Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 18 *of* 1992

HOUSING (MISCELLANEOUS PROVISIONS) ACT 1992

REVISED

Updated to 1 April 2026

This Revised Act is an administrative consolidation of the *Housing (Miscellaneous Provisions) Act 1992*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Assisted Decision-Making (Capacity) (Amendment) Act 2026* (8/2026), enacted 31 March 2026, and all statutory instruments up to and including the *Appointment of Special Advisers (Tánaiste and Minister for Finance) (No. 2) Order 2026* (S.I. No. 137 of 2026), made 1 April 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to
revisedacts@lawreform.ie.

Number 18 *of* 1992

HOUSING (MISCELLANEOUS PROVISIONS) ACT 1992

REVISED

Updated to 1 April 2026

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
2. Shared ownership leases.
3. Granting of shared ownership leases by housing authorities, etc.
4. Subsidy towards rent of houses leased by means of shared ownership leases.
5. Works by housing authorities to private houses.
6. Assistance by housing authorities of certain bodies.
7. Subsidy towards rent of houses provided by certain bodies.
8. Exemption from stamp duty.
9. Additional provisions relating to section 58 of Principal Act.
10. Removal of temporary dwellings from certain locations.
11. Housing loans by housing authorities.
12. Security of abandoned houses.
13. Disposal of house mortgages.
14. Disposal of mortgages held by housing authorities or Housing Finance Agency plc.
15. Transfer to Housing Finance Agency plc of certain Local Loans Fund loans.
16. Minimum notice to quit, etc.
17. Rent books.
18. Standards for rented houses.
18A. Improvement notice.
18B. Prohibition notice.
19. Prohibition on distress for rent of dwelling.
20. Registration of rented houses.
20A. Regulations in respect of fees payable to the housing authority
21. Statutory declarations.
22. Payment of grants, etc., not to imply certain warranties.
23. Definition of housing authority and transfer of functions.
24. Amendment of section 5 of Principal Act.

Section

25. Amendment of section 89 of Principal Act.
26. Power of housing authorities to sell certain dwellings provided under Principal Act.
27. Amendment of section 15 of Act of 1988.
28. Amendment of section 20 of Act of 1988.
29. Amendment of Housing Finance Agency Act, 1981.
30. Amendment of section 29 of Building Societies Act, 1989.
31. Increase of certain limits under Principal Act.
32. Extension of application of section 6 of Landlord and Tenant (Amendment) Act, 1980.
33. Increase in fines, etc.
34. Offences.
35. Validation of certain payments.
36. Expenses of housing authorities.
37. Repeals and savings.
38. Short title, construction, collective citation and commencement.

SCHEDULE

ENACTMENTS REPEALED

ACTS REFERRED TO

Acquisition of Land (Assessment of Compensation) Act, 1919	9 & 10 Geo. 5, c. 57
Building Societies Act, 1989	1989, No. 17
Companies Acts, 1963 to 1990	
Conveyancing Act, 1881	44 & 45 Vict., c. 41
Conveyancing Acts, 1881 to 1911	
Housing Act, 1966	1966, No. 21
Housing Act, 1970	1970, No. 18
Housing Act, 1988	1988, No. 28
Housing (Miscellaneous Provisions) Act, 1979	1979, No. 27
Housing (Private Rented Dwellings) Act, 1982	1982, No. 6
Housing (Private Rented Dwellings) (Amendment) Act, 1983	1983, No. 22
Housing Finance Agency Act, 1981	1981, No. 37
Housing Finance Agency (Amendment) Act, 1988	1988, No. 1
Insurance Act, 1989	1989, No. 3
Landlord and Tenant (Amendment) Act, 1980	1980, No. 10
Landlord and Tenant (Ground Rents) Act, 1978	1978, No. 7
Landlord and Tenant (Ground Rents) (No. 2) Act, 1978	1978, No. 16
Landlord and Tenant Law Amendment Act, Ireland, 1860	23 & 24 Vict., c. 154
Local Government Act, 1941	1941, No. 23
Local Government Act, 1946	1946, No. 24
Local Loans Fund Act, 1935	1935, No. 16

National Building Agency Limited Act, 1963	1963, No. 32
Petty Sessions (Ireland) Act, 1851	14 & 15 Vict., c. 93
Property Values (Arbitration and Appeals) Act, 1960	1960, No. 45
Registration of Title Act, 1964	1964, No. 16
Towns Improvement (Ireland) Act, 1854	17 & 18 Vict., c. 103

Number 18 *of* 1992

HOUSING (MISCELLANEOUS PROVISIONS) ACT 1992

REVISED

Updated to 1 April 2026

AN ACT TO AMEND AND EXTEND THE HOUSING ACTS, 1966 TO 1988, THE LANDLORD AND TENANT (GROUND RENTS) ACT, 1978, THE LANDLORD AND TENANT (AMENDMENT) ACT, 1980, THE HOUSING FINANCE AGENCY ACTS, 1981 TO 1988, THE HOUSING (PRIVATE RENTED DWELLINGS) ACT, 1982, AND THE BUILDING SOCIETIES ACT, 1989, AND TO PROVIDE FOR CERTAIN OTHER MATTERS IN RELATION TO HOUSING. [23*rd July*, 1992]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

C1 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of

Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year	Provision	Extent of Modification
(1)	(2)	(3)

No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

C2 Application of collectively cited *Housing Acts* restricted (1.07.1997) by *Housing (Miscellaneous Provisions) Act 1997* (21/1997), s. 14(1), S.I. No. 247 of 1997, and s. 14A as inserted (11.09.1998) by *Housing (Traveller Accommodation Act 1998* (33/1998), s. 35(b), S.I. No. 328 of 1998; as substituted (13.04.2015) by *Housing (Miscellaneous Provisions) Act 2014* (21/2014), s. 19(9), (10), S.I. No. 121 of 2015.

Letting and sale of local authority housing.

14.—**[**(1) Notwithstanding anything contained in the Housing Acts 1966 to 2014, or in an allocation scheme made under section 22 of the Housing (Miscellaneous Provisions) Act 2009, a housing authority may—

(*a*) refuse to allocate, or defer the allocation of, a dwelling to which subsection (1) of the said section 22 refers, to a household where—

(i) the authority considers that any member of the household is or has been engaged in anti-social behaviour or that an allocation to that household would not be in the interest of good estate management, or

(ii) the household fails to provide information, including information relating to members residing together or proposing to reside together as part of the household, which is requested by the authority and which the authority considers necessary in connection with an allocation,

or

(*b*) refuse to permit a person, or defer permitting a person, to take up or resume residence or enter or be in a dwelling to which section 22(1)(a) of the said Act refers where—

(i) the authority considers that the person is or has been engaged in anti-social behaviour or that such permission would not be in the interest of good estate management, or

(ii) the tenant of the dwelling or the person concerned fails to provide information that is requested by the authority and which the authority considers necessary in connection with deciding whether to give, refuse or defer such permission.**]**

...

[Authorisation to occupy caravan on site

14A. Notwithstanding anything contained in the Housing Acts 1966 to 2014, a housing authority may refuse or defer an authorisation to a person to occupy a caravan on a site where—

(*a*) the authority considers that that person or a member of his or her household is or has been engaged in anti-social behaviour or that the occupation by that person or

household member of a caravan on the site would not be in the interest of good estate management, or

(*b*) that person fails to provide information, including information relating to persons residing or to reside with that person, which is requested by the authority and which the authority considers necessary in respect of the application for such authorisation.**]**

C3 Reference to "county council", "city council" and "county council and a city council", and reference to "the administrative area of a county council", "the administrative area of a city council" and "the administrative area of a county council and the administrative area of a city council" construed (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 9(2), (3), S.I. No. 214 of 2014.

Cesser and amalgamation of certain local government areas

9. ...

(2) Except where otherwise provided for by this Act, a reference, however expressed, in any enactment—

(*a*) to a county council or a city council (including a reference construed by section 3(2) of, and Schedule 2 to, the Principal Act as a reference to a county council or to a city council, as the case may be) shall, if the context permits, be read as a reference to a county council, a city council or a city and county council, and

(*b*) to a county council and a city council (including a reference so construed) shall, if the context permits, be read as a reference to a county council, a city council and a city and county council.

(3) Except where otherwise provided for by this Act, a reference, however expressed, in any enactment—

(*a*) to the administrative area of a county council or the administrative area of a city council shall, if the context permits, be read as a reference to the administrative area of a county council, the administrative area of a city council or the administrative area of a city and county council, and

(*b*) to the administrative area of a county council and the administrative area of a city council shall, if the context permits, be read as a reference to the administrative area of a county council, the administrative area of a city council and the administrative area of a city and county council.

C4 Application of collectively cited *Housing Acts* potentially restricted (21.09.2011) by *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011), reg. 42(22), in operation as per reg. 1(3).

Screening for Appropriate Assessment and Appropriate Assessment of implications for European Sites

42. ...

(22) Notwithstanding any provision of any statute listed in the *Second Schedule* that provides for the consent for a plan or project to which this Regulation applies to be obtained by default on the failure of the public authority to provide a response within a specified timescale or otherwise, that provision shall not have effect in respect of any plan or project to which this Regulation applies.

...

SECOND SCHEDULE

...

Housing Acts 1966 to 2009

...

C5 Power granted to Minister to issue guidelines and codes of practice, and a licence, consent, permission, permit, derogation or other authorisation given under collectively cited *Housing Acts 1966 to 2009* may require compliance with an issued guideline and code of practice as provided (21.09.2011) by *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011), regs. 63(3), 71 and sch. 2.

General provisions regarding licences etc

63. ...

(3) A person who fails to comply with the terms, conditions, restrictions or requirements of a licence, consent, permission, permit, derogation or other authorisation given by a public authority pursuant to or in accordance with these Regulations shall be guilty of an offence.

...

Guidelines and codes of practice

71. (1) The Minister may issue guidelines and codes of practice in relation to the performance of the functions of public authorities insofar as the requirements of these Regulations, the Habitats Directive or the Birds Directive apply to those functions, or in relation to the general duties of other persons to which these Regulations apply.

...

SECOND SCHEDULE

Number	Year	Short Title/Citation
		Housing Acts 1966 to 2009

C6 Power granted to Minister to give directions and issue guidelines under collectively cited *Housing Acts 1966 to 2009* (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), ss. 4, 5, S.I. No. 449 of 2009.

Ministerial directions.

4.— (1) The Minister may, from time to time, as he or she considers appropriate, give general policy directions in writing to a housing authority in relation to the performance by the housing authority of any of its functions under the *Housing Acts 1966 to 2009* and the housing authority shall comply with any such directions.

...

Guidelines.

5.— (1) The Minister may, from time to time, as he or she considers appropriate, issue to housing authorities such guidelines in relation to the performance of their functions under the *Housing Acts 1966 to 2009* as he or she considers appropriate and housing authorities shall have regard to such guidelines in the performance of those functions.

...

C7 Certain functions under collectively cited *Housing Acts 1966 to 2009* transferred to Health Service Executive (1.01.2005) by *Health Act 2004* (42/2004), s. 59(1) and sch. 3 item 43, S. I. No. 887 of 2004.

Transfer of functions of specified bodies to Executive.

59.—(1) The functions that, immediately before the establishment day, were the functions of a specified body under or in connection with the enactments referred to in Schedule 3 are, by this Act, transferred to the Executive on that day.

...

SCHEDULE 3

Transfer of Functions and References to Functional Areas

...

43. Housing Acts 1966 to 2002

C8 Reference to "a functional area of a health board", "the Eastern Regional Health Authority" and "an Area Health Board" under collectively cited *Housing Acts 1966 to 2009* construed (1.01.2005) by *Health Act 2004* (42/2004), s. 67(2) and sch. 3 item 43, S.I. No. 887 of 2004.

Functional areas of dissolved health boards.

67.— ...

(2) References (however expressed) in any enactment referred to in *Schedule 3* to a functional area of a health board, the Eastern Regional Health Authority or an Area Health Board are on and after the establishment day to be read as references to—

(*a*) the corresponding functional area of the Executive or that area as redefined in accordance with this section, or

(*b*) if the context so requires, the area comprising all of the corresponding functional areas of the Executive or comprising all of those areas as redefined in accordance with this section.

...

SCHEDULE 3

Transfer of Functions and References to Functional Areas

...

43. Housing Acts 1966 to 2002

C9 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in operation as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4(1), 5(1) and (3), 6(9), 7(1), 11(1) and (3), 13(1), 14(1) and (2) and 15(1) and (6)
...	...	...

Interpretation. **1.**—(1) In this Act, unless the context otherwise requires—

"the Act of 1979" means the Housing (Miscellaneous Provisions) Act, 1979;

"the Act of 1988" means the Housing Act, 1988;

F1**[**"approved housing body" has the meaning given to it by the Housing (Regulation of Approved Housing Bodies) Act 2019;**]**

F2**[**"Central Bank" means the Central Bank and Financial Services Authority of Ireland;**]**

"functions" includes powers and duties;

"house" includes any building or part of a building used or suitable for use as a dwelling and any outoffice, yard, garden or other land appurtenant thereto or usually enjoyed therewith and "housing" shall be construed accordingly;

"housing authority" has the meaning assigned to it by *section 23*;

"the Housing Finance Agency plc" means the company formerly known as the Housing Finance Agency which was established under section 2 of the Housing Finance Agency Act, 1981;

F3**[**"improvement notice" has the meaning given to it by *section 18A*;**]**

"improvement works" has the meaning assigned to it by section 1(1) of the Act of 1979;

F4**[**"local authority" means a local authority for the purposes of the Local Government Act 2001 (as amended by the Local Government Reform Act 2014);**]**

"the Minister" means the Minister for the Environment;

"prescribed" means prescribed by regulations made by the Minister;

"the Principal Act" means the Housing Act, 1966;

F3**[**"prohibition notice" has the meaning given to it by *section 18B*; **]**

"shared ownership lease" has the meaning assigned to it by *section 2*.

(2) In this Act, a reference to a section is to a section of this Act and a reference to a subsection, paragraph or subparagraph is to the subsection, paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that a reference to some other enactment or provision, as may be appropriate, is intended.

(3) A reference in this Act to an enactment shall be construed as a reference to that enactment as amended, adapted or extended by or under any subsequent enactment (including this Act).

Annotations

Amendments:

F1 Inserted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(a), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F2 Inserted (1.05.2003) by *Central Bank and Financial Services Authority of Ireland Act 2003* (12/2003), s. 35(1) and sch. 1 part 15, S.I. No. 160 of 2003.

F3 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 1, S.I. No. 449 of 2009.

F4 Substituted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. No. 214 of 2014.

Shared ownership leases.

2. —F5**[**...**]**

Annotations

Amendments:

F5 Repealed (12.09.2018) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 7 and sch. 1 item 3, S.I. No. 350 of 2018, art. 3(a)(i), subject to transitional provisions in s. 96.

Editorial Notes:

E1 Previous affecting provision: subs. (2) repealed (1.12.2009) by *Land And Conveyancing Law Reform Act 2009* (27/2009), s. 8(3) and sch. 2 part 5, S.I. No. 356 of 2009; section repealed as per F-note above.

E2 Previous affecting provision: subs. (1) substituted (24.12.2002) by *Planning and Development (Amendment) Act 2002* (32/2002), s. 16, commenced on enactment; section repealed as per F-note above.

E3 Previous affecting provision: functions as respects section transferred (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), art. 3, in operation as per art. 2; section repealed as per F-note above.

E4 Previous affecting provision: functions as respects section transferred (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), art. 3, in operation as per art. 2; section repealed as per F-note above.

E5 Previous affecting provision: functions as respects section transferred (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), art. 3, in operation as per art. 2; substituted (19.05 2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004).

E6 Previous affecting provision: functions as respects section transferred (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993), art. 2; section repealed as per F-note above.

Granting of shared ownership leases by housing authorities, etc.

3.—F6**[**...**]**

Annotations

Amendments:

F6 Repealed (12.09.2018) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 7 and sch. 1 item 3, S.I. No. 350 of 2018, art. 3(a)(i), subject to transitional provisions in s. 96.

Editorial Notes:

E7 Previous affecting provision: interest is payable on moneys owing under section as provided by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 33(1)(c), not commenced as respects this section; section repealed as per F-note above.

E8 Previous affecting provision: transitional provision for existing application of grant of a shared ownership lease under section provided (18.06.2018) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 96(3), (4), S.I. No. 206 of 2018; section repealed as per F-note above.

E9 Previous affecting provision: subs. (8)(b)(ii) amended and (iii) inserted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 200(1)(a), (b), S.I. No. 505 of 2004; section repealed as per F-note above.

E10 Previous affecting provision: application of section restricted by *Housing (Miscellaneous Provisions) Act 1997* (21/1997), s. 14(4), (5), as inserted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 197(f), S.I. No. 505 of 2004; section repealed as per F-note above.

E11 Previous affecting provision: subs. (1)-(4), (5)(i), (k) substituted (24.12.2002) by *Planning and Development (Amendment) Act 2002* (32/2002), s. 17(a), (b),commenced on enactment; section repealed as per F-note above.

E12 Previous affecting provision: functions as respects section transferred (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), art. 3, in operation as per art. 2; section repealed as per F-note above.

E13 Previous affecting provision: functions as respects section transferred (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), art. 3, in operation as per art. 2; section repealed as per F-note above.

E14 Previous affecting provision: functions as respects section transferred (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), art. 3, in operation as per art. 2; substituted (19.05 2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004).

E15 Previous affecting provision: functions as respects section transferred (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993), art. 2; section repealed as per F-note above.

Subsidy towards rent of houses leased by means of shared ownership leases.

4.—(1) Subject to such regulations as may be made by the Minister for the purposes of this section—

(*a*) a housing authority may pay a subsidy towards the rent of a house leased to a person under a shared ownership lease, and

(*b*) the Minister may, with the consent of the Minister for Finance, out of moneys provided by the Oireachtas—

F7**[**(i) pay a subsidy to a housing authority towards the rent of a house leased to a person under a shared ownership lease by the authority or F8**[**an approved housing body**]**, as the case may be,**]**

(ii) recoup to a housing authority all or part of a subsidy paid by the authority under *paragraph (a)*.

(2) Where a subsidy is paid under *subsection (1)*, the amount of the rent reserved under the lease shall be reduced by an amount equal to the amount of the subsidy.

(3) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(*a*) the amount of the subsidy and the manner of its determination;

(*b*) the amount or proportion of the subsidy that may be recouped by the Minister;

(*c*) the class or classes of houses in respect of which the subsidy may be paid;

(*d*) the class or classes of persons or households in respect of which the subsidy may be paid;

(*e*) requirements in relation to the financial and family circumstances of persons occupying a house in respect of which the subsidy may be paid;

(*f*) requirements in relation to the occupation and maintenance of a house in respect of which the subsidy may be paid;

(*g*) requirements in relation to the floor area of a house in respect of which the subsidy may be paid, measured in such manner as may, from time to time, be determined by the Minister;

(*h*) requirements in relation to standards of construction, works and repair and the availability in a house, in respect of which the subsidy may be paid, of water, sewerage and other services;

(*i*) the manner in and time within which an application for the subsidy shall be made;

(*j*) the conditions under which the subsidy may be paid;

(*k*) requirements in relation to the payment under any enactment (including this Act) of any other grant, subsidy or assistance in respect of a house concerned.

Annotations

Amendments:

F7 Substituted (24.12.2002) by *Planning and Development (Amendment) Act 2002* (32/2002), s. 18, commenced on enactment.

F8 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(b), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

Modifications (not altering text):

C10 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be

construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.

...	...	...

C11 Functions as respects section transferred (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Westmeath as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the urban district of Athlone hereby transferred to the council of the said urban district.

4. The council of the urban district of Athlone shall, as respects the said urban district, perform the functions hereby transferred separately from the functional area of the council of the county of Westmeath.

C12 Functions as respects section transferred (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Sligo as respects section 6 of the Housing (Miscellaneous Provisions) Act, 1979 (No. 27 of 1979), and sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the borough of Sligo, hereby transferred to the Mayor, Aldermen and Burgesses of Sligo.

4. The Mayor, Aldermen and Burgesses of Sligo shall, as respects the said borough, perform the functions hereby transferred separately from the functional area of the council of the county of Sligo.

C13 Functions as respects section transferred (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993), art. 2.

2. The functions of the council of the county of Louth as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are hereby transferred—

(*a*) in the case of the borough of Drogheda, to the Mayor, Aldermen and Burgesses of Drogheda, and

(*b*) in the case of the urban district of Dundalk, to the council of the said urban district.

Editorial Notes:

E16 Power pursuant to section exercised (30.12.2005) by *Housing (Rent Subsidy) Regulations 2005* (S.I. No. 915 of 2005).

E17 Previous affecting provision: functions as respects section transferred (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), art. 3, in operation as per art. 2; substituted (19.05 2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004).

Works by housing authorities to private houses.

5.—(1) Subject to this section and in accordance with such terms and conditions as may, from time to time, be determined for the purposes of this section by the Minister with the consent of the Minister for Finance, a housing authority may with the consent of the owner carry out, or arrange to have carried out, works of improvement or adaptation to a house not owned by them for one or more of the following purposes:

(*a*) rendering the house fit for human habitation;

(*b*) relieving overcrowding;

(*c*) rendering the house more suitable for the accommodation of occupants of the house.

(2) A housing authority may exercise their functions under *subsection (1)* in relation to any house intended to be occupied by a person—

F9**[**(*a*) who has been assessed under section 20 of the Housing (Miscellaneous Provisions) Act 2009 as being qualified for social housing support, but only if by exercising those functions the authority is satisfied that the person's need for such support will be met or obviated, or**]**

(*b*) who is in occupation of a house which was provided or which is or was owned by a housing authority and the authority exercising their functions under this section are satisfied that he will provide them or another housing authority with vacant possession of it by surrendering the tenancy or by conveying it with or without compensation.

(3) The Minister may, with the consent of the Minister for Finance, recoup to a housing authority, out of moneys provided by the Oireachtas, some or all of the expenses incurred by the authority in improving or adapting a house by virtue of this section.

(4) A housing authority may in respect of a house enter into and carry out an agreement or agreements with either or both the person to whom *subsection (2)* relates and the owner of the house for the carrying out of works under this section.

(5) Where an agreement under *subsection (4)* between a housing authority and the owner relating to expenses incurred by the authority in respect of the house under this section provides for the recovery by the authority of all or a portion of such expenses, the authority may make an order charging the house with the amount of the expenses to be so recovered.

(6) An order under *subsection (5)* shall be deemed to be a F10**[**legal mortgage under Part 10 of the Land and Conveyancing Law Reform Act 2009**]**, and the authority shall be the mortgagee for the purposes of F10**[**that Act**]** and shall accordingly have, in relation to every such order, all the powers conferred by F10**[**that Act**]** on mortagees under mortgages made by deed.

(7) Where a housing authority make an order under *subsection (5)*, they shall, as soon as practicable thereafter, cause the order to be registered in the Registry of Deeds or the Land Registry, as the case may require.

(8) An order under *subsection (5)* affecting land which is registered land within the meaning of the Registration of Title Act, 1964, shall be registrable as a burden affecting such land whether the person named in such order as the owner of the land is or is not registered under the said Act as the owner of such land.

(9) A housing authority may make a periodic or other charge in respect of works carried out under this section.

(10) Any sum due to a housing authority by any person pursuant to an agreement in relation to works carried out under this section may, without prejudice to any other power in that behalf, be recovered by the authority from that person as a simple contract debt in any court of competent jurisdiction.

(11) The terms and conditions determined by the Minister under *subsection (1)* may—

(*a*) provide for such matters as he considers necessary for the purpose of giving effect to this section, and

(*b*) make different provisions in relation to—

(i) houses occupied under different tenures, or

(ii) persons or houses of different classes.

(12) Where a house is being conveyed to a housing authority under this section—

(*a*) the expenses of such conveyance may be paid in whole or in part by the authority;

(*b*) in case the house is one in respect of which a subsidy has been paid under section 11 of the Act of 1979, the person conveying the house shall not be required to refund the subsidy, notwithstanding anything to the contrary contained in a transfer order under section 90 of the Principal Act.

Annotations

Amendments:

F9 Substituted (1.04.2011) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 2, S.I. No. 83 of 2011.

F10 Substituted (1.12.2009) by *Land And Conveyancing Law Reform Act 2009* (27/2009), s. 8(1) and sch. 1, S.I. No. 356 of 2009.

Modifications (not altering text):

C14 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Assistance by housing authorities of certain bodies.

6.—(1) A housing authority may, on such terms and conditions (including conditions requiring the giving of undertakings) as they think fit, assist—

(*a*) another housing authority F11**[**...**]**, or

(*b*) F12**[**subject to *subsection (8A)*, an approved housing body,**]**

in respect of the provision (whether provided by erection, purchase, improvement or conversion works) or management by the other authority F13**[**or approved housing body**]** of housing accommodation, or in respect of other matters in relation to housing.

(2) Assistance under *subsection (1)* may be given in one or more of the following ways—

(*a*) by a loan;

(*b*) by a periodic contribution to the funds of the other authority or F14**[**approved housing body**]**;

(*c*) by a guarantee of sums owed by the other authority or F14**[**approved housing body**]** in respect of borrowings;

(*d*) by a grant;

(*e*) by a subsidy towards, or the remission in whole or in part of, loan charges incurred by the other authority or F14**[**approved housing body**]**;

F15**[**(*ea*) by providing a dwelling of which the housing authority is the owner (including a house provided under Part V of the Planning and Development Act 2000) to another housing authority referred to in *subsection (1)(a)* or a F16**[**an approved housing body**]** referred to in *subsection (1)(b)*, under a contract or lease between the housing authority which owns the dwelling concerned and another housing authority referred to in *subsection (1)(a)* or a F16**[**an approved housing body**]** referred to in *subsection (1)(b)*;**]**

(*f*) by a contribution in kind, whether by way of materials or labour or any other service.

(3) A guarantee under this section may be given by the housing authority either alone or jointly with any other person or persons (including a housing authority).

(4) Where a housing authority have under this section assisted another housing authority F17**[**or an approved housing body**]** and, as a condition of providing such assistance, have been given an undertaking which has not been complied with, the following provisions shall have effect:

(*a*) the authority F17**[**or approved housing body**]** who received the assistance shall be liable to repay such amount as may be determined by the authority who provided the assistance, and

(*b*) the amount shall, without prejudice to any other power in that behalf, be recoverable by the authority who provided the assistance from the authority F17**[**or approved housing body**]** who received it as a simple contract debt in any court of competent jurisdiction.

(5) Where the terms and conditions of assistance under this section enable the assistance to be secured by mortgage, the housing authority may, for the purpose of securing the assistance, enter into and carry out an agreement with any other mortgagee.

(6) F18**[**...**]**

(7) F18**[**...**]**

(8) The determination of the terms and conditions under which assistance under this section is provided shall be a reserved function.

F19**[**(8A) Where, by virtue of section 69 of the Housing (Regulation of Approved Housing Bodies) Act 2019, a person is receiving existing assistance (within the

meaning of subsection (2)(b) of the said section 69), that person shall not receive from a housing authority any assistance under this section that is not existing assistance.**]**

(9) Where a housing authority have assisted a body under section 12 of the Principal Act in the provision of housing accommodation, the Minister may, with the consent of the Minister for Finance, recoup out of moneys provided by the Oireachtas all or part of such assistance.

(10) Any reference to section 5 of the Act of 1988 in sections 10 and 15 of that Act, in section 28 of the Building Societies Act, 1989, or in regulations made under the *Housing Acts, 1966 to 1992*, shall be construed as a reference to this section.

(11) In this section "housing accommodation" includes sites for caravans within the meaning of section 13 of the Act of 1988.

Annotations

Amendments:

F11 Deleted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. No. 214 of 2014.

F12 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(i)(I), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F13 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(i)(II), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F14 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(ii)(I), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F15 Inserted (1.03.2016) by *Residential Tenancies (Amendment) Act 2015* (42/2015), s. 87, S.I. No. 119 of 2016.

F16 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(ii)(II), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F17 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(iii), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F18 Deleted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), 67(c)(iv), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F19 Inserted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(c)(v), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F20 Inserted by *Planning and Development Act 2024* (34/2024), s. 631 and sch. 7 ref no. 10, not commenced as of date of revision.

Modifications (not altering text):

C15 Prospective affecting provision: subs. (2)(ea) amended by *Planning and Development Act 2024* (34/2024), s. 631 and sch. 7 ref no. 10, not commenced as of date of revision.

F15**[**(*ea*) by providing a dwelling of which the housing authority is the owner (including a house provided under Part V of the Planning and Development Act 2000 F20**[**or Part 7 of the Planning and Development Act 2024**]**) to another housing authority referred to in *subsection (1)(a)* or F16**[**an approved housing body**]** referred to in *subsection (1)(b)*, under a contract or lease between the housing authority which owns the dwelling concerned and another housing authority referred to in *subsection (1)(a)* or a F16**[**an approved housing body**]** referred to in *subsection (1)(b)*;**]**

C16 Functions transferred (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), art. 3, as substituted (19.05.2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004), art. 2.

[3. The functions of the council of the county of Wexford as respects sections 6 and 7 of the Housing (Miscellaneous Provisions) Act 1992, are, in the case of the borough of Wexford, hereby transferred to the Mayor, Aldermen and Burgesses of Wexford.**]**

4. The Mayor, Aldermen and Burgesses of Wexford shall, as respects the said borough, perform the functions hereby transferred separately from the functional area of the council of the county of Wexford.

C17 Functions as respects section transferred (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Westmeath as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the urban district of Athlone hereby transferred to the council of the said urban district.

4. The council of the urban district of Athlone shall, as respects the said urban district, perform the functions hereby transferred separately from the functional area of the council of the county of Westmeath.

C18 Functions as respects section transferred (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Sligo as respects section 6 of the Housing (Miscellaneous Provisions) Act, 1979 (No. 27 of 1979), and sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the borough of Sligo, hereby transferred to the Mayor, Aldermen and Burgesses of Sligo.

4. The Mayor, Aldermen and Burgesses of Sligo shall, as respects the said borough, perform the functions hereby transferred separately from the functional area of the council of the county of Sligo.

C19 Functions as respects section transferred (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993), art. 2.

2. The functions of the council of the county of Louth as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are hereby transferred—

(*a*) in the case of the borough of Drogheda, to the Mayor, Aldermen and Burgesses of Drogheda, and

(*b*) in the case of the urban district of Dundalk, to the council of the said urban district.

Editorial Notes:

E18 Body approved under subs. (6) deemed to be an AHB for certain purposes as provided (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 34(1), S.I. No. 728 of 2021, art. 2(c).

Subsidy towards rent of houses provided by certain bodies.

7.—(1) Subject to such regulations as may be made by the Minister for the purposes of this section—

(*a*) a housing authority may pay a subsidy towards the rent of a house provided (whether provided by erection, purchase, improvement or conversion) by F21**[**an approved housing body,**]**

(*b*) the Minister may, with the consent of the Minister for Finance, recoup to a housing authority, out of moneys provided by the Oireachtas, all or part of a subsidy paid by them under *paragraph (a)*.

(2) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(*a*) the amount of the subsidy and the manner of its determination;

(*b*) the amount or proportion of the subsidy that may be recouped by the Minister;

(*c*) the class or classes of houses in respect of which the subsidy may be paid;

(*d*) the class or classes of persons or households in respect of which the subsidy may be paid;

(*e*) requirements in relation to the financial and family circumstances of persons occupying a house in respect of which the subsidy may be paid;

(*f*) requirements in relation to the occupation and maintenance of a house in respect of which the subsidy may be paid;

(*g*) requirements in relation to the floor area of a house in respect of which the subsidy may be paid, measured in such manner as may, from time to time, be determined by the Minister;

(*h*) requirements in relation to standards of construction, works and repair and the availability in a house, in respect of which the subsidy may be paid, of water, sewerage and other services;

(*i*) the manner in and time within which an application for the subsidy shall be made;

(*j*) the manner of payment of the subsidy to the F22**[**approved housing body**]** providing the house and the conditions under which it is so paid to that F22**[**approved housing body**]**;

(*k*) the payment of the subsidy, on behalf of F23**[**an approved housing body**]** to whom it is payable under *subsection (1)*, to a person who has made a loan towards the provision of the house, or who has provided funds to a housing authority for the purpose of making such a loan, and the conditions under which it is so paid to that person;

(*l*) requirements in relation to the payment under any enactment (including this Act) of any other grant, subsidy or assistance in respect of a house concerned.

Annotations

Amendments:

F21 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(d)(i), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F22 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(d)(ii)(I), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

F23 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(d)(ii)(II), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

Modifications (not altering text):

C20 Functions transferred (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), art. 3, as substituted (19.05.2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004), art. 2.

[3. The functions of the council of the county of Wexford as respects sections 6 and 7 of the Housing (Miscellaneous Provisions) Act 1992, are, in the case of the borough of Wexford, hereby transferred to the Mayor, Aldermen and Burgesses of Wexford.**]**

4. The Mayor, Aldermen and Burgesses of Wexford shall, as respects the said borough, perform the functions hereby transferred separately from the functional area of the council of the county of Wexford.

C21 Functions as respects section transferred (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Westmeath as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the urban district of Athlone hereby transferred to the council of the said urban district.

4. The council of the urban district of Athlone shall, as respects the said urban district, perform the functions hereby transferred separately from the functional area of the council of the county of Westmeath.

C22 Functions as respects section transferred (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), art. 3, in operation as per art. 2.

3. The functions of the council of the county of Sligo as respects section 6 of the Housing (Miscellaneous Provisions) Act, 1979 (No. 27 of 1979), and sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are, in the case of the borough of Sligo, hereby transferred to the Mayor, Aldermen and Burgesses of Sligo.

4. The Mayor, Aldermen and Burgesses of Sligo shall, as respects the said borough, perform the functions hereby transferred separately from the functional area of the council of the county of Sligo.

C23 Functions as respects section transferred (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993), art. 2.

2. The functions of the council of the county of Louth as respects sections 2 to 4 and sections 6 and 7 of the Housing (Miscellaneous Provisions) Act, 1992, are hereby transferred—

(*a*) in the case of the borough of Drogheda, to the Mayor, Aldermen and Burgesses of Drogheda, and

(*b*) in the case of the urban district of Dundalk, to the council of the said urban district.

Exemption from stamp duty.

8. —F24**[...]**

Annotations

Amendments:

F24 Repealed (13.03.2008) by *Finance Act 2008* (3/2008), s. 121, commenced on enactment as respects instruments executed on or after enactment as per subs. (2).

Additional provisions relating to section 58 of Principal Act.

9.—(1) (*a*) A housing authority shall, within one year of the commencement of this section, draw up and adopt a written statement of their policy (in this section referred to as a "policy under this section") for the effective performance of their functions under section 58(1) of the Principal Act.

(*b*) A housing authority may, from time to time as they think fit, review their policy under this section and make in it any amendments, or draw up and adopt a new written statement of their policy, as they consider proper.

(*c*) In drawing up and adopting or amending a policy under this section a housing authority shall have regard to such matters as the Minister may from time to time direct.

(2) Notwithstanding section 58 of the Principal Act and subject to such regulations as may be made by the Minister for the purposes of this section, a housing authority may delegate to a designated body all or any one or more of their functions (including maintenance) in respect of the management and control of any specified dwellings of which the authority are the owner.

(3) A delegation by a housing authority under *subsection (2)*—

(*a*) shall specify—

(i) the designated body for the purposes of the delegation,

(ii) the functions being delegated to the designated body, and

(iii) the dwellings to which the delegation applies,

and

(*b*) may include provisions relating to all or any one or more of the following:

(i) arrangements in relation to the carrying out of works of maintenance, repair or environmental improvement, or ancillary works;

(ii) assistance by the housing authority to the designated body whether of a financial or other nature;

(iii) the collection by the designated body of rent due to the housing authority;

(iv) the assignment by the housing authority to the designated body of all or part of the proceeds of rent payable in relation to dwellings specified in the delegation and the conditions governing such assignment;

(v) the rights of the authority to inspect any book or other document or any other record (whether legible or in a machine readable form) of the designated body;

(vi) any other related or incidental matters which the housing authority consider appropriate.

(4) Regulations under this section may, in particular, but withoutprejudice to the generality of *subsection (2)*, make provision in relation to all or any one or more of the following:

(*a*) the constitution and composition of a designated body;

(*b*) the procedures of a designated body;

(*c*) the terms and conditions of a delegation;

(*d*) the form of an agreement between a housing authority and a designated body in relation to a delegation;

(*e*) the class or classes of dwellings in respect of which a delegation may be made;

(*f*) the monitoring by a housing authority of activities being carried out by a designated body under a delegation, including the inspection by the authority of dwellings;

(*g*) the provision by a designated body of periodic reports and accounts on its activities to a housing authority;

(*h*) the auditing of the annual accounts of a designated body.

(5) A housing authority may, at their discretion, revoke a delegation under this section whereupon the functions which had been delegated shall again be vested in and exercised by the authority with effect from a date specified in the resolution revoking the delegation.

(6) The delegation of a function to a designated body or the revocation of any such delegation and the adoption of a policy under this section or an amendment to such a policy shall be reserved functions.

(7) In this section—

"designated body" means an association, council, committee or other body whether corporate or unincorporate, which is—

(*a*) (i) established by and represents residents of an area within which are located dwellings that are to be the subject of a delegation under this section, or

(ii) established jointly by such residents and the housing authority and any other person or body (whether corporate or unincorporate) approved of by the authority,

and

(*b*) declared by the authority by resolution to be a designated body for the purposes of this section;

"dwellings" includes any building or other land to which section 58 of the Principal Act applies and any works or services provided by the housing authority which are ancillary to or otherwise relate to the dwellings concerned.

Annotations

Amendments:

F25 Repealed by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 7 and sch. 1 item 3, not commenced as of date of revision, subject to transitional provisions in s. 96.

Modifications (not altering text):

C24 Prospective affecting provision: section repealed by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 7 and sch. 1 item 3, not commenced as of date of revision, subject to transitional provisions in s. 96.

9. —F25**[**...**]**

Removal of temporary dwellings from certain locations.

10. —F26**[**(1) Where, without lawful authority, a person erects, places, occupies or otherwise retains a temporary dwelling in a public place and such temporary dwelling—

(*a*) is within a five mile radius of any site provided, managed or controlled by a housing authority under section 13 of the Act of 1988 (as amended by the Housing (Traveller Accommodation) Act, 1998), or any site provided or managed under *section 6* and the temporary dwelling concerned could, in the opinion of the housing authority within whose functional area such temporary dwelling has been erected, placed, occupied or otherwise retained, appropriately be accommodated on that site, the housing authority may serve a notice on that person requiring that person, within a specified period, to remove the said temporary dwelling to the said site,

(*b*) is, in the opinion of the housing authority concerned—

(i) unfit for human habitation due to lack or inadequacy of water supply, sanitation or other essential services, or

(ii) likely to obstruct or interfere with the use of public or private amenities or facilities, or the maintenance of such amenities or facilities, or

(iii) likely to constitute or constitutes a significant risk to personal health, public health, or safety,

and such temporary dwelling could, in the opinion of the housing authority within whose functional area such temporary dwelling has been erected, placed, occupied or otherwise retained, appropriately be accommodated on any site provided, managed or controlled under section 13 of the Act of 1988 (as amended by the Housing (Traveller Accommodation) Act, 1998), or any site provided or managed under *section 6*, the housing authority may serve a notice on that person requiring that person, within a specified period, to remove such temporary dwelling to the said site,

F27**[**(*c*) is within a one mile radius of any site provided, managed or controlled by a housing authority under section 13 of the Act of 1988 (as amended by the Housing (Traveller Accommodation) Act, 1998), or any other traveller accommodation provided, managed or controlled by a housing authority under the Housing Acts, 1966 to 2002, or any traveller housing accommodation provided or managed under *section 6* and the housing authority within whose functional area such temporary dwelling has been erected, placed, occupied or otherwise retained is of the opinion that, whether by reason of its use or occupancy or by reason of its being one of a number of such temporary dwellings or otherwise, such temporary dwelling or any occupant of the temporary dwelling—

(i) is causing a nuisance or obstruction to the occupants of that site or traveller accommodation or to the occupants of any other dwelling or dwellings within a one mile radius of that site or that traveller accommodation, or

(ii) creates a risk to the quality of water, sanitary, electrical or other services associated with that site or traveller accommodation or with any other dwelling or dwellings within a one mile radius of that site or traveller accommodation, or

(iii) obstructs or interferes with the use or enjoyment by any person of any public or private amenity or any public or private facility or the maintenance of any such amenity or facility, within a one mile radius of that site or traveller accommodation,

the housing authority concerned may serve notice on that person requiring that person, within a specified period, to remove the said temporary dwelling,**]]**

(2) A notice under *subsection (1)* shall specify—

(*a*) the location and description of the temporary dwelling to which it relates,

F28**[**(*b*) the location of the site to which the temporary dwelling is required to be removed, or where a notice is served under *subsection (1)(c)*, that the temporary dwelling is required to be removed to at least a distance of one mile from the specified site,**]**

(*c*) the period, being not less than 24 hours from the time at which the notice is served, within which the requirements of the notice are to be complied with, and

(*d*) the statutory consequences of failure to comply with the requirements of the notice.

(3) Where, before the expiry of the period within which the requirements of a notice under *subsection (1)* are to be complied with, the temporary dwelling to which the notice relates is removed to a location in which it may lawfully be retained by the person concerned and the housing authority would not be entitled to serve another notice under *subsection (1)* in relation to the location, then *subsections (4)* and *(5)* shall not have effect.

(4) Any person on whom a notice under *subsection (1)* is served who fails in any respect to comply with any requirement of the notice shall be guilty of an offence.

(5) Where, in the opinion of the housing authority, the requirements of a notice under *subsection (1)* have not been complied with in all or any respects, then, without prejudice to any other provisions of this section, the authority may, without further notice, remove or procure the removal of the temporary dwelling—

F29**[**(*a*) to the site specified in the notice or, where a notice is served under *subsection (1)(c)*, to a location that is not less than one mile from the site referred to in than subsection, or**]**

(*b*) where they are for any reason prevented from so doing, to another location for storage by or on behalf of the authority.

(6) Any person who obstructs or impedes or assists a person to obstruct or impede a housing authority in exercising their functions under this section shall be guilty of an offence.

(7) Where a temporary dwelling has been removed by a housing authority under this section without the presence or knowledge of any person claiming to own, occupy or otherwise retain it, the authority shall serve upon each such person whose name and address can be ascertained by reasonable enquiry, a notice informing him—

(*a*) where the temporary dwelling is removed to a site under *subsection (5) (a)*, of the location of the site,

(*b*) where the temporary dwelling is removed to a place of storage under *subsection (5) (b)*, of the address of the place I where it may be claimed and recovered, and

(*c*) of the powers and duties of the authority under *subsections (8), (9)* and *(10)*.

(8) Possession of a temporary dwelling removed by a housing authority under *subsection (5) (b)* shall be given by the authority to a person claiming possession of it on his satisfying the authority that his claim thereto is *bona fide* if, but only if, the person makes a declaration in writing that—

(*a*) he is the owner of the temporary dwelling, or

(*b*) he is authorised by its owner to claim it, or

(*c*) he is, for a specified reason, otherwise entitled to possession of it,

and, at the discretion of the authority, he pays the amount of any expenditure reasonably incurred by that authority in removing and storing the temporary dwelling.

(9) A housing authority may dispose or procure the disposal of a temporary dwelling removed by them under this section unless, within one month from the date of its removal or, where a notice is served in respect of it under *subsection (7)*, from the time at which the notice is served—

(*a*) where the temporary dwelling is removed to a site under *subsection (5) (a)*, it is occupied, with the authority's consent, on the site or lawfully removed from the site by the owner, or

(*b*) where the temporary dwelling is removed to a place of storage under *subsection (5) (b)*, it is claimed in accordance with *subsection (8)* and removed from the place where it is stored.

(10) Where—

(*a*) a housing authority become entitled to dispose or procure the disposal of a temporary dwelling by virtue of *subsection (9)*,

(*b*) the name and address of the owner of the temporary dwelling is or can be ascertained by the authority by reasonable enquiry, and

(*c*) the temporary dwelling is, in their opinion, capable of being sold,

then the authority shall be entitled to sell the temporary dwelling for the best price reasonably obtainable and upon doing so shall pay to the person who was the owner of the temporary dwelling at the time of its removal a sum equal to the proceeds of such sale after deducting therefrom any expenditure reasonably incurred by the authority in its removal, storage and sale and any expenditure incurred by that or another housing authority in the provision of the temporary dwelling.

(11) (*a*) A notice under *subsection (1)* may be served on a person in either or both of the following ways:

(i) in accordance with section 3 of the Principal Act, and

(ii) at the discretion of the authority, by affixing it in a conspicuous position on or near the temporary dwelling to which it relates.

(*b*) Section 3(5) of the Principal Act shall apply to a notice affixed in accordance with *paragraph (a) (ii)*.

(12) Any person guilty of an offence under *subsection (4)* or *(6)* shall be liable on summary conviction to a fine not exceeding £1,000 or, at the discretion of the court, to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.

(13) The provisions of this section are without prejudice to the functions of a public authority under any other enactment or any rule of law.

(14) In this section—

"public authority" means—

(*a*) the Government,

(*b*) a Minister of the Government,

(*c*) a local authority,

(*d*) a health board, and

(*e*) any other body established—

(i) by or under any enactment (other than the Companies Acts, 1963 to 1990), or

(ii) under the Companies Acts, 1963 to 1990, in pursuance of powers conferred by or under another enactment,

and financed wholly or partly by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government, and a subsidiary of any such body;

"public place" means any street, road or other place to which the public have access whether as of right or by express or implied permission and whether subject to or free of charge and any property or other land owned or occupied by or leased to a public authority;

"temporary dwelling" means any tent, caravan, mobile home, vehicle or other structure or thing (whether on wheels or not) which is capable of being moved from one place to another, and—

(*a*) is or was used for human habitation, either permanently or from time to time, or

(*b*) was designed, constructed or adapted for such use.

Annotations

Amendments:

F26 Substituted (11.09.1998) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 32(a), S.I. No. 328 of 1998.

F27 Substituted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 21, S.I. No. 329 of 2002.

F28 Substituted (11.09.1998) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 32(b), S.I. No. 328 of 1998.

F29 Substituted (11.09.1998) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 32(c), S.I. No. 328 of 1998.

Modifications (not altering text):

C25 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Editorial Notes:

E19 A fine of £1,000 converted (1.01.1999) to €1,269.73. This translates into a class C fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(2) and table ref. no. 2, S.I. No. 662 of 2010.

Housing loans by housing authorities.

11.—(1) A housing authority may, subject to regulations made by the Minister for the purposes of this section with the consent of the Minister for Finance, make loans (in this section referred to as "housing loans") for any of the following purposes:

(*a*) the acquisition of estates or interests in or the construction of houses;

(*b*) the carrying out of improvement works to houses;

(*c*) the acquisition of buildings or other land for the purpose of providing housing or the development of sites for housing;

(*d*) the conversion of a building, in whole or in part, into one or more self-contained dwelling units;

(*e*) the provision of hostel accommodation;

(*f*) payment of a deposit for the purchase of property to which *paragraph (a)* or *(c)* relates.

(2) The power to make housing loans by virtue of *subsection (1)* includes the power to make them even if the amount due to the housing authority may exceed the amount of the original loan at any time after the loan has been made and, where the amount due to the authority in respect of capital exceeds the amount of the loan, any reference in this Act to the repayment of the loan includes reference to payment of the excess.

(3) The rates of interest payable from time to time on housing loans shall be determined by the Minister with the consent of the Minister for Finance, and different rates may be so determined for loans of different classes.

(4) A housing authority may enter into and carry out an agreement in connection with a housing loan under this section.

(5) Where default is made in complying with any of the conditions subject to which a housing loan is made by a housing authority or subject to which a house, property or other land in respect of which such a loan is made is held by the borrower or, in the case of the bankruptcy of the borrower of such a loan, the authority may, subject to the rights of any prior mortgagee or chargee, recover possession of the house, property or other land (whatever may be its value)—

(*a*) under sections 84 to 89 of the Landlord and Tenant Law Amendment Act, Ireland, 1860, as if the authority were the landlord and the borrower were the tenant, or

(*b*) by order of possession by a court in accordance with the terms of a mortgage given as security for the loan.

(6) Where a housing authority recover possession of a house, property or other land under *subsection (5) (a)*—

(*a*) all the estate, right, interest and title of the borrower in the house, property or land subsisting at the time the housing loan was made shall vest, without any conveyance or transfer, in the authority, and

(*b*) the provisions of section 23 of the Registration of Title Act, 1964, shall not apply to such vesting unless the house is retained by the authority in accordance with *subsection (7) (b)*.

(7) Where a housing authority recover possession of a house, property or other land under *subsection (5)*, the authority, at their discretion, may—

(*a*) sell it at the best price reasonably obtainable, or

(*b*) retain and use it for the purposes of any of their functions.

(8) Subject to *subsection (9)*, where a housing authority recover possession of a house, property or other land under *subsection (5)*, the provisions of section 21(3) of the Conveyancing Act, 1881, shall apply as if—

(*a*) the authority were a mortgagee who has exercised the power of sale conferred by that Act, and

(*b*) the value of the interest in the said house, property or other land at the disposal of the authority were money received by a mortgagee arising from the sale of mortgaged property, and

(*c*) any costs incurred by the authority in relation to arbitration under *subsection (11)* were costs properly incurred by a mortgagee in such a sale.

(9) Where a housing authority recover possession of a house in accordance with *subsection (5)* and let that house or another house of which they are the owner to the borrower from whom possession was recovered or to any person who might reasonably be expected to reside with him, then the authority may, at their discretion, retain the residue that would otherwise be payable by them by virtue of *subsection (8)*, provided that—

(*a*) they discharge any encumbrance to which the security given for the housing loan concerned had priority, and

(*b*) on or before such letting, the borrower is made aware in writing of the provisions of this subsection and *subsection (8)*.

(10) *Subsection (9)* shall not prevent a housing authority from making such monetary arrangements with a borrower as they consider equitable in the circumstances.

(11) Where a house recovered by a housing authority is retained by them and in default of agreement between the authority and the borrower, the value of the interest in the house at the disposal of the authority shall be determined under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, by a property arbitrator nominated under the Property Values (Arbitrations and Appeals) Act, 1960.

(12) Any sum due to a housing authority by any person in respect of a housing loan may, without prejudice to any other power in that behalf, be recovered by the authority from that person as a simple contract debt in any court of competent jurisdiction.

(13) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(*a*) the class or classes of houses, buildings or other land, sites, works and accommodation in respect of which a loan may be made;

(*b*) the class or classes of persons to whom loans or loans of different classes may be made;

(*c*) the amount of a loan and the manner of its determination;

(*d*) requirements in relation to the financial and family circumstances of persons to whom a loan may be made;

(*e*) the manner in which the income of either or both the borrower and his household may be determined for the purposes of the regulations;

(*f*) the security, if any, to be taken for a loan and the manner of assessing the adequacy of the security;

(*g*) requirements in relation to the occupation of a house or other accommodation in respect of which a loan is made;

(*h*) the repayment of a loan including the manner of and period for such repayment;

(*i*) the manner of the payment of interest on a loan;

(*j*) requirements in relation to the floor area of a house in respect of which a loan may be made, measured in such manner as may, from time to time, be determined by the Minister;

(*k*) requirements in relation to standards of construction, works and repair and the availability in a house or other accommodation, in respect of which a loan may be made, of water, sewerage or other services;

(*l*) requirements, in the case of a loan for the carrying out of improvement or conversion works, in relation to the suitability of the house or property concerned for improvement or conversion and the type and purpose of the improvement or conversion works;

(*m*) the payment by instalments of a loan, whether or not the security to be taken, if any, is perfected;

(*n*) the conditions subject to which a house, property or other land in respect of which a loan is made, is held by a borrower during the period until the loan is repaid, and the interest thereon is paid, to the housing authority;

(*o*) requirements, in the case of a borrower other than a natural person, as to the constitution of such a borrower;

(*p*) the repayment of the capital debt outstanding and any interest due in the event of default by the borrower of an agreement under this section or in such other circumstances as the Minister may consider appropriate;

(*q*) the giving of notice to a borrower requiring him to comply with a condition subject to which a loan is made to him or subject to which a house, property or other land in respect of which a loan is made, is held by him;

(*r*) the adjustment of the capital debt outstanding on a loan (including the conversion of interest into such debt) and the extension of the repayment period;

(*s*) the insurance of a house, property or other land in respect of which a loan is made or which has been given as security for a loan;

(*t*) mortgage protection insurance;

(*u*) the form of, or matters to be specified in, a loan agreement.

(14) In this section "borrower" means the person to whom a housing loan has been made and includes a successor in title of that person and the personal representative of that person or successor in title.

Annotations

Modifications (not altering text):

C26 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year	Short Title	Provision

(1)	(2)	(3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Editorial Notes:

E20 Power pursuant to section exercised (1.04.2026) by *Housing Purchase and Renovation Loans (Amendment) Regulations 2026* (S.I. No. 84 of 2026), in operation as per reg. 1(2).

E21 Power pursuant to section exercised (1.04.2026) by *Housing Loans (Amendment) Regulations 2026* (S.I. No. 83 of 2026), in operation as per reg. 1(2).

E22 Power pursuant to section exercised (22.07.2024) by *Housing Purchase and Renovation Loans Regulations 2024* (S.I. No. 353 of 2024), in operation as per reg. 1(2).

E23 Power pursuant to section exercised (14.05.2024) by *Housing Loans (Amendment) Regulations 2024* (S.I. No. 221 of 2024), in operation as per reg. 1(2).

E24 Power pursuant to section exercised (1.03.2023) by *Housing Loans (Amendment) Regulations 2023* (S.I. No. 76 of 2023), in operation as per reg. 1(2).

E25 Power pursuant to section exercised (4.01.2022) by *Housing Loans Regulations 2021* (S.I. No. 701 of 2021), in operation as per reg. 1(2).

E26 Power pursuant to section exercised (1.01.2016) by *Housing (Sale of Local Authority Houses) Regulations 2015* (S.I. No. 484 of 2015), in operation as per reg. 2.

E27 Interest is payable on moneys owing under section as provided (14.06.2010) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 33(1)(c), commenced as respects this section by S.I. No. 253 of 2010.

E28 Subss. (2)-(14) applied, to such extent as may be appropriate and with any necessary modifications, to a loan made under *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 25 (1.02.2000) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 25, S.I. No. 37 of 2000.

E29 Power pursuant to section exercised (22.10.1998) by *Housing Regulations, 1980 (Amendment) (No. 2) Regulations 1998* (S.I. No. 426 of 1998).

E30 Power pursuant to section exercised (1.05.1998) by *Housing Regulations, 1980, (Amendment) Regulations 1998* (S.I. No. 152 of 1998).

E31 Subss. (5)-(12) and (14) applied, and deemed always to have applied, to a loan made by a housing authority in accordance with terms and conditions approved of for the purposes of *Housing Finance Agency Act 1981* (37/1981), s. 5(2) by the Minister for the Environment and Minister for Finance (1.07.1997) by *Housing (Miscellaneous Provisions) Act 1997* (21/1997), s. 22, S.I. No. 247 of 1997.

E32 Power pursuant to section exercised (28.05.1996) by *Housing Regulations, 1980 (Amendment) Regulations 1996* (S.I. No. 148 of 1996).

E33 Previous affecting provision: power pursuant to section exercised (1.02.2018) by *Housing (Rebuilding Ireland Home Loans) Regulations 2018* (S.I. No. 25 of 2018), in operation as per reg. 1(2); revoked (4.01.2022) by *Housing Loans Regulations 2021* (S.I. No. 701 of 2021), reg. 13, in operation as per reg. 1(2).

E34 Previous affecting provision: power pursuant to section exercised (31.07.2012) by *Housing (Local Authority Loans) Regulations 2012* (S.I. No. 408 of 2012), in operation as per reg. 1(2); revoked (1.02.2018) by *Housing (Rebuilding Ireland Home Loans) Regulations 2018* (S.I. No. 25 of 2018), reg. 15(1) and sch. item 3, in operation as per reg. 1(2), subject to transitional provisions in reg. 15(2).

E35 Previous affecting provision: power pursuant to section exercised (1.01.2012) by *Housing (Local Authority Loans) (Amendment) Regulations 2011* (S.I. No. 678 of 2011), in operation as per reg. 1(2); revoked (31.07.2012) by *Housing (Local Authority Loans) Regulations 2012* (S.I. No. 408 2012), reg. 16 and sch. item 2, in operation as per reg. 1(2), subject to transitional provision in reg. 16(2).

E36 Previous affecting provision: power pursuant to section exercised (1.01.2010) by *Housing (Home Choice Loan) Regulations 2009* (S.I. No. 544 of 2009), in operation as per reg. 1(2); revoked (1.02.2018) by *Housing (Rebuilding Ireland Home Loans) Regulations 2018* (S.I. No. 25 of 2018), reg. 15(1) and sch. item 2, in operation as per reg. 1(2), subject to transitional provisions in reg. 15(2).

E37 Previous affecting provision: power pursuant to section exercised (27.04.2009) by *Housing (Local Authority Loans) Regulations 2009* (S.I. No. 145 of 2009), in operation as per reg. 1(2), revoked (31.07.2012) by *Housing (Local Authority Loans) Regulations 2012* (S.I. No. 408 2012), reg. 16 and sch. item 1, in operation as per reg. 1(2), subject to transitional provision in reg. 16(2).

E38 Previous affecting provision: power pursuant to section exercised (1.01.2009) by *Housing (Home Choice Loan) Regulations 2008* (S.I. No. 535 of 2008), in operation as per reg. 1(2); revoked (1.01.2010) by *Housing (Home Choice Loan) Regulations 2009* (S.I. No. 544 of 2009), reg. 15, in operation as per reg. 1(2), subject to transitional provision in reg. 15(2).

E39 Previous affecting provision: power pursuant to section exercised (30.12.2005) by *Housing Regulations 1980 (Amendment) Regulations 2005* (S.I. No. 913 of 2005); substantive provisions revoked (27.04.2009) by *Housing (Local Authority Loans) Regulations 2009* (S.I. No. 145 of 2009), reg. 16(1) and sch. item 11, in operation as per reg. 1(2).

Security of abandoned houses.

12.—(1) Where—

(*a*) in the opinion of a housing authority or the Housing Finance Agency plc, a house in respect of which a relevant loan has been made by the authority or the Agency, as the case may be, is abandoned by the borrower and any other person who might reasonably be expected to reside with the borrower, and the house has been or is in danger of being damaged or trespassed upon or of having any of its fixtures or fittings damaged or removed, and

(*b*) the house is not occupied by any person with the lawful consent of the borrower,

then, the authority or the Agency, as the case may be, may, without prejudice to due process of law for recovering possession of the house or any proceedings for the recovery of possession of the house, make whatever arrangements are considered necessary to secure and protect the house and for those purposes a person authorised by the authority or the Agency may enter the house at any time and may do therein anything reasonably necessary to secure and protect the house.

(2) Where the address at which the borrower resides for the time being is known to the housing authority or the Housing Finance Agency plc, as the case may be, the borrower shall be notified by them of the arrangements being made to secure and protect the house under *subsection (1)*.

(3) The expenses incurred by a housing authority or the Housing Finance Agency plc under this section may be recovered by the authority or the Agency, as the case may be—

(*a*) from the borrower as a simple contract debt in any court of competent jurisdiction, or

(*b*) by an addition to the capital debt outstanding on the relevant loan.

(4) In this section—

"borrower" means the person to whom a relevant loan has been made and includes a successor in title of that person and the personal representative of that person or successor in title;

"relevant loan" means—

(*a*) a housing loan made by virtue of *section 11*, or

(*b*) a loan made by a housing authority under section 39 of the Principal Act or section 8 of the Act of 1979, or

(*c*) a loan made by the Housing Finance Agency plc in respect of a house.

Disposal of house mortgages.

13.—(1) The Minister may, with the consent of the Minister for Finance and after consultation with the Central Bank F30**[**...**]**, make regulations in relation to the transfer, sale or assignment of mortgages.

(2) Where regulations made under this section are for the time being in force, any contract purporting to effect the transfer, sale or assignment of mortgages in contravention of the provisions of such regulations shall be void.

(3) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, relate to all mortgages or to mortgages of a prescribed class or classes and may include provisions in relation to all or any one or more of the following:

(*a*) the obtaining of a mortgagor's consent to the transfer, sale or assignment of his mortgage;

(*b*) information to be given to a mortgagor in connection with the transfer, sale or assignment of his mortgage;

(*c*) the terms and conditions of the transfer, sale or assignment of the mortgages;

(*d*) undertakings to be given by the holder of a mortgage or the transferee, purchaser or assignee, as respects—

(i) the varying of the interest rate on the loan to which the mortgage relates,

(ii) procedure and policy in relation to the treatment of arrears of payments due under the mortgage;

(*e*) the prohibition or restriction of the charging of redemption fees by the transferee, purchaser or assignee;

(*f*) the insurance of the mortgaged property and its arrangement;

(*g*) the continuation of mortgage protection insurance, if any;

(*h*) the application of the provisions of section 26 of the Building Societies Act, 1989.

(4) In this section—

"mortgage" means a mortgage of a freehold or leasehold estate or interest in a house;

"redemption fee" means, in relation to a loan, any sum in addition to the principal and any interest due on such principal (without regard to the fact of the redemption of the loan) at the time of redemption of the whole or part of the loan.

Annotations

Amendments:

F30 Deleted (1.05.2003) by *Central Bank and Financial Services Authority of Ireland Act 2003* (12/2003), s. 35(1) and sch. 1 part 15 item 2, S.I. No. 160 of 2003.

Modifications (not altering text):

C27 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government*

(Mayor of Limerick) and Miscellaneous Provisions Act 2024 (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Disposal of mortgages held by housing authorities or Housing Finance Agency plc.

14.—(1) A housing authority or the Housing Finance Agency plc may, with the consent of the Minister, or, where the Minister so directs, shall, on such terms and conditions as may be approved of by the Minister and the Minister for Finance, transfer, sell or assign some or all of the mortgages held by the authority or the Agency, as the case may be, in respect of loans made under the *Housing Acts, 1966 to 1992*, or the *Housing Finance Agency Acts, 1981 to 1992*.

(2) The proceeds of the transfer, sale or assignment of mortgagesby a housing authority or the Housing Finance Agency plc under this section shall be used for such purposes as the Minister may, with the consent of the Minister for Finance, direct.

(3) A housing authority may make joint arrangements with other housing authorities or the Housing Finance Agency plc for the transfer, sale or assignment of mortgages under this section.

(4) The transfer, sale or assignment of mortgages under this section by a housing authority shall, unless it is the subject of a direction by the Minister, be a reserved function.

Transfer to Housing Finance Agency plc of certain Local Loans Fund loans.

15.—(1) Subject to this section, the Minister, with the consent of the Minister for Finance, may, by order, vest debt due to the Local Loans Fund by a housing authority in the Housing Finance Agency plc.

(2) An order under *subsection (1)*—

(*a*) shall be expressed and shall operate to vest on the date specified therein debt of an amount specified therein without any further conveyance or transfer, and

(*b*) may be expressed to apply to all or any part of the debt of any particular housing authority, any such part being determined by reference to such matters as the Minister considers appropriate.

(3) In consideration of debt vested in it under *subsection (1)*, the Housing Finance Agency plc shall, on the date of such vesting, pay into the Local Loans Fund a sum equal to the amount of the debt so vested.

(4) With effect from the date of the vesting of debt under this section, all contracts, agreements and undertakings entered into by, made with or given to the Commissioners of Public Works in Ireland by a housing authority in respect of the said debt shall be enforceable by, against or in favour of the Housing Finance Agency plc as fully and effectually in every respect as if, instead of the Commissioners, the Housing Finance Agency plc had been the person by whom they were entered into, with whom they were made or to whom they were given, as the case may be.

(5) The Minister may by order amend or revoke an order made under this section at any time before the date on which it is to take effect.

(6) Any sum paid by the Housing Finance Agency plc under *subsection (3)* shall be paid into, or disposed of for the benefit of, the Exchequer in accordance with the directions of the Minister for Finance.

(7) In this section "debt" means amounts outstanding on moneys advanced out of the Local Loans Fund under section 4 of the Local Loans Fund Act, 1935, to a housing authority for the purposes of making loans to persons for the acquisition, construction or improvement of houses.

Minimum notice to quit, etc.

16.—(1) Subject to *subsections (2)* and *(3)*, a notice by a landlord or a tenant to the other of termination of the tenancy of a house letfor rent or other valuable consideration shall not be valid unless it is in writing and is served not less than four weeks before the date on which it is to take effect.

(2) This section shall not apply—

(*a*) to the tenancy of a house let to a person in connection with his continuance in any office, appointment or employment,

(*b*) to the tenancy of a house let *bona fide* for the temporary convenience of or to meet a temporary necessity of the landlord or the tenant,

(*c*) to a tenancy conferring on the tenant the right to occupy a house for a holiday, or

(*d*) to such other class or classes of tenancies as may be prescribed for the purposes of this section by the Minister.

(3) Nothing in this section shall prejudice any provision of a contract or rule of law whereby a notice by a landlord or a tenant to the other of termination of the tenancy of a house is to be served more than four weeks before the date on which it is to take effect.

Annotations

Modifications (not altering text):

C28 Application of section restricted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 193(e), S.I. No. 505 of 2004.

Non-application of certain enactments.

193.—None of the following enactments applies to a dwelling to which this Act applies— ...

(*e*) section 16 of the Housing (Miscellaneous Provisions) Act 1992.

Rent books.

17.—(1) The Minister may make regulations requiring the landlord of a house let for rent or other valuable consideration to provide the tenant of such a house with a rent book or other documentation to the like effect (in this section referred to as "other documentation").

(2) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(*a*) the class or classes of houses or tenancies in respect of which rent books or other documentation shall be provided;

(*b*) the particulars to be contained in a rent book or other documentation, including information relating to—

(i) the house,

(ii) the landlord,

(iii) the tenant,

(iv) the terms of the tenancy and the rights and obligations of the tenant and the landlord,

(v) the deposit (if any) paid,

(vi) the rent reserved under the tenancy;

(*c*) the manner in which payments of rent are recorded or acknowledged;

(*d*) requirements regarding the proper use of a rent book or other documentation;

(*e*) such other matters as the Minister considers necessary.

(3) A person authorised by a housing authority for the purposes ofthis section may, in relation to a house to which regulations under this section apply—

(*a*) require the tenant to furnish or cause to be furnished to him at a specified time and place such document (if any) purporting to be the rent book or other documentation provided by the landlord;

(*b*) at all reasonable times enter and inspect the house as respects any particulars required by the regulations to be contained in the rent book or other documentation;

(*c*) require the landlord to furnish or cause to be furnished to him at a specified time and place the landlord's books, documents or other records (whether legible or in a machine readable form) relating to the house and the tenancy thereof.

Annotations

Editorial Notes:

E40 Power pursuant to section exercised (8.07.2010) by *Housing (Rent Books) (Amendment) Regulations 2010* (S.I. No. 357 of 2010).

E41 Power pursuant to section exercised (24.11.2004) by *Housing (Rent Books) Regulations 1993 (Amendment) Regulations 2004* (S.I. No. 751 of 2004).

E42 Power pursuant to section exercised (1.09.1993) by *Housing (Rent Books) Regulations 1993* (S.I. No. 146 of 1993), in operation as per reg. 2.

Standards for rented houses.

18.—(1) The Minister may make regulations prescribing standards for houses (including any common areas F31**[**...**]**) let F32**[**or available for letting**]** for rent or other valuable consideration and it shall be the duty of the landlord of such a house to ensure that the house complies with the requirements of such regulations.

(2) A person authorised by a housing authority for the purposes of this section may at all reasonable times enter and inspect a house to which regulations under this section apply.

(3) F33**[**...**]**

(4) F33**[**...**]**

(5) F33**[**...**]**

(6) F33**[**...**]**

(7) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(*a*) the class or classes of houses or tenancies in respect of which the prescribed standards shall apply;

(*b*) the maintenance of the house F34**[**and any common areas**]** in a proper state of structural repair and in good general repair;

(*c*) the quality and condition of the accommodation, any common areas, furnishings and appliances;

(*d*) ventilation and lighting;

(*e*) water supplies, sanitary facilities and drainage;

(*f*) facilities for heating and cooking;

(*g*) facilities for the storage and the preparation of F35**[**food;**]**

F36**[**(*h*) fire safety.**]**

F37**[**(8) For the purposes of *subsection (7)(b)* "a proper state of structural repair" means sound, internally and externally, with roof, roofing tiles and slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascia, tiles on any floor, ceiling and wall, gutters, down pipes, fittings, furnishings, gardens and common areas maintained in good condition and repair and not defective due to dampness or otherwise.**]**

F38**[** (9) In this section and *sections 18A* and *18B*—

"common areas" means common areas, works and services that are appurtenant to houses and enjoyed therewith and that are in the ownership or under the control of the landlord;

"landlord" means the person for the time being entitled to receive (otherwise than as agent for another person) the rent paid in respect of a house by the tenant thereof;

"tenancy" includes a periodic tenancy and a tenancy for a fixed term, whether oral or in writing or implied;

"tenant" means the person for the time being entitled to the occupation of a house under a tenancy.**]**

Annotations

Amendments:

F31 Deleted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(a)(i), S.I. No. 449 of 2009.

F32 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(a)(ii), S.I. No. 449 of 2009.

F33 Deleted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(b), S.I. No. 449 of 2009.

F34 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(c), S.I. No. 449 of 2009.

F35 Substituted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(d)(i), S.I. No. 449 of 2009.

F36 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(d)(ii), S.I. No. 449 of 2009.

F37 Substituted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(e), S.I. No. 449 of 2009.

F38 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 3(f), S.I. No. 449 of 2009.

Editorial Notes:

E43 Power pursuant to section exercised (1.05.2019) by *Housing (Standards For Rented Houses) Regulations 2019* (S.I. No. 137 of 2019), in operation as per reg. 1(2).

E44 Previous affecting provision: power pursuant to section exercised (1.07.2017) by *Housing (Standards for Rented Houses) Regulations 2017* (S.I. No. 17 of 2017), in operation as per reg. 1(2); revoked (1.05.2019) by *Housing (Standards For Rented Houses) Regulations 2019* (S.I. No. 137 of 2019), reg. 14, in operation as per reg. 1(2).

E45 Previous affecting provision: power pursuant to section exercised (1.12.2009) by *Housing (Standards For Rented Houses) (Amendment) Regulations 2009* (S.I. No. 462 of 2009), in operation as per reg. 1(b); revoked (1.07.2017) by *Housing (Standards for Rented Houses) Regulations 2017* (S.I. No. 17 of 2017), reg. 14, in operation as per reg. 1(2).

E46 Previous affecting provision: power pursuant to section exercised (1.02.2009 and 1.02.2013) by *Housing (Standards for Rented Houses) Regulations 2008* (S.I. No. 534 of 2008), in operation as per reg. 2; revoked (1.07.2017) by *Housing (Standards for Rented Houses) Regulations 2017* (S.I. No. 17 of 2017), reg. 14, in operation as per reg. 1(2).

E47 Previous affecting provision: power pursuant to section exercised (1.01.1994 and 1.01.1998) by *Housing (Standards For Rented Houses) Regulations 1993* (S.I. No. 147 of 1993), in operation as per reg. 2, revoked (1.02.2009 and 1.02.2013) by *Housing (Standards for Rented Houses) Regulations 2008* (S.I. No. 534 of 2008), reg. 14, in operation as per reg. 2.

F39[Improvement notice.

18A.—(1) Where, in the opinion of a housing authority, a landlord is contravening or has contravened a requirement of a regulation made under *section 18*, the authority may give notice in writing (in this Act referred to as an "improvement notice") to the landlord of the house concerned.

(2) An improvement notice shall—

(*a*) state that the housing authority is of the opinion referred to in *subsection (1)*,

(*b*) state the reasons for that opinion,

(*c*) identify the provision of the regulation concerned in respect of which that opinion is held,

(*d*) direct the landlord to remedy the contravention within the period specified in the notice commencing on the date specified therein, which date shall not be earlier than the end of the period within which an objection may be submitted under *subsection (6)*,

(*e*) include information regarding the submission of an objection and the making of an appeal in relation to the notice, specifying—

(i) the form and manner of an objection,

(ii) the form and manner of an appeal, and

(iii) the address of the housing authority for the purpose of submitting an objection under *subsection (6)* or notifying the authority of an appeal under *subsection (7)*, as the case may be,

(*f*) contain a statement that if an objection is not submitted in accordance with *subsection (6)* and within the period specified in that subsection then—

(i) the notice will be treated as not disputed, and

(ii) the landlord will be deemed to have accepted the notice and to have agreed to comply with the direction within the period specified therein,

and

(*g*) be signed and dated by the housing authority.

(3) An improvement notice may include directions as to the measures to be taken to remedy the contravention to which the notice relates or to otherwise comply with the notice.

(4) Where an improvement notice is given under *subsection (1)*, the housing authority shall give a copy to the tenant of the house concerned.

(5) (*a*) A landlord to whom an improvement notice has been given who is of the opinion that the improvement notice has been complied with shall, before the expiration of the period specified in the notice for the purpose of *subsection (2)(d)*, confirm in writing to the housing authority that the matters referred to in the notice have been so remedied and shall give a copy of the confirmation to the tenant.

(*b*) Where a landlord confirms to the housing authority in accordance with *paragraph (a)* that the matters referred to in the improvement notice have been remedied, the housing authority, on being satisfied that the matters have been so remedied, shall, within 28 days of receiving such confirmation, give notice in writing to the landlord of compliance with the improvement notice and shall give a copy of the notice to the tenant.

(*c*) The notice under *paragraph (b)* does not preclude any inspection which the housing authority considers necessary in relation to the house concerned or the service of a further improvement notice which the authority may consider necessary.

(6) A landlord aggrieved by an improvement notice may, within 14 days beginning on the day on which the notice is given to him or her, submit an objection to the notice in the form and manner specified in the notice, and the housing authority shall consider the objection and, as it sees fit, vary, withdraw, cancel or confirm the notice and shall notify the landlord in writing of the decision and the reasons for the decision within 14 days after receipt of the objection.

(7) (*a*) The landlord may, no later than 14 days after the decision under *subsection (6)* is notified by the housing authority to him or her, appeal the decision to a judge of the District Court in the district court district in which the notice was served.

(*b*) A landlord who appeals under *paragraph (a)* shall at the same time notify the housing authority in writing of the appeal and the grounds for the appeal.

(*c*) The housing authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(*d*) In determining an appeal under *paragraph (a)*, the judge of the District Court may confirm, vary or cancel the improvement notice if he or she considers it reasonable to do so.

(8) Where an objection is submitted under *subsection (6)* and no appeal is made under *subsection (7)* against the decision of the housing authority and the improvement notice is neither withdrawn nor cancelled, the notice takes effect on the later of the following:

(*a*) the day after the day on which the notice is confirmed or varied;

(*b*) the day after the objection is withdrawn by the landlord;

(*c*) the date specified in the notice.

(9) Where an appeal is made under *subsection (7)* and the improvement notice is neither withdrawn nor cancelled, the notice takes effect on the later of the following:

(*a*) the day after the day on which the notice is confirmed or varied on appeal;

(*b*) the day after the appeal is withdrawn by the landlord;

(*c*) the date specified in the notice.

(10) Where no objection is submitted under *subsection (6)* the improvement notice takes effect on the date specified in the notice.

(11) The housing authority may—

(*a*) withdraw an improvement notice at any time, or

(*b*) where no objection is submitted or appeal made or pending, extend the date specified in the notice for the purposes of *subsection (2)(d)*.

(12) Withdrawal of an improvement notice under *subsection (11)* does not prevent the giving of another improvement notice, whether in respect of the same matter or a different matter.**]**

Annotations

Amendments:

F39 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 4, S.I. No. 449 of 2009.

Modifications (not altering text):

C29 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

F40[Prohibition notice.

18B.—(1) Where a landlord fails to comply with an improvement notice in accordance with *section 18A*, the housing authority may give notice in writing (in this Act referred to as a "prohibition notice") to the landlord of the house concerned.

(2) A prohibition notice shall—

(*a*) state that the housing authority is of the opinion that the landlord has failed to comply with an improvement notice,

(*b*) direct that the landlord shall not re-let the house for rent or other valuable consideration until the landlord has remedied the contravention to which the improvement notice relates,

(*c*) include information regarding the making of an appeal in relation to the notice, specifying—

(i) the form and manner of an appeal, and

(ii) the address of the housing authority for the purpose of notifying the authority of an appeal under *subsection (4)*,

and

(*d*) be signed and dated by the housing authority.

(3) Where a prohibition notice is given under *subsection (1)*, the housing authority shall give a copy to the tenant of the house concerned.

(4) (*a*) A landlord aggrieved by a prohibition notice may, within 14 days beginning on the day on which the notice is given to him or her, appeal the notice to a judge of the District Court in the district court district in which the notice was served.

(*b*) A landlord who appeals under *paragraph (a)* shall at the same time notify the housing authority in writing of the appeal and the grounds for the appeal.

(*c*) The housing authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(*d*) In determining an appeal under *paragraph (a)*, the judge of the District Court may confirm, vary or cancel the prohibition notice if he or she considers it reasonable to do so.

(5) A prohibition notice shall take effect—

(*a*) in the case of an appeal under *subsection (4)*, on the later of the following:

(i) the day after the day on which the notice is confirmed or varied on appeal;

(ii) the day after the appeal is withdrawn by the landlord;

(iii) the expiry, whether by termination or otherwise, of the tenancy existing on the day on which the prohibition notice is given to the landlord,

(*b*) in any other case on the later of the following:

(i) the day after the expiry of the period allowed by *subsection (4)(a)* for making an appeal;

(ii) the expiry, whether by termination or otherwise, of the tenancy existing on the day on which the prohibition notice is given to the landlord.

(6) A landlord to whom a prohibition notice has been given who is of the opinion that the matters to which the notice relates have been remedied shall confirm in writing to the housing authority that those matters have been so remedied and shall give a copy of the confirmation to the tenant.

(7) Where a landlord on whom a prohibition notice has been served confirms in writing to the housing authority in accordance with *subsection (6)* that the matters to which the notice relates have been remedied, the housing authority, on being satisfied that the matters have been so remedied, shall, within 28 days of such confirmation, give written notice to the landlord of compliance with the prohibition notice and shall give a copy of the notice to the tenant of the house concerned.

(8) A housing authority may at any time withdraw a prohibition notice by notice in writing to the landlord to whom it was given.

(9) Withdrawal of a prohibition notice under *subsection (8)* does not prevent the giving of another prohibition notice.

(10) A housing authority shall, in the interests of public health and safety, make such arrangements as they consider appropriate or necessary to bring the contents of a prohibition notice to the attention of the public.**]**

Annotations

Amendments:

F40 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 4, S.I. No. 449 of 2009.

Modifications (not altering text):

C30 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

C31 Eligibility for housing assistance continued despite proceedings under section (15.09.2014) by *Housing (Miscellaneous Provisions) Act 2014* (21/2014), s. 41(2)(d), S.I. No. 404 of 2014.

Requirements in relation to dwelling

41. ….

(2) ...

(*d*) (i) A dwelling the subject of proceedings under section 18B of the Act of 1992 or in respect of which a prohibition notice under that section is in force shall not be, or shall cease to be, eligible for housing assistance.

(ii) Notwithstanding *subparagraph (i)*, where a household is residing in the dwelling in respect of which a prohibition notice under section 18B of the Act of 1992 is in force, the housing authority may provide, or continue to provide, housing assistance in respect of the dwelling for a period prescribed under this subparagraph for the purposes of enabling the qualified household to find an alternative dwelling.

(iii) Where *subparagraph (ii)* applies, the housing authority shall notify the qualified household of the prescribed period under that subparagraph for which housing assistance is being provided in respect of the dwelling concerned.

…

Prohibition on distress for rent of dwelling.

19.—No distress shall be levied for the rent (including rent-charge) of any premises let solely as a dwelling.

Registration of rented houses.

20.—(1) The Minister may make regulations requiring a landlord of a house let for rent or other valuable consideration to register the tenancy of such a house with the housing authority in whose functional area the house is situate and to furnish such particulars as the regulations may specify, including in each case the name and address of the landlord and of the tenant and the amount of the rent or the value or nature of the other consideration, as the case may be.

(2) Regulations under *subsection (1)* may be expressed to apply to houses or tenancies of a particular class or classes and may contain such provisions as the Minister considers necessary for the purposes of this section.

(3) F41**[**...**]**

(4) A housing authority shall keep a register (in this section referred to as "the register") for the purposes of this section in respect of all houses in their functional area to which regulations under this section relate and shall make all such entries therein as may from time to time be appropriate in accordance with this section and such regulations.

(5) The register shall be kept at an office of the housing authority designated by them and shall be available for inspection by any person during normal office hours.

(6) (*a*) A copy of an entry in the register purporting to be certified by an authorised officer of the housing authority shall, in the absence of any evidence to the contrary, be deemed to have been so certified by the authority and shall be received in evidence accordingly.

(*b*) Evidence of an entry in the register may be given by the production of a copy thereof certified in accordance with *paragraph (a)* and it shall not be necessary to produce the register.

(7) Where an application is made to a housing authority for a copy of an entry in the register, the copy shall be issued to the applicant on payment by him of such fee (if any) in respect of each entry as the Minister may, from time to time, prescribe by regulations or as may be determined by the authority where not so prescribed.

(8) All fees received by a housing authority F42**[**by virtue of any requirement on landlords relating to the registration of tenancies**]** shall be paid, as appropriate, into the county fund or the municipal fund.

(9) A person authorised by a housing authority for the purposes of this section may at all reasonable times enter into and inspect a house to which regulations under this section apply as respects any particulars required by the regulations to be furnished to the authority.

(10) References in section 11 of the Housing (Private Rented Dwellings) Act, 1982, and in sections 7 and 8 of the Housing (Private Rented Dwellings) (Amendment) Act, 1983, to regulations under section 24 of the Housing (Private Rented Dwellings) Act, 1982, shall be construed as references to regulations made or deemed by virtue of *section 37* to have been made under this section.

Annotations

Amendments:

F41 Repealed (1.07.1994) by *Local Government Act 1994* (8/1994), s. 4(1) and sch. 1, S.I. No. 171 of 1994.

F42 Substituted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 200(2), S.I. No. 505 of 2004.

Editorial Notes:

E48 Previous affecting provision: power pursuant to section exercised (24.01.2000) by *Housing (Registration of Rented Houses) (Amendment) Regulations 2000* (S.I. No. 12 of 2000). This instrument only existed to amend S.I. No. 30 of 1996, revoked as below. It is therefore obsolete.

E49 Previous affecting provision: power pursuant to section exercised (1.05.1996) by *Housing (Registration of Rented Houses) Regulations 1996* (S.I. No. 30 of 1996), in operation as per reg. 2; revoked (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 10(2), S.I. No. 505 of 2004.

Regulations in respect of fees payable to the housing authority

F43**[20A.**—The Minister may make regulations requiring the landlord of a house, let for rent or other valuable consideration to pay to the housing authority such annual or other fee as may be prescribed in relation to the functions of the authority under *section 17, 18* or *20*.**]**

Annotations

Amendments:

F43 Inserted (1.07.1994) by *Local Government Act 1994* (8/1994), s. 4(2) and sch. 2, S.I. No. 171 of 1994.

Editorial Notes:

E50 The section heading is taken from the subject matter of the section in the absence of one included in the amendment.

E51 Previous affecting provision: power pursuant to section exercised (1.05.1996) by *Housing (Registration of Rented Houses) Regulations 1996* (S.I. No. 30 of 1996), in operation as per reg. 2; revoked (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 10(2), S.I. No. 505 of 2004.

Statutory declarations.

21.—It shall be lawful for a member of the Garda Síochána or a person in Holy Orders or a regular minister of any religious denomination or community to take and receive a statutory declaration for the purposes of any provision of or under the *Housing Acts, 1966 to 1992*.

Payment of grants, etc., not to imply certain warranties.

22.—(1) The granting of assistance by the Minister or a housing authority in respect of a house shall not imply any warranty on the part of the Minister or the authority, as the case may be, in relation to the state of repair or condition of the house or its fitness for human habitation.

(2) In this section the reference to the granting of assistance in respect of a house means—

(*a*) in the case of the Minister, the payment of a grant, subsidy or recoupment in respect of the house in accordance with a provision of or under the *Housing Acts, 1966 to 1992*,

(*b*) in the case of a housing authority, the making of a loan, the granting of a shared ownership lease, the provision of assistance or the payment of a grant or subsidy in respect of the house in accordance with a provision of or under the *Housing Acts, 1966 to 1992*, or the carrying out of works to the house in accordance with *section 5*.

Definition of housing authority and transfer of functions.

23. —F44**[**(1) A reference in the Housing Acts 1966 to 2014 to a housing authority is a reference to a local authority and references to the functional area of a housing authority shall be construed accordingly;**]**

(2) F45**[**...**]**

(3) (*a*) The Minister may, by order, as respects any function of a housing authority within the meaning of *subsection (1)* F46**[**...**]** which he considers could be performed more effectively or appropriately by a local authority, other than the housing authority concerned, transfer the function to the said local authority.

(*b*) In relation to a housing authority to whom a function is transferred in accordance with *paragraph (a)*, an order under this subsection shall specify whether the authority shall, as respects the functional area of the authority from whom the function is transferred, perform the function separately from or as one with the functional area of the first mentioned authority.

(*c*) An order under this subsection may make provision in relation to the charging of expenses in relation to a function transferred pursuant to *paragraph (a)*.

(*d*) The Minister may by order amend or revoke an order made under this subsection, including an order made under this paragraph.

(4) The Principal Act is hereby amended by the deletion of the definition of "housing authority" in subsection (1) of section 2.

F47**[**(5) F48**[**...**]]**

Annotations

Amendments:

F44 Substituted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. No. 214 of 2014.

F45 Deleted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. No. 214 of 2014.

F46 Deleted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. No. 214 of 2014.

F47 Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 16(b), S.I. No. 329 of 2002.

F48 Deleted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(3) and sch. 2 part 1, S.I. 214 of 2014.

Modifications (not altering text):

C32 Application of subs. (3) extended (11.09.1998) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 5(2), S.I. No. 328 of 1998.

Relevant housing authority.

5.— ...

(2) Section 23 (3) of the Act of 1992 shall apply to a function of a relevant housing authority under this Act in the same way as it applies to a housing authority.

Editorial Notes:

E52 Power pursuant to subs. (3) exercised (1.04.2011) by *Housing (Transfer of Functions) Order 2011* (S.I. No. 85 of 2011), in operation as per art. 2.

E53 Power pursuant to subs. (3) exercised (19.05.2004) by *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004).

E54 Power pursuant to subs. (3) exercised (1.08.1995) by *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995), in operation as per art. 2.

E55 Power pursuant to subs. (3) exercised (1.03.1995) by *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995), in operation as per art. 2.

E56 Power pursuant to subs. (3) exercised (1.10.1993) by *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993), in operation as per art. 2.

E57 Power pursuant to subs. (3) exercised (15.06.1993) by *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993).

E58 Previous affecting provision: power pursuant to subs. (3) exercised (1.01.2009) by *Housing (Transfer of Functions) Order 2008* (S.I. No. 582 of 2008), in operation as per art. 2; revoked (1.01.2018) by *Housing (Rebuilding Ireland Home Loans) Regulations 2018* (S.I. No. 25 of 2018), reg. 15(1) and sch. item 1, in operation as per reg. 1(2), subject to transitional provisions in reg. 15(2).

E59 Previous affecting provision: subs. (1) substituted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 16(a), S.I. No. 329 of 2002; substituted (1.02.2010) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 5, S.I. No. 540 of 2009; substituted as per F-note above.

E60 Previous affecting provision: subs. (2) substituted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 16(a), S.I. No. 329 of 2002; substituted (1.02.2010) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 5, S.I. No. 540 of 2009; deleted as per F-note above.

E61 Previous affecting provision: subs. (2)(a) deleted (1.01.1994) by *Local Government (Dublin) Act 1993* (31/1993), s. 4 and sch. 1 part 1, S.I. No. 400 of 1993.

Amendment of section 5 of Principal Act.

24.—Section 5 of the Principal Act is hereby amended by the substitution for subsection (4) (inserted by the Act of 1979) of the following:

"(4) Regulations under the *Housing Acts, 1966 to 1992*, may be expressed to apply either generally or to specified housing authorities or areas or to housing authorities, areas, houses, tenancies, loans, mortgages, persons, households, works or other matters of a specified class or classes, denoted by reference to such matters as the Minister considers appropriate and different provisions of such regulations may be expressed to apply in relation to different housing authorities or areas or different classes of housing authorities, areas, houses, tenancies, loans, mortgages, persons, households, works or other matters.

(5) Regulations under the *Housing Acts, 1966 to 1992*, may make provision in relation to matters of procedure and administration including—

(*a*) the appointment by the Minister of a housing authority to discharge specified functions relating to the making of a grant, subsidy or assistance by the Minister under the *Housing Acts, 1966 to 1992*, as respects their functional area and the functional area of such other housing authority as the Minister may specify;

(*b*) the charging of expenses incurred by a housing authority by virtue of *paragraph (a)*;

(*c*) a requirement that the Minister or the housing authority, as the case may be, shall be furnished with prescribed particulars relating to the tax affairs of—

(i) a person making application for a grant, loan, subsidy, contribution or other assistance under the *Housing Acts, 1966 to 1992*, and

(ii) any person employed or proposed to be employed to carry out any construction works to which the said application relates.".

Amendment of section 89 of Principal Act.

25.—Section 89 of the Principal Act is hereby amended—

(*a*) by the substitution for the definition of "dwelling" therein of the following:

"'dwelling' means a dwelling provided by a housing authority under this Act of which they are the owner and includes any shop, outoffice, yard, garden or other land appurtenant thereto or usually enjoyed therewith;",

and

(*b*) by the insertion of the following definitions before the definition of "special condition":

"'purchase money', in relation to a dwelling, means—

(*a*) the purchase price of the dwelling after taking into account any reduction in the price as a result of any discount or other allowance made by the housing authority concerned, and

(*b*) any interest payable on the amount determined in accordance with paragraph (*a*) of this definition;

'purchaser' means the person (including a housing authority) to whom a sale is made and includes a successor in title of that person and the personal representative of that person or successor in title;

'sell', in relation to a dwelling, means to sell or exchange a freehold or leasehold estate or interest, and cognate words shall be construed accordingly;".

Power of housing authorities to sell certain dwellings provided under Principal Act.

26.—(1) The Principal Act is hereby amended by the substitution for section 90 of the following:

"90. (1) Subject to the provisions of this section and to such regulations as may be made by the Minister for the purposes of this section, a housing authority may sell a dwelling in the state of repair and condition existing at the date of the sale—

(*a*) where the dwelling is occupied by a tenant—

(i) to the tenant in accordance with a scheme under which the dwelling is offered for sale (in this section referred to as a 'purchase scheme'),

(ii) to another housing authority, or

(iii) to a body standing approved of for the purposes of *section 6* of the *Housing (Miscellaneous Provisions) Act, 1992*;

(*b*) where the dwelling is not occupied by a tenant, to any person (including another housing authority).

(2) A purchase scheme—

(*a*) shall be subject to such regulations as may be made by the Minister,

(*b*) may relate to all dwellings or to dwellings of a specified class or classes,

(*c*) shall be adopted by a housing authority by resolution,

(*d*) may be expressed to apply in respect of a specified period of time.

(3) If so directed by the Minister, a housing authority shall, on or before such date as the Minister may specify, adopt a purchase scheme or schemes and offer for sale dwellings to which the purchase scheme or schemes apply.

(4) Subject to any regulations made under this section, section 83 of the Local Government Act, 1946, shall apply in relation to the sale of a dwelling under subparagraph (ii) or (iii) of paragraph (*a*), or paragraph (*b*), of subsection (1) of this section and have effect as if for paragraphs (*b*), (*c*) and (*d*) of subsection (1) of the said section 83 there were substituted the following:

'(*b*) at a meeting of the local authority held after the expiration of ten clear days from the day on which such notices are sent, the authority shall resolve as follows:

(i) that the sale shall be carried out in accordance with the terms specified in such notices, or

(ii) that the sale shall be carried out in accordance with the terms specified in the resolution, or

(iii) that the sale shall not be carried out,

(*c*) if the local authority resolve pursuant to paragraph (*b*) of this subsection that the sale shall be carried out in accordance with the terms specified in such notices, the sale may be carried out in accordance with those terms,

(*d*) if the local authority resolve pursuant to paragraph (*b*) of this subsection that the sale shall be carried out in accordance with the terms specified in the resolution, the sale may, with the consent of the Minister, be carried out in accordance with those terms,'.

(5) A sale of a dwelling under this section shall be effected by means of an order (in this section referred to as a 'transfer order') made by the housing authority which shall be expressed and shall operate to vest, on the date specified in the order, the interest specified therein, subject to such terms and conditions, including special conditions, as may be specified therein.

(6) Where a dwelling, being a separate and self-contained flat in premises divided into two or more such flats, is sold under this section, a housing authority may—

(*a*) make a periodic or other charge on the purchaser in respect of the management, control, maintenance or improvement of the areas, works or services in the said premises that are common to two or more such dwellings where such functions are performed by the authority,

(*b*) as respects any sum due to them under paragraph (*a*) of this subsection and remaining unpaid after the due date—

(i) secure payment of the sum by charging the dwelling under the Registration of Title Act, 1964,

(ii) without prejudice to subparagraph (i) of this paragraph, recover the sum as a simple contract debt in any court of competent jurisdiction,

(*c*) subject to the requirements of regulations (if any) under this section, transfer the ownership or control of the areas, works or services in the said premises that are common to two or more such dwellings to a company or other body having as an object the management, control, maintenance or improvement of the said premises, areas, works or services.

(7) Regulations under this section may, in particular, but without prejudice to the generality of subsection (1) of this section, make provision in relation to all or any one or more of the following:

(*a*) the class or classes of dwellings to which a purchase scheme shall or shall not apply;

(*b*) the period in respect of which a purchase scheme shall apply;

(*c*) the period within which an application by a tenant to acquire a dwelling under a purchase scheme shall be received by a housing authority;

(*d*) the determination of the amount of the purchase price of a dwelling;

(*e*) the determination of any discount or other allowance to be deducted from the purchase price of a dwelling;

(*f*) the manner of payment of the purchase money for a dwelling;

(*g*) the determination from time to time of the rate of interest (if any) payable to a housing authority on moneys owing to the authority in respect of a dwelling;

(*h*) the security (if any) to be taken for moneys owing to a housing authority and the manner of assessing its adequacy;

(*i*) the form of, or the matters to be specified in, a transfer order;

(*j*) such other terms and conditions, including special conditions and the period for which they shall apply, in relation to the sale of a dwelling as the Minister considers appropriate;

(*k*) in case of a sale of a dwelling under paragraph (*a*)(iii) of the said subsection (1)—

(i) the form of or the matters to be specified in an agreement between the housing authority and the body in relation to the sale of the dwelling;

(ii) the obtaining of the tenant's consent to the sale of the dwelling and the manner of so doing;

(iii) the furnishing of information to the tenant for the purpose of obtaining his consent;

(iv) the tenant's occupation of the dwelling following its sale;

(*l*) in case of a sale of a dwelling under subparagraph (ii) or (iii) of paragraph (*a*), or paragraph (*b*), of subsection (1) of this section, the obtaining of the consent of the Minister to the sale;

(*m*) the application of *section 3* of the *Housing (Miscellaneous Provisions) Act, 1992*, to the sale of a dwelling under this section.

(8) No warranty shall apply or be deemed to be implied as to the state of repair or condition or the fitness for human habitation of a dwelling sold under this section.

(9) Where a housing authority give or have given consent to a mortgage in respect of a dwelling sold by them under this section, the authority shall be regarded as having consented to—

(*a*) any further or consolidated mortgage effected by the same mortgagor, and

(*b*) the exercise by the mortgagee of his powers under either such mortgage.

(10) Where, in relation to a house sold under this section, a written report on the value of a house and any factors likely to affect its value is furnished by a housing authority in connection with the making of a loan by a building society to be secured on the house, the authority may be deemed to be a person competent to value and not disqualified from making a report for the purposes of section 25 (1) (*c*) of the Building Societies Act, 1989.

(11) (*a*) The power under this section to sell a dwelling, other than a dwelling being a separate and self-contained flat in premises divided into two or more such flats or a dwelling to which regulations made pursuant to paragraph (*m*) of subsection (7) of this section apply, shall, except where the dwelling is vested in another housing authority or a body approved of under *section 6* of the *Housing (Miscellaneous Provisions) Act, 1992*, be exercised only by the vesting of the fee simple in the dwelling.

(*b*) The Landlord and Tenant (Ground Rents) Act, 1978, shall not apply in relation to the sale of a dwelling under subparagraph (ii) or (iii) of paragraph (*a*) of subsection (1) of this section.

(12) The following additional provisions shall apply in respect of a dwelling to which a special condition described in paragraph (*c*) of section 89 of this Act applies:

(*a*) the housing authority may, without prejudice to any other power in that behalf, refuse to consent to a sale of the dwelling if they are of opinion that—

(i) the intended purchaser is not a person in need of housing, or

(ii) the intended sale would, if completed, leave the seller or any person who might reasonably be expected to reside with him without adequate housing;

(*b*) where, in relation to the dwelling—

(i) a housing authority give or have given consent to a sale, or

(ii) a mortgagee has exercised his powers of sale under a mortgage,

the condition shall, from the date of such sale, no longer apply;

(*c*) any attempted or purported mortgaging, charging or alienation in contravention of the special condition shall be null and void against all persons; provided, however, that in any case where the consent of the housing authority is given after the attempted or purported mortgaging, charging or alienation, such consent shall, if the authority so direct, so operate as to validate with retrospective effect such attempted or purported mortgaging, charging or alienation.".

(2) F49**[**...**]**

(3) Section 90 of the Principal Act (as amended by this Act) shall not apply to a house during a period it is let by a housing authority under an agreement, entered into before the commencement of *section 3* which requires the tenant to accept from the authority when offered by them a shared ownership lease.

Annotations

Amendments:

F49 Deleted (1.01.2016) by *Housing (Miscellaneous Provisions) Act 2014* (21/2014), s. 32, S.I. No. 482 of 2015.

Amendment of section 15 of Act of 1988.

27.—Section 15 of the Act of 1988 is hereby amended by the substitution for paragraph (*b*) of subsection (2) of the following:

"(*b*) insofar as they relate to the payment of a grant or subsidy under subsection (1)(*f*), make provision in relation to all or any one or more of the following:

(i) the amount of the grant or subsidy;

(ii) requirements in relation to the assistance in respect of which the grant or subsidy may be paid;

(iii) requirements in relation to the payment of the grant or subsidy;

(iv) the class or classes of accommodation in respect of which the grant or subsidy may be paid and the class or classes of persons for whom such accommodation is provided;

(v) requirements in relation to the financial and family circumstances of persons occupying accommodation in respect of which the grant or subsidy may be paid;

(vi) requirements in relation to the occupation and maintenance of accommodation in respect of which the grant or subsidy may be paid;

(vii) requirements in relation to the floor area of accommodation in respect of which the grant or subsidy may be paid, measured in such manner as may, from time to time, be determined by the Minister;

(viii) requirements in relation to standards of construction, works and repair and the availability in accommodation, in respect of which the grant or subsidy may be paid, of water, sewerage and other services;

(ix) requirements in relation to the payment under any enactment (including this Act) of any other grant, subsidy or assistance in respect of the accommodation concerned.".

Amendment of section 20 of Act of 1988.

28.—Section 20 of the Act of 1988 is hereby amended by the insertion after subsection (1) of the following:

"(1A) (*a*) In respect of the provision of dwellings under section 56 of the Principal Act, a housing authority shall, within one year of the commencement of the commencement of section 28 or the Housing (*Miscellaneous Provisions)*Act, 1992, draw up and adopt a written statement of their policy (in this section referred to as a 'policy under this section') to counteract undue segregation in housing between people of different social backgrounds.

(*b*) A housing authority may, from time to time as they think fit, review their policy under this section and make in it any amendments, or draw up and adopt a new written statement of their policy, as they consider proper.

(*c*) In drawing up and adopting or amending a policy under this section a housing authority shall have regard to such matters as the Minister may from time to time direct.

(*d*) The adoption of a policy under this section or an amendment to any such policy shall be a reserved function.".

Amendment of Housing Finance Agency Act, 1981.

29.—The Housing Finance Agency Act, 1981, is hereby amended—

(*a*) by the substitution for section 5 (as amended by the Housing Finance Agency (Amendment) Act, 1988) of the following:

"5. The Agency may, subject to such terms and conditions as from time to time stand approved of under this section by both the Minister and the Minister for Finance, advance moneys to—

(*a*) a housing authority to be used by them for any purpose authorised by or under the *Housing Acts, 1966 to 1992*, or

(*b*) the National Building Agency Limited (being the body so referred to in the National Building Agency Limited Act, 1963) for use by them for any lawful purpose in connection with the provision or improvement of housing or services related thereto or in substitution for funds borrowed by them for such purposes and still outstanding.",

and

(*b*) by the substitution in subsection (3) of section 10 (as amended by the Housing Finance Agency (Amendment) Act, 1988) of "£1,500,000,000" for "£1,000,000,000".

Amendment of section 29 of Building Societies Act, 1989.

30.—Section 29 of the Building Societies Act, 1989, is hereby amended by the substitution for subsection (3) of the following:

"(3) Subject to section 30, a society shall not, save where it acts as an insurance intermediary within the meaning of the Insurance Act, 1989, carry on insurance business otherwise than by a subsidiary or other associated body of the society.".

Increase of certain limits under Principal Act.

31.—Article 2 (as amended by the Housing Act, 1970) of the Third Schedule to the Principal Act is hereby amended by the substitution of "£15,000" for "two thousand pounds" in paragraphs (*a*), (*b*), (*c*) and (*h*) and the substitution of "£40,000" for "five thousand pounds" in paragraph (*g*).

Extension of application of section 6 of Landlord and Tenant (Amendment) Act, 1980.

32.—The provisions of section 6 of the Landlord and Tenant (Amendment) Act, 1980, shall apply in respect of—

(*a*) a house leased under a shared ownership lease, and

(*b*) housing accommodation provided after the commencement of this section for letting by F50**[**an approved housing body,**]**

as if the person granting the lease or the F50**[**approved housing body**]**, as the case may be, were a housing authority and the house or the housing accommodation were premises provided by the authority.

Annotations

Amendments:

F50 Substituted (1.01.2022) by *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67(e), S.I. No. 728 of 2021, subject to transitional provisions in ss. 69, 70.

Increase in fines, etc.

33.—(1) (*a*) Any person convicted of an offence for which a fine is provided under a provision referred to in *paragraph (b)* shall, in lieu of that fine, be liable to a fine not exceeding £1,000 and those sections shall be construed and have effect accordingly.

(*b*) The provisions to which *paragraph (a)* relates are as follows:

(i) in the Principal Act, sections 3(5), 4(2) and 61(2), subsection (7) (inserted by the Housing Act, 1970) of section 62, section 64(2), subsections (3) and (4) of section 65, section 67(3), subsections (1), (2) and (3)(*b*) of section 68 and subsections (1)(*a*) and (2) of section 69, and

(ii) in the Act of 1988, section 29(1).

(2) Section 117 of the Principal Act is hereby amended by the substitution for subsection (7) of the following:

"(7) Any person who, by act or omission, obstructs an authorised person in the lawful exercise of the powers conferred by this section shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding £1,000 and if the obstruction is continued after conviction the person shall be guilty of a further offence on every day on which the obstruction continues and for each such offence shall be liable, on summary conviction, to a fine not exceeding £100.".

Annotations

Editorial Notes:

E62 A fine of £1,000 converted (1.01.1999) to €1,269.73. This translates into a class C fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(2) and table ref. no. 2, S.I. No. 662 of 2010.

Offences.

34. —F51**[**(1) Any person who—

(*a*) by act or omission, obstructs an authorised person in the lawful exercise of the powers conferred by, or contravenes a provision of, or a regulation made under, *section 17, 18* or *20*, or

(*b*) fails to comply with an improvement notice, or

(*c*) re-lets a house in breach of a prohibition notice,

shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 months or both and if the obstruction, contravention, failure to comply or re-letting is continued

after conviction the person shall be guilty of a further offence on every day on which the obstruction, contravention, failure to comply or re-letting continues and for each such offence shall be liable, on summary conviction, to a fine not exceeding €400.**]**

(2) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act, 1851, proceedings for an offence under this section may be instituted at any time within two years after the date of the offence.

F52**[**(3) Where a person is convicted of an offence under this Act, the court shall, unless it is satisfied that there are special and substantial reasons for not doing so, order the person to pay to the housing authority, the costs and expenses, measured by the court, incurred by the housing authority in relation to the investigation, detection and prosecution of the offence.**]**

Annotations

Amendments:

F51 Substituted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 6(a), S.I. No. 449 of 2009.

F52 Inserted (1.12.2009) by *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 8 and sch. 2 part 4 item 6(b), S.I. No. 449 of 2009.

Modifications (not altering text):

C33 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year	Short Title	Provision

(1)	(2)	(3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Editorial Notes:

E63 A fine of €5,000 translates into a class A fine, not greater than €5,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010.

A fine of €400 translates into a class E fine, not greater than €500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 8(3) and table ref. no. 1, S.I. No. 662 of 2010.

E64 Previous affecting provisions: subs. (1) amended (11.09.1998) by *Housing (Traveller Accommodation) Act 1998* (33/1998), s. 33, S.I. No. 328 of 1998; substituted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 201, S.I. No. 505 of 2004; substituted as per F-note above.

Validation of certain payments.

35.—Where—

(*a*) a subsidy, being a subsidy specified in *section 4* or *7*, has been paid by the Minister or a housing authority or a recoupment, being a recoupment specified in *section 4*, *5* or *7*, has been made by the Minister to a housing authority, on or after the 14th day of February, 1991, but before the commencement of *section 4*, *5* or *7*, as the case may be, and

(*b*) the subsidy or recoupment would have been valid and effectual if it had been paid or made after such commencement,

then the subsidy or recoupment shall be valid and effectual, and be deemed always to have been valid and effectual, as if it had been paid or made after such commencement.

Expenses of housing authorities.

36.—The expenses of the council of a county in relation to the performance of a function under the *Housing Acts, 1966 to 1992*, shall be charged—

(*a*) in case the function is performed separately in respect of a county health district, on that county health district,

(*b*) in case the function is performed as one in respect of a combined area of a county health district and one, or more than one, borough or urban district in the county, on such combined area,

(*c*) in case the function is the subject of an order under *section 23*, pursuant to the provisions of such order.

Repeals and savings.

37.—(1) Each enactment specified in *column (2)* of the *Schedule* to this Act is hereby repealed to the extent specified in *column (3)* of that Schedule opposite the enactment so specified.

(2) Any repeal of enactments effected by this section shall not affect any provision of a loan agreement or mortgage contract, or the enforcement thereof, entered into by a housing authority under a provision being repealed.

(3) Notwithstanding *subsection (2)*, if a housing authority think fit and with the agreement of the person to whom the loan was made or his successor in title, the authority may, in relation to a loan made under a provision being repealed by virtue of this section, apply the provisions of regulations made pursuant to *section 11 (13) (r)* to such loan.

(4) Notwithstanding any repeal effected by this section the provisions of the relevant enactment shall continue in force and have full effect in relation to a loan made by a housing authority under a provision being repealed.

(5) A regulation made under a provision repealed by this section and in force immediately before the commencement of this section shall, in so far as it could have been made under a corresponding provision of this Act, continue in force after such commencement and be deemed to have been made under the corresponding provision of this Act and may be amended or revoked accordingly.

Annotations

Modifications (not altering text):

C34 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Sections 4, 5, 10, 11, 12, 18A, 18B, 34 and 37.
...	...	...

Short title, construction, collective citation and commencement.

38.—(1) This Act may be cited as the Housing (Miscellaneous Provisions) Act, 1992.

(2) The Housing Acts, 1966 to 1988, and this Act, other than *subsections (3)* and *(4)* and *sections 29* and *30* may be cited together as the *Housing Acts, 1966* to *1992*, and shall be construed together as one Act.

(3) The Housing Finance Agency Acts, 1981 to 1988, this subsection and *sections 14*, *15* and *29* may be cited together as the *Housing Finance Agency Acts, 1981 to 1992*, and shall be construed together as one Act.

(4) The Building Societies Act, 1989, this subsection and *section 30* may be cited together as the *Building Societies Acts, 1989 and 1992*, and shall be construed together as one Act.

(5) This Act shall come into operation on such day or days as may be fixed by order or orders of the Minister under this section, either generally or with reference to any particular purpose or provision and different days may be so fixed for different purposes and different provisions.

Annotations

Editorial Notes:

E65 Power pursuant to subs. (5) exercised (1.01.1994) by *Housing (Miscellaneous Provisions) Act, 1992 (Commencement) Order 1993* (S.I. No. 145 of 1993), art. 2.

2. Section 37 of the Housing (Miscellaneous Provisions) Act, 1992, and the Schedule to that Act, shall, insofar as they relate to the repeal of section 70 of the Housing Act, 1966 (No. 21 of 1966), come into operation on the 1st day of January, 1994.

E66 Power pursuant to subs. (5) exercised (1.09.1992) by *Housing (Miscellaneous Provisions) Act, 1992 (Commencement) Order 1992* (S.I. No. 223 of 1992), art. 2.

2. The Housing (Miscellaneous Provisions) Act, 1992, except insofar as section 37 and the Schedule relate to the repeal of section 70 of the Housing Act, 1966 (No. 21 of 1966), shall come into operation on the 1st day of September, 1992.

Section 37.

SCHEDULE

Enactments Repealed

Number and Year (1)	Short Title (2)	Extent of Repeal (3)
No. 21 of 1966	Housing Act, 1966.	Sections 8,33, 37, 39, 43, 48, 59, 70, 110 and 114.
No. 18 of 1970	Housing Act, 1970.	The whole Act.
No. 7 of 1978	Landlord and Tenant (Ground Rents) Act, 1978.	Section 4.
No. 27 of 1979	Housing (Miscellaneous Provisions) Act, 1979.	Sections 8, 15, 17 and19.
No. 6 of 1982	Housing (Private Rented Dwellings) Act, 1982.	Part III (sections 24 to 27).
No. 28 of 1988	Housing Act, 1988.	Section 5 and subsections (1) and (2) of section 17.
No. 17 of 1989	Building Societies Act, 1989.	Subsection (6) of section 18.

Number 18 *of* 1992

HOUSING (MISCELLANEOUS PROVISIONS) ACT 1992

REVISED

Updated to 1 April 2026

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Building Societies Acts 1989 to 2006: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Building Societies (Amendment) Act 2006* (24/2006), s. 1(2)). The Acts in this group are:

- *Building Societies Act 1989* (17/1989)
- *Housing (Miscellaneous Provisions) Act 1992* (18/1992), ss. 30 and 38(4)
- *Building Societies (Amendment) Act 2006* (24/2006)

Housing Acts 1966 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), s. 1(2)(b)). The Acts in this group are:

- *Housing Act 1966* (21/1966)
- *Housing (Miscellaneous Provisions) Act 1979* (27/1979)
- *Housing Act 1988* (28/1988), other than ss. 27 and 28
- *Housing (Miscellaneous Provisions) Act 1992* (18/1992)
- *Housing (Miscellaneous Provisions) Act 1997* (21/1997)
- *Housing (Traveller Accommodation) Act 1998* (33/1998)
- *Housing (Miscellaneous Provisions) Act 2002* (9/2002)
- *Housing (Miscellaneous Provisions) Act 2004* (43/2004)
- *Housing (Miscellaneous Provisions) Act 2009* (22/2009)
- *Housing (Amendment) Act 2013* (22/2013)
- *Local Government Reform Act 2014* (1/2014)
- *Housing (Miscellaneous Provisions) Act 2014* (21/2014)
- *Residential Tenancies (Amendment) Act 2015* (42/2015)
- *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019)
- *Affordable Housing Act 2021* (25/2021)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024)

Acts previously included in this collective citation and construction but now repealed are:

- *Housing Act 1969* (16/1969)
- *Housing Act 1970* (18/1970)
- *Housing Act 1984* (1/1984)

Housing Finance Agency Acts 1981 to 2025: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Housing Finance Agency (Amendment) Act 2025* (11/2025), s. 2(2)). The Acts in this group are:

- *Housing Finance Agency Act 1981* (37/1981)
- *Housing Finance Agency (Amendment) Act 1982* (27/1982)
- *Housing Finance Agency (Amendment) Act 1985* (20/1985)
- *Housing Finance Agency (Amendment) Act 1988* (1/1988)
- *Housing (Miscellaneous Provisions) Act 1992* (18/1992)
- *Water Services Act 2007* (30/2007)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024)
- *Housing Finance Agency (Amendment) Act 2025* (11/2025)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Planning and Development Act 2024* (34/2024)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024)
- *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019)
- *Residential Tenancies (Amendment) Act 2015* (42/2015)
- *Housing (Miscellaneous Provisions) Act 2014* (21/2014)
- *Local Government Reform Act 2014* (1/2014)
- *Fines Act 2010* (8/2010)
- *Land and Conveyancing Law Reform Act 2009* (27/2009)
- *Housing (Miscellaneous Provisions) Act 2009* (22/2009)
- *Finance Act 2008* (3/2008)
- *Residential Tenancies Act 2004* (27/2004)
- *Central Bank and Financial Services Authority of Ireland Act 2003* (12/2003)
- *Planning and Development (Amendment) Act 2002* (32/2002)
- *Housing (Miscellaneous Provisions) Act 2002* (9/2002)
- *Housing (Traveller Accommodation) Act 1998* (33/1998)
- *Housing (Miscellaneous Provisions) Act 1997* (21/1997)
- *Local Government Act 1994* (8/1994)
- *Local Government (Dublin) Act 1993* (31/1993)

All Acts up to and including *Assisted Decision-Making (Capacity) (Amendment) Act 2026* (8/2026), enacted 31 March 2026, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Housing Purchase and Renovation Loans (Amendment) Regulations 2026* (S.I. No. 84 of 2026)
- *Housing Loans (Amendment) Regulations 2026* (S.I. No. 83 of 2026)

- *Housing Purchase and Renovation Loans Regulations 2024* (S.I. No. 353 of 2024)
- *Housing Loans (Amendment) Regulations 2024* (S.I. No. 221 of 2024)
- *Housing Loans (Amendment) Regulations 2023* (S.I. No. 76 of 2023)
- *Housing Loans Regulations 2021* (S.I. No. 701 of 2021)
- *Housing (Standards For Rented Houses) Regulations 2019* (S.I. No. 137 of 2019)
- *Housing (Rebuilding Ireland Home Loans) Regulations 2018* (S.I. No. 25 of 2018)
- *Housing (Standards for Rented Houses) Regulations 2017* (S.I. No. 17 of 2017)
- *Housing (Sale of Local Authority Houses) Regulations 2015* (S.I. No. 484 of 2015)
- *Housing (Local Authority Loans) Regulations 2012* (S.I. No. 408 of 2012)
- *Housing (Local Authority Loans) (Amendment) Regulations 2011* (S.I. No. 678 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Housing (Rent Books) (Amendment) Regulations 2010* (S.I. No. 357 of 2010)
- *Housing (Home Choice Loan) Regulations 2009* (S.I. No. 544 of 2009)
- *Housing (Standards for Rented Houses) (Amendment) Regulations 2009* (S.I. No. 462 of 2009)
- *Housing (Local Authority Loans) Regulations 2009* (S.I. No. 145 of 2009)
- *Housing (Transfer of Functions) Order 2008* (S.I. No. 582 of 2008)
- *Housing (Home Choice Loan) Regulations 2008* (S.I. No. 535 of 2008)
- *Housing (Standards for Rented Houses) Regulations 2008* (S.I. No. 534 of 2008)
- *Housing (Rent Subsidy) Regulations 2005* (S.I. No. 915 of 2005)
- *Housing Regulations 1980 (Amendment) Regulations* (S.I. No. 913 of 2005)
- *Housing (Rent Books) Regulations 1993 (Amendment) Regulations 2004* (S.I. No. 751 of 2004)
- *Housing (Transfer of Functions) (No. 2) Order 1993 (Amendment) Order 2004* (S.I. No. 218 of 2004)
- *Housing (Registration of Rented Houses) (Amendment) Regulations 2000* (S.I. No. 12 of 2000)
- *Housing Regulations 1980 (Amendment) (No. 2) Regulations 1998* (S.I. No. 426 of 1998)
- *Housing Regulations 1980 (Amendment) Regulations 1998* (S.I. No. 152 of 1998)
- *Housing Regulations 1980 (Amendment) Regulations 1996* (S.I. No. 148 of 1996)
- *Housing (Registration of Rented Houses) Regulations 1996* (S.I. No. 30 of 1996)
- *Housing (Transfer of Functions) (No. 2) Order 1995* (S.I. No. 187 of 1995)
- *Housing (Transfer of Functions) Order 1995* (S.I. No. 36 of 1995)
- *Housing (Transfer of Functions) (No. 2) Order 1993* (S.I. No. 284 of 1993)
- *Housing (Transfer of Functions) Order 1993* (S.I. No. 153 of 1993)
- *Housing (Standards for Rented Houses) Regulations 1993* (S.I. No. 147 of 1993)
- *Housing (Rent Books) Regulations 1993* (S.I. No. 146 of 1993)
- *Housing (Miscellaneous Provisions) Act 1992 (Commencement) Order 1993* (S.I. No. 145 of 1993)
- *Housing (Miscellaneous Provisions) Act 1992 (Commencement) Order 1992* (S.I. No. 223 of 1992)

All statutory instruments up to and including *Appointment of Special Advisers (Tánaiste and Minister for Finance) (No. 2) Order 2026* (S.I. No. 137 of 2026), made 1 April 2026, were considered in the preparation of this revision.