



Number 8 of 2026

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



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ASSISTED DECISION-MAKING (CAPACITY) (AMENDMENT) ACT 2026

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[No. 8.]

*Assisted Decision-Making
(Capacity) (Amendment) Act 2026.*

[2026.]

ACT REFERRED TO

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



Number 8 of 2026

ASSISTED DECISION-MAKING (CAPACITY) (AMENDMENT) ACT 2026

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. [31st March, 2026]

Be it enacted by the Oireachtas as follows:

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)—

- (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
 - (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 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 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,
- (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
- (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.”,

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—
 - (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,and, 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,
- (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
 - (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 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,
- (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.”.

Short title

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