



An Bille um Pleanáil agus Forbairt (Leasú) (Ligin Ghearrthéarma), 2017
Planning and Development (Amendment) (Short Term Lettings) Bill 2017

Mar a tionscnaíodh

As initiated



**AN BILLE UM PLEANÁIL AGUS FORBAIRT (LEASÚ) (LIGIN
GHEARRTHÉARMA), 2017
PLANNING AND DEVELOPMENT (AMENDMENT) (SHORT TERM LETTINGS)
BILL 2017**

Mar a tionscnaíodh

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ACTS REFERRED TO

Planning and Development Act 2000 (No. 30)

Planning and Development Acts 2000 to 2017

Residential Tenancies Act 2004 (No. 27)



**AN BILLE UM PLEANÁIL AGUS FORBAIRT (LEASÚ) (LIGIN
GHEARRTHÉARMA), 2017
PLANNING AND DEVELOPMENT (AMENDMENT) (SHORT TERM LETTINGS)
BILL 2017**

entitled

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An Act to amend the Planning and Development Act 2000, to amend the Residential Tenancies Act 2004 and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Definitions

1. In this Act—

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“Principal Act” means the Planning and Development Act 2000;

“short term letting” means the letting of any residential property for less than 90 continuous nights in a calendar year.

Amendment of section 3 of Principal Act

2. Section 3 of the Principal Act is amended by the insertion of the following subsection after subsection (3):

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“(4) For the avoidance of doubt, it is hereby declared that, for the purposes of this section, where a residential property is used for temporary sleeping accommodation for reward and where the cumulative number of nights of use as temporary sleeping accommodation for reward exceeds 90 nights in one calendar year, such use shall constitute a material change in use of the property.”.

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Amendment of Residential Tenancies Act 2004

3. (1) Section 134 of the Residential Tenancies Act 2004 is amended by the insertion of the following subsections after subsection (6):

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“(7) Any person or entity who advertises or hosts the advertisement of or facilitates or makes available a short term letting shall, each time the said short term letting is let, apply to the Board to register the said short term letting by reference to the property’s Eircode.

(8) Any person or entity who fails to comply with subsection (7) shall be guilty of an offence and shall be liable—

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(i) on summary conviction, to a fine not exceeding €20,000, or

- (ii) on conviction on indictment, to a fine not exceeding €4,000,000 or 10 per cent of the turnover of the person or entity in the financial year ending in the 12 months prior to the conviction, whichever is the greater.
- (9) Where an offence under this Act is committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of a person being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, is guilty of an offence and is liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.” 5 10
- (2) Section 137 of the Residential Tenancies Act 2004 is amended by the insertion of the following subsection after subsection (6):
- “(7) if the application under section 134(7) is made in respect of a short term letting, a reduced fee of €10 will apply.” 15

Short title, collective citation, construction and commencement

4. (1) This Act may be cited as the Planning and Development (Amendment) (Short Term Lettings) Act 2017.
- (2) This Act (other than *section 3*) shall be included in the collective citation “Planning and Development Acts 2000 to 2017” and shall be read together as one with these Acts. 20
- (3) This Act shall come into operation on such day as may be fixed by order of the Minister of Housing, Planning and Local Government.

An Bille um Pleanáil agus Forbairt (Leasú)
(Ligin Ghearrthearma), 2017

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Pleanáil agus Forbairt, 2000, do leasú an Achta um Thionóntachtaí Cónaithe, 2004 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Teachtaí Barra V. Ó Comhain agus Páid Ó Cathasaigh a thug isteach,

30 Samhain, 2017

Planning and Development (Amendment)
(Short Term Lettings) Bill 2017

BILL

(as initiated)

entitled

An Act to amend the Planning and Development Act 2000, to amend the Residential Tenancies Act 2004 and to provide for related matters.

Introduced by Deputies Barry Cowen and Pat Casey,

30th November, 2017

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