and proportionate in the circumstances of the case, 5
- (e) the wardship court may discharge, or, subject to this subsection, vary on such terms as it considers fit, any order made under paragraph (a) or (c) at any stage,
- (f) where the ward has not participated in the making of an order under this subsection, he or she shall be notified of the making of any such order as soon as practicable after its making, and 10
- (g) any extensions of time granted in respect of any matter by the wardship court pursuant to this subsection shall not exceed an overall time period of 18 months or extend beyond 25 October 2027, whichever is the earlier.”, 15

and

- (b) by the insertion of the following subsection after subsection (3):

“(3A) In any matter before the wardship court under subsection (3)—

- (a) the wardship court may, in relation to that matter, extend the time period specified in subsection (3) for a declaration under section 55(1) where the wardship court is satisfied that— 20
 - (i) good reason has been shown as to why that time period will not be met, and
 - (ii) it is in the interests of justice to do so, 25and, where the court so extends the time period, subsection (3) shall thereafter be construed accordingly in relation to that matter,
- (b) the time period of any extension granted under paragraph (a) shall, subject to paragraph (g), be such period as the wardship court considers necessary and proportionate in the circumstances of the case, 30
- (c) the wardship court may extend the time period granted under paragraph (a) where the wardship court is satisfied that—
 - (i) exceptional circumstances have been shown as to why a further extension of time will be required, and 35
 - (ii) it is in the interests of justice to do so,and, where the court so extends the time period, subsection (3) shall thereafter be construed accordingly in relation to that matter,
- (d) the time period of any extension granted under paragraph (c) shall, subject to paragraph (g), be such further period as the wardship 40

court considers necessary and proportionate in the circumstances of the case,

- (e) the wardship court may discharge, or, subject to this subsection, vary on such terms as it considers fit, any order made under paragraph (a) or (c) at any stage, 5
- (f) where the ward has not participated in the making of an order under this subsection, he or she shall be notified of the making of any such order as soon as practicable after its making, and
- (g) any extensions of time granted in respect of any matter by the wardship court pursuant to this subsection shall not exceed an overall time period of 18 months.”. 10

Short title

2. This Act may be cited as the Assisted Decision-Making (Capacity) (Amendment) Act 2026.

An Bille um Chinnteoireacht Chuidithe
(Cumas) (Leasú), 2026

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht dá chumasú don chúirt choimircíochta fadú a dhéanamh, in imthosca áirithe, i leith cásanna coimircíochta áirithe ar leith, ar an tréimhse ama a shonraítear in alt 54(2) nó in alt 54(3) den Acht um Chinnteoireacht Chuidithe (Cumas), 2015 chun dearbhú maidir le cumas a dhéanamh faoi alt 55(1) den Acht, in imthosca ina mbeidh an tréimhse ama sin ag dul in éag go luath agus nach mbeidh dearbhú maidir le cumas déanta roimh an dul in éag sin sna cásanna sin ar leith; chun na gcríoch sin agus chun críoch eile, do leasú an Achta um Chinnteoireacht Chuidithe (Cumas), 2015; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*An tAire Leanaí, Míchumais agus Comhionannais a
thíolaic,*

25 Feabhra, 2026

Assisted Decision-Making (Capacity)
(Amendment) Bill 2026

BILL

(as initiated)

entitled

An Act to enable the wardship court to extend, in certain circumstances, in respect of certain individual wardship cases, the time period specified in section 54(2) or section 54(3) of the Assisted Decision-Making (Capacity) Act 2015 for a capacity declaration to be made under section 55(1) of the Act, in circumstances where the expiry of that time period is imminent and will not be met in those individual cases; for these and other purposes to amend the Assisted Decision-Making (Capacity) Act 2015; and to provide for related matters.

*Presented by the Minister for Children, Disability
and Equality,*

25th February, 2026

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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