



STATUTORY INSTRUMENTS

S.I. No. 268 of 2009

HEALTH ACT 2007 (COMMENCEMENT) (No. 3) ORDER 2009

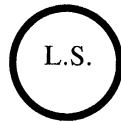
(Prn. A9/1007)

S.I. No. 268 of 2009

HEALTH ACT 2007 (COMMENCEMENT) (No. 3) ORDER 2009

I, MARY HARNEY, Minister for Health and Children, in exercise of the powers conferred on me by section 3 of the Health Act 2007 (No. 23 of 2007), hereby order as follows:

1. This Order may be cited as the Health Act 2007 (Commencement) (No. 3) Order 2009.
2. The 1st day of August 2009 is appointed as the day on which section 103 (in so far as it is not already in operation) of the Health Act 2007 (No. 23 of 2007) comes into operation.



GIVEN under my Official Seal,
21 July 2009.

MARY HARNEY,
Minister for Health and Children.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 24th July, 2009.*

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

Section 103 of the Health Act 2007 inserts Part 9A in the Health Act 2004 and provides for the making of protected disclosures in the health service. A disclosure made in good faith, on reasonable grounds and in accordance with the provisions of section 103 is protected. Most provisions of section 103 were commenced from 1 March 2009 by S.I. No. 27 of 2009.

This Order brings into operation provisions in section 103 relating to the making of protected disclosures to the Chief Inspector of Social Services in certain circumstances. A person is not liable in damages as a consequence of making a protected disclosure to the Chief Inspector. A health service employee or an employee of a private nursing home is protected from penalisation by his or her employer for making a protected disclosure to the Chief Inspector.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€1.27

ISBN 978-1-4064-4794-1



9 781406 447941