



STATUTORY INSTRUMENTS.

S.I. No. 409 of 2010



CRIMINAL JUSTICE ACT 2006 (ELECTRONIC MONITORING
DEVICES) REGULATIONS 2010

(Prn. A10/1268)

CRIMINAL JUSTICE ACT 2006 (ELECTRONIC MONITORING
DEVICES) REGULATIONS 2010

The Minister for Justice and Law Reform, in exercise of the powers conferred on him by section 111(b) of the Criminal Justice Act 2006 (No. 26 of 2006) (as adapted by the Justice, Equality and Law Reform (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 216 of 2010)), hereby makes the following regulations:

1. These Regulations may be cited as the Criminal Justice Act 2006 (Electronic Monitoring Devices) Regulations 2010.

2. In these Regulations—

“electronic monitoring device” includes any charger or other ancillary equipment;

“receiving centre” means, in relation to an electronic monitoring device, a facility to which the electronic monitoring device is linked for the purpose of receiving information from that electronic monitoring device.

3. The following types of electronic monitoring device are prescribed as the types of electronic monitoring device that may be used for the purpose of monitoring the compliance of persons with section 108(4) of the Criminal Justice Act 2006 (No. 26 of 2006):

(a) a device which is—

(i) attached to a person,

(ii) either directly or through a device referred to in paragraph (b) or (c), linked to a receiving centre by means of fixed line, radio frequency, satellite or other technology,

(iii) either directly or through a device referred to in paragraph (b) or (c), capable of transmitting to the receiving centre information relating to—

(I) the particular place at which the device is located at a particular time, and

(II) the functioning of the device,

and

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 27th August, 2010.*

- (iv) capable of detecting any tampering with the device and transmitting to the receiving centre information relating to such tampering;
- (b) a portable tracking device which is, in conjunction with a device referred to in paragraph (a)—
- (i) linked to a receiving centre by means of fixed line, radio frequency, satellite or other technology,
 - (ii) capable of detecting the device referred to in paragraph (a) and transmitting to the receiving centre information relating to the particular place at which the devices are located at a particular time,
 - (iii) capable, where the portable tracking device fails to detect the device referred to in paragraph (a), of transmitting to the receiving centre information relating to such failure, and
 - (iv) capable of transmitting to the receiving centre information relating to the functioning of the devices;
- (c) a site monitoring device which is—
- (i) linked to a receiving centre by means of fixed line, radio frequency, satellite or other technology,
 - (ii) in conjunction with a device referred to in paragraph (a), capable of—
 - (I) detecting the presence or absence of the device referred to in paragraph (a) in or from a particular place at a particular time, and
 - (II) transmitting to a receiving centre information relating to such presence or absence,and
 - (iii) capable of transmitting to the receiving centre information relating to the functioning of the device.



GIVEN under the Official Seal of the Minister for Justice and Law Reform,
25 August 2010.

KENNETH O'LEARY,

A person authorised under section 15 of the Ministers and Secretaries Act 1924 to authenticate the seal of the Minister for Justice and Law Reform.

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