



STATUTORY INSTRUMENTS.

S.I. No. 483 of 2015



HOUSING (INCREMENTAL PURCHASE) (AMENDMENT)
REGULATIONS 2015

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I, ALAN KELLY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 3 and 49 of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009), as adapted by the Environment, Heritage and Local Government (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 193 of 2011), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Housing (Incremental Purchase) (Amendment) Regulations 2015.

Commencement

2. These Regulations come into operation on 1 January 2016.

Amendment of 2010 Incremental Purchase Regulations

3. The Housing (Incremental Purchase) Regulations 2010 (S.I. No. 252 of 2010) are amended—

- (a) in Regulation 5, by substituting “, Part 3 or 4 of the Act of 2009 or Part 3 of the Housing (Miscellaneous Provisions) Act 2014 (No. 21 of 2014).” for “or Parts 3 or 4 of the Act of 2009.”,
- (b) by substituting the following statement for the statement in Regulation 8:

“Section 32(7) of the Housing (Miscellaneous Provisions) Act 2009 and section 6 of the Fines Act 2010 provide that it is an offence, punishable on conviction by a class C fine (i.e. an amount not greater than €2,500 but greater than €1,000), for a person to knowingly provide false or misleading information or documents or to knowingly conceal any material fact in relation to the purchase of a house under Part 3 of the Housing (Miscellaneous Provisions) Act 2009. Section 32(8) of the 2009 Act provides that a housing authority may recover from a person convicted of an offence under section 32(7) any higher expenditure that the authority incurred on the sale of a house due to reliance on false, misleading or undisclosed information.”,

and

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 6th November, 2015.*

(c) in Schedule 1, by deleting subparagraph (e) of paragraph 4 of the Form of Combined Transfer and Charging Order.



GIVEN under my Official Seal,
30 October 2015.

ALAN KELLY,
Minister for the Environment, Community and Local
Government.

EXPLANATORY NOTE

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

These Regulations, which come into operation on 1 January 2016, amend the Housing (Incremental Purchase) Regulations 2010 (S.I. No. 252 of 2010) to—

- exclude from purchasing a local authority house under Part 3 of the Housing (Miscellaneous Provisions) Act 2009 a person who has previously purchased a local authority house under Part 3 of the Housing (Miscellaneous Provisions) Act 2014,
- reflect the updated amount of a fine in the statement to be included in an application form for tenant purchase concerning penalties for providing false, etc., information, and
- delete from the prescribed form of the combined transfer and charging order for a house being sold under Part 3 of the 2009 Act the condition that the purchaser shall not, without the prior written consent of the housing authority, make material improvements to the house during the charged period.

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nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€1.27

