

Commencement of provisions of Housing (Miscellaneous Provisions) Act 2009

Position at 29 September 2014

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
PART 1: PRELIMINARY AND GENERAL				
Short title, etc.	1	449 of 2009	1 December 2009	
Interpretation	2			
Regulations	3			
Ministerial directions	4			
Guidelines	5			
Limitations on Ministerial power	6	Various	Various dates	See Schedule 1 below
Repeals	7			
Consequential Amendments	8	Various	Various dates	See Schedule 2 below
Expenses	9	449 of 2009	1 December 2009	

PART 2: FUNCTIONS OF HOUSING AUTHORITIES

CHAPTER 1: HOUSING SERVICES

Provision of housing services	10	449 of 2009	1 December 2009	
Provision of ancillary services	11			

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
Funding for housing services	12	119 of 2009	1 December 2009	
Housing authority resources	13			

CHAPTER 3: SOCIAL HOUSING SUPPORT

Provision of social housing support	19, except for ss.(2)(bb)	83 of 2011	1 April 2011	
	19(2)(bb)	404 of 2014	15 September 2014	
Social Housing Assessment	20, except for (4A), (5) (5A) and (5B)	83 of 2011	1 April 2011	See Social Housing Assessment Regulations 2011 (S.I. No. 84 of 2011) and amending Regulations (S.I. No. 136 of 2011) and amending (No. 2) Regulations (S.I. No. 321 of 2011). Re s.20(4A), see R.4 of Housing Assistance Payment Regulations 2014 (S.I. No. 407 of 2014)
	20(4A)	404 of 2014	15 September 2014	
	20(5)	405 of 2014	15 September 2014	
	20(5A)	404 of 2014	15 September 2014	
	20(5B)	404 of 2014	15 September 2014	
Summary of social housing assessments	21	83 of 2011	1 April 2011	See Social Housing Assessments (Summary) Regulations 2013 (S.I. No. 26 of 2013)
Allocation of dwellings	22	253 of 2010	14 June 2010	See Social Housing Allocation Regulations 2011 (S.I. No. 198 of 2011)

CHAPTER 5: MANAGEMENT AND CONTROL FUNCTIONS

Information requirements	32, (1) (other than paragraph (ba)), (2), (3), (4) and (5)	83 of 2011	1 April 2011	
	32(1)(ba)	404 of 2014	15 September 2014	
	32(5A)	429 of 2014	29 September 2014	See R.5 of Housing Assistance Payment Regulations 2014 (S.I. No. 407 of 2014)
	32(6), (7) and (8)	253 of 2010	14 June 2010	Subsection (9) remains to be commenced

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
Moneys owing to housing authority	33, insofar as it applies to ss.32(8), 47(4) and 48(5) and (6) of the 2009 Act, s.11 of the 1992 Act and s.25 of the 1998 Act	253 of 2010	14 June 2010	
	33, insofar as it applies to ss.75(4) and 76(5) of the 2009 Act	680 of 2011	1 January 2012	

CHAPTER 5: MANAGEMENT AND CONTROL FUNCTIONS (Continued)

Arrangements with households for payment of moneys due and owing to housing authority	34, insofar as it applies to s.32(8) of the 2009 Act, s.11 of the 1992 Act and s.25 of the 1998 Act	253 of 2010	14 June 2010	See Housing (Interest on Moneys Owed to Housing Authorities) Regulations 2010 (S.I. No. 254 of 2010) and amending Regulations (S.I. No. 483 of 2010).
Anti-social behaviour strategy	35	449 of 2009	1 December 2009	

CHAPTER 6: HOMELESSNESS ACTION PLANS

Interpretation (Chapter 6)	36	540 of 2009	1 February 2010	
Homelessness Action Plans	37			
Homelessness Consultative Forum	38			
Management Group	39			
Preparation of draft plan and making of plan	40			
Ministerial directions	41			
Power of Minister to prescribe body as specified body	42			

PART 3: INCREMENTAL PURCHASE ARRANGEMENTS

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
Interpretation (Part 3)	43	540 of 2009	1 January 2010	See Housing (Incremental Purchase) Regulations 2010 (S.I. No. 252 of 2010)
Application of Part 3 to certain dwellings	44			
Sale of dwelling by incremental purchase arrangement	45			
Charging order	46			
Suspension of reduction of charged share	47			
Control on resale of dwelling sold under an incremental purchase arrangement	48			
Regulations (Part 3)	49			

PART 4: TENANT PURCHASE OF APARTMENTS

Various	50 - 77, except for 64(9)(a)	680 of 2011	1 January 2012	Housing (Tenant Purchase of Apartments) Regulations 2011 (S.I. No. 679 of 2011)
---------	------------------------------	-------------	----------------	---

PART 7: AMENDMENTS TO THE RESIDENTIAL TENANCIES ACT 2004

Amendments to Residential Tenancies Act 2004	100	Not applicable	15 July 2009	Commenced on enactment of statute
--	-----	----------------	--------------	-----------------------------------

SCHEDULE 1: REPEALS (Section 7)

Repeal of section 56(1), Housing Act 1966	Item 1	83 of 2011	1 April 2011	
Repeal of section 56(2), Housing Act 1966		449 of 2009	1 December 2009	

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
Repeal of section 9, Housing Act 1988	Item 2	83 of 2011	1 April 2011	
Repeal of section 11, Housing Act 1988		253 of 2010	14 June 2010	
Repeal of section 15, Housing Act 1988		449 of 2009	1 December 2009	
Repeal of section 20, Housing Act 1988		83 of 2011	1 April 2011	

SCHEDULE 2: CONSEQUENTIAL AMENDMENTS (Section 8)

Part 1: Amendments to Housing Act 1966

Amendment of section 90	Item 1	449 of 2009	1 December 2009	All of Part 1 commenced
Amendment of section 107(7)	Item 2			

Part 2: Amendments to Housing Finance Agency Act 1981

Amendment of section 10(3)	Item 3	449 of 2009	1 December 2009	
----------------------------	--------	-------------	-----------------	--

Part 3: Amendments to Housing Act 1988

Insertions in section 12	Item 1	680 of 2011	1 January 2012	All of Part 3 commenced
Amendment of section 13(3)	Item 2	449 of 2009	1 December 2009	

Part 4: Amendments to Housing (Misc. Provisions) Act 1992

Amendment of section 1(1)	Item 1	449 of 2009	1 December 2009	All of Part 4 commenced. Re section 18, see Housing (Standards for Rented Houses) (Amendment) Regulations 2009 (S.I. No. 462 of 2009) Re Section 23, see Housing (Transfer of Functions) Order 2011 (S.I. No. 85 of 2011), which is now spent.
Amendment of section 5	Item 2	83 of 2011	1 April 2011	
Amendment of section 18	Item 3	449 of 2009	1 December 2009	
Insertion of sections 18A and 18B	Item 4			
Amendment of section 23(1) and (2)	Item 5	540 of 2009	1 February 2010	
Amendment of section 34	Item 6	449 of 2009	1 December 2009	

Section/Provision (as amended)	Section/Provision Number	Commencement Order S.I No.	Date of Commencement	Remarks
--------------------------------	--------------------------	----------------------------	----------------------	---------

SCHEDULE 2: CONSEQUENTIAL AMENDMENTS (Continued) (Section 8)

Part 5: Amendments to Housing (Misc. Provisions) Act 1997

Amendment of section 1(1) (other than the definition of "tenant")	Item 1 [amendment (a)]	449 of 2009	1 December 2009	
Amendment of section 14(1)	Item 4(a)	253 of 2010	14 June 2010	
Amendment of section 14(2), in respect of IP and s.90 dwelling sales	Item 4(b) (part)	253 of 2010	14 June 2010	
Amendment of section 14(2), in respect of apartment sales	Item 4(b) (part)	680 of 2011	1 January 2012	
Amendment of section 15	Part 5, Item 5	449 of 2009	1 December 2009	

Part 6: Amendments to Housing (Traveller Accommodation) Act 1998

Amendments of section 6 and 10(2)	Items 1 and 2	83 of 2011	1 April 2011	All of Part 6 commenced
-----------------------------------	---------------	------------	--------------	-------------------------

Part 7: Amendments to Planning and Development Act 2000

Amendment of section 94, subsections (2) and 4(a)(i)	Item 2 (part)	83 of 2011	1 April 2011	
Amendment of section 96(13(a))	Item 3 (b)	83 of 2011	1 April 2011	

Part 9: Amendments to Social Welfare Consolidation Act 2005

Amendment of section 265(1), by insertion of: updated paragraph (b)(i) updated paragraph (b)(ii) in definition of "relevant purpose".	Item 1			
		83 of 2011	1 April 2011	
		253 of 2010	14 June 2010	

SCHEDULE 4: INFORMATION TO BE INCLUDED IN PROPERTY SERVICES AGREEMENT (Section 73)

SCHEDULE 4		680 of 2011	1 January 2012	
------------	--	-------------	----------------	--