



**BILLE NA dTITHE (LEASU), 1954.
HOUSING (AMENDMENT) BILL, 1954.**

*Mar a tugadh isteach.
As introduced.*

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BILLE NA dTITHE (LEASU), 1954.
HOUSING (AMENDMENT) BILL, 1954.

BILL

entitled

- 3 AN ACT TO MAKE FURTHER AND BETTER PROVISION
WITH RESPECT TO HOUSING, TO AMEND AND
EXTEND THE HOUSING (FINANCIAL AND MISCEL-
LANEOUS PROVISIONS) ACTS, 1932 TO 1952, THE
10 HOUSING OF THE WORKING CLASSES ACTS, 1890
TO 1952, THE LABOURERS ACTS, 1883 TO 1952, AND
THE SMALL DWELLINGS ACQUISITION ACTS, 1899
TO 1952, AND TO MAKE PROVISION WITH RESPECT
TO OTHER MATTERS CONNECTED WITH THE
MATTERS AFORESAID.

15 BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

PART I.

PRELIMINARY AND GENERAL.

- 1.—(1) This Act may be cited as the Housing (Amendment)
Act, 1954.
- 20 (2) This Act in so far as it amends the Housing of the Working
Classes Acts, 1890 to 1952, the Labourers Acts, 1883 to 1952, the
Small Dwellings Acquisition Acts, 1899 to 1952, and the Housing
(Financial and Miscellaneous Provisions) Acts, 1932 to 1952, shall
25 be read and construed as one therewith respectively and may be
cited together therewith as the Housing of the Working Classes
Acts, 1890 to 1954, the Labourers Acts, 1883 to 1954, the Small
Dwellings Acquisition Acts, 1899 to 1954, and the Housing
(Financial and Miscellaneous Provisions) Acts, 1932 to 1954.

Short title,
construction and
collective citation.

2.—In this Act—

- 30 “the Act of 1932” means the Housing (Financial and Miscel-
laneous Provisions) Act, 1932 (No. 19 of 1932);
“the Act of 1948” means the Housing (Amendment) Act, 1948
(No. 1 of 1948);
“the Act of 1950” means the Housing (Amendment) Act, 1950
35 (No. 25 of 1950);
“the Act of 1952” means the Housing (Amendment) Act, 1952
(No. 16 of 1952);
“housing authority” means in the case of—
(a) a county health district, the council of the county in
40 which such county health district is situate,
(b) a county or other borough, the corporation of such county
or other borough and
(c) an urban district, the council of such urban district;
“the Housing of the Working Classes Acts” means the Housing
45 of the Working Classes Acts, 1890 to 1952, as amended by this
Act;
“the Labourers Acts” means the Labourers Acts, 1883 to 1952,
as amended by this Act;
“the Minister” means the Minister for Local Government.

Definitions.

Regulations.

3.—(1) Every regulation made by the Minister under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next subsequent twenty-one days on which that House has sat after the regulation is laid 5 before it, the regulation shall be annulled accordingly but without prejudice to anything previously done thereunder.

(2) No regulation which includes provision in respect of a payment to be made by the Minister shall be made by the Minister under this Act without the consent to that provision of the 10 Minister for Finance.

Expenses.

4.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas. 15

Repeals.

5.—Each enactment mentioned in the *First Schedule* to this Act is hereby repealed to the extent specified in the third column of that *Schedule*.

PART II.

FINANCIAL PROVISIONS. 20

Continuance of certain sections.

6.—(1) The reference to the 1st day of April, 1954, contained (by virtue of section 6 of the Act of 1952) in subsection (1) of section 16, subsection (2) of section 19 and subsection (1) of section 20 of the Act of 1948 and subsection (1) of section 6 of the Act of 1950 shall be construed as a reference to the 1st day 25 of April, 1956.

(2) The reference to the 1st day of April, 1954, in paragraph (b) of subsection (1) of section 7 and paragraph (a) of subsection (1) of section 24 of the Act of 1952 shall be construed as a reference to the 1st day of April, 1956. 30

(3) The reference to the 1st day of April, 1954, contained (by virtue of subsections (1) and (2) of section 13 of the Act of 1952) in paragraph (j) of subsection (1) of section 5 of the Act of 1932 shall be construed as a reference to the 1st day of April, 1956.

(4) This section shall have and be deemed to have had effect 35 as on and from the 1st day of April, 1954.

Amendment of section 16 of Act of 1948 and section 6 of Act of 1950.

7.—Section 16 of the Act of 1948 and section 6 of the Act of 1950 are hereby amended by the insertion of "as normal place of residence" after "occupied" wherever the latter word occurs in those sections. 40

Amendment of section 19 (1) of Act of 1948.

8.—Subsection (1) of section 19 of the Act of 1948 is hereby amended by the insertion after "person erecting one or more than one house" of "(including a local authority erecting one or more than one house otherwise than for the purposes of the Housing of the Working Classes Acts or the Labourers Acts)". 45

Amendment of section 9 (1) of Act of 1952.

9.—Subsection (1) of section 9 of the Act of 1952 is hereby amended, with effect as from the passing of that Act, by the substitution of "not exceeding" for "equal to".

Amendment of section 10 (1) of Act of 1952.

10.—(1) Subsection (1) of section 10 of the Act of 1952 is hereby amended, with effect as from the passing of that Act, by 50 the substitution of "not exceeding" for "equal to".

(2) Subsection (1) of section 10 of the Act of 1952 shall have effect in relation to a house situate in a county borough, the borough of Dún Laoghaire, the county of Dublin or the district electoral divisions of St. Mary's, Bishopstown, Blackrock and Douglas in the county of Cork as if—

- (a) the references to £208 in paragraphs (i) and (ii) were references to £260,
- (b) the references to £312 in paragraphs (ii) and (iii) were references to £377,
- 10 (c) the references to £365 in paragraphs (iii) and (iv) were references to £442, and
- (d) the reference to £416 in paragraph (iv) were a reference to £520.

15 11.—Section 11 of the Act of 1952 is hereby amended, with effect as from the passing of that Act—

Amendment of section 11 of Act of 1952.

(a) by the insertion after “ house ” of “ (whether situate within or outside the functional area of the authority) ”, and

(b) by the substitution of “ not exceeding ” for “ equal to ”.

20 12.—(1) The Minister may, with the consent of the Minister for Finance and subject to regulations made under this section, make, out of moneys provided by the Oireachtas, to a person executing repair works or improvement works on a house a grant not exceeding whichever of the following amounts is the smaller:—

Grant in respect of works executed on house.

25 (a) £80 for each separate dwelling forming part of the house after the execution of the works,

(b) one-third of the cost of the works, excluding the cost of any decoration and the cost of any works in respect of which a grant is paid under section 7 of the Act of 1952.

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(2) A grant may be made under *subsection (1)* of this section only if—

(I) either—

35 (a) (i) the house to be repaired or improved is occupied by or is suitable for occupation by persons of the working classes or agricultural labourers within the meaning of the Labourers Acts and is certified by the housing authority (or, in the case of an appeal, by the Minister) to be suitable for repair or improvement, and

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(ii) the Minister is satisfied that the house by reason of structural or sanitary defects is, or is likely to become, dangerous or injurious to health or that the proposed works are necessary for the purpose of rendering it more suitable for human habitation, or

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(b) the execution of the works has been required by a notice served (whether before or after the passing of this Act) under section 19 of the Housing (Miscellaneous Provisions) Act, 1931 (No. 50 of 1931), and

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(II) the works have been carried out in a satisfactory and efficient manner and the house is in all respects fit for human habitation.

55 (3) Where a grant is made to a person under *subsection (1)* of this section, the housing authority may make to that person a

grant of an amount not exceeding the grant made under that subsection.

(4) Where a housing authority refuse to certify for the purposes of this section that a house is suitable for repair or improvement, the person concerned may appeal to the Minister and if the Minister, after consideration of the appeal, is satisfied that the house is so suitable, he may certify accordingly. 5

(5) For the purposes of this section a housing authority shall have the like powers of borrowing as are conferred on such authority for the purposes of the Housing of the Working Classes Acts or the Labourers Acts. 10

(6) Where a grant is paid under this section in respect of any works, no grant shall be paid in respect of those works under any other section of the Housing (Financial and Miscellaneous Provisions) Acts, 1932 to 1954. 15

(7) Where a grant is made under this section in respect of works executed on a house, the valuation of the tenement consisting of or including the house shall not, on any valuation or revision of the valuation thereof coming into force within seven years after the completion of the works, be increased on account of any increase in the value of such tenement arising from the works. 20

(8) The Minister may make regulations for the purposes of this section. 25

(9) In this section—

“sanitary defects” includes lack of air space or of ventilation, darkness, dampness, absence of adequate and readily accessible water supply or sanitary accommodation or of other conveniences and inadequate paving or drainage of courts, yards or passages; 25

“structural defects” means decay of walls, roof or structural woodwork, or other similar defects. 30

(10) After the passing of this Act, grants, other than grants allocated before such passing, shall not be made under section 5 of the Housing and Labourers Act, 1937 (No. 42 of 1937), under that section as extended by subsection (1) of section 33 of the Act of 1952 or under section 8 of the Act of 1950. 35

Grant in
case of house
provided for
letting.

13.—(1) The Minister may, with the consent of the Minister for Finance and subject to regulations made under this section, make, out of moneys provided by the Oireachtas, to a person providing a house for letting, a grant not exceeding the appropriate sum specified in the *Second Schedule* to this Act if— 40

(a) the house complies with the rules set out in the First Schedule to the Act of 1932 as amended by section 14 of the Act of 1950,

(b) the erection of the house commenced on or after the 1st day of April, 1954, and is completed on or before the 1st day of April, 1956, and 45

(c) such person undertakes with the Minister that, save in accordance with regulations made under this section, he will not sell the house within a period of fifteen years from the date of the undertaking and that he will let the house subject to such conditions as may be specified in the said regulations. 50

(2) Subsections (1) and (2) of section 44 of the Act of 1948, as amended by section 15 of the Act of 1950, are each hereby further amended by the insertion of “or a grant is made under section 13 of the Housing (Amendment) Act, 1954, in respect of a house erected during the period referred to in that section” after “to a person or public utility society”. 55

(3) Subsection (2) of section 45 of the Act of 1948, as amended by section 18 of the Act of 1952, is hereby further amended by the insertion of "or under section 12 or 13 of the Housing (Amendment) Act, 1954", after "the Housing (Financial and Miscellaneous Provisions) Acts, 1932 to 1952".

(4) The Minister shall not make a grant under this section in respect of a house for which a grant is or was made under any other enactment.

(5) The Minister may make regulations for the purposes of this section.

14.—(1) The Minister may make a grant in respect of the reconstruction of a house under section 16 of the Act of 1948 notwithstanding that a grant for the erection or reconstruction of the house has previously been made under any enactment—

Power to make further grant.

15 (a) where the reconstruction is necessary because of damage caused by fire, wind, rain, flooding or other cause outside the applicant's control, or

(b) the reconstruction being not so necessary—

20 (i) where at least fifteen years have elapsed since the date of the completion of the erection of the house or of the reconstruction in respect of which such grant was made, or

25 (ii) less than fifteen years and at least ten years having so elapsed, where the reconstruction of the house includes the replacement of roofing by roofing of slates or tiles.

(2) Section 25 of the Act of 1952 is hereby amended by the insertion of "or section 12, section 13 or section 14 of the Housing (Amendment) Act, 1954" after "section 7 of this Act".

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PART III.

CONTROL OF CERTAIN PREMISES.

15.—Section 8 of the Act of 1948 (which prohibits the demolition or use, otherwise than as a dwelling-house, of certain habitable houses) shall continue in force until the 31st day of December, 1956.

Continuance of section 8 of the Act of 1948.

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PART IV.

HOUSING OF THE WORKING CLASSES.

16.—Dwellings which are vested in a housing authority or the commissioners of a town, which are used by them for the purposes of the Housing of the Working Classes Acts and which, apart from this section, would be dwellings not provided by the authority or commissioners under those Acts shall be deemed to be dwellings so provided, and references in any enactment (including, in particular, section 3 of the Landlord and Tenant Act, 1931 (No. 55 of 1931), and section 3 of the Rent Restrictions Act, 1946 (No. 4 of 1946)) to dwellings or buildings provided under the Housing of the Working Classes Acts, or under any of those Acts, shall be construed accordingly.

Dwellings to be deemed to be provided under Housing of the Working Classes Acts.

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PART V.

LABOURERS COTTAGES.

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17.—The Labourers Acts shall continue in force until the 31st day of December, 1960.

Continuance of Labourers Acts.

Amendment of
section 11 of
Labourers
(Ireland) Act,
1906.

18.—(1) Section 11 of the Labourers (Ireland) Act, 1906, is hereby amended—

(a) by the substitution of “two hundred and fifty pounds” for “sixty pounds” wherever the latter words occur in the section, and

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(b) by the substitution in paragraph (8) of “six hundred pounds” for “one hundred pounds”.

(2) In any application by virtue of section 50 of the Housing (Miscellaneous Provisions) Act, 1931 (No. 52 of 1931), of section 11 of the Labourers (Ireland) Act, 1906, the said section 11 shall 10 apply subject to the amendments effected by subsection (1) of this section.

Amendment of
section 17 (2) (d)
(iii) of Labourers
Act, 1936.

19.—Subparagraph (iii) of paragraph (d) of subsection (2) of section 17 of the Labourers Act, 1936 (No. 24 of 1936), is hereby amended by the insertion of “by devise or” before “by operation 15 of law”.

Dwellings to be
deemed to be
provided under
Labourers Acts.

20.—Dwellings which are vested in a housing authority, which are used by them for the purposes of the Labourers Acts and which, apart from this section, would be dwellings not provided by the authority under those Acts shall be deemed to be dwellings 20 so provided, and references in any enactment (including, in particular, section 3 of the Landlord and Tenant Act, 1931 (No. 55 of 1931), and section 3 of the Rent Restrictions Act, 1946 (No. 4 of 1946)) to dwellings or buildings provided under the Labourers Acts, or under any of those Acts, shall be construed accordingly. 25

PART VI.

ACQUISITION OF SMALL DWELLINGS.

Sale by Irish Land
Commission where
instrument under
Small Dwellings
Acquisition Act,
1899, applies.

21.—Where—

(a) land is offered for sale by the Irish Land Commission under any statutory power in that behalf vested in 30 them, and

(b) an instrument under paragraph (e) of section 2 of the Small Dwellings Acquisition Act, 1899, is for the time being in force in relation to the land,

the land shall be sold subject to the instrument and to the relevant 35 provisions of the Small Dwellings Acquisition Acts, 1899 to 1954, in addition to any charge, incumbrance or liability subject to which the land is, apart from this section, required by law to be sold.

Section 5.

FIRST SCHEDULE.

REPEALS.

Number and Year	Short Title	Extent of Repeal
No. 24 of 1936.	Labourers Act, 1936.	Subsection (2) of section 18.
No. 25 of 1950.	Housing (Amendment) Act, 1950.	Sections 9, 10, 19 and 31.
No. 16 of 1952.	Housing (Amendment) Act, 1952.	Section 23.

GRANTS TO BE MADE BY THE MINISTER.

Number of rooms in house.	Where sewerage and piped water supply are not available.	Where sewerage and piped water supply are available.
3	£ 125	£ 175
4	175	225
5 or more	225	275

BILLE

(mar a tugadh isteach)

dá ngairmtear

Acht do dhéanamh socrúithe bhreise agus fheabhsaithe maidir le tithe do leasú agus do leathnú Acht na dTithe (Forála Airgeadais agus Forála Ilghnéitheacha), 1932 go 1952, Acht Tithe an Lucht Oibre, 1890 go 1952, Acht na Seilbhaithe, 1883 go 1952, agus na nAcht um Thithe Beaga Cónaithe d'fháil, 1899 go 1952, agus do dhéanamh socrúithe maidir le nithe eile a bhaineas leis na nithe réamhráite.

An tAire Rialtais Aitiúla a thug isteach.

Do hordaíodh, ag Dáil Éireann, do chlóbhualadh, 24ú Márta, 1954.

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

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Wt. 3238/G3—14321. 625. 3/54. C.&Co. (2601).

BILL

(as introduced)

entitled

An Act to make further and better provision with respect to housing, to amend and extend the Housing (Financial and Miscellaneous Provisions) Acts, 1932 to 1952, the Housing of the Working Classes Acts, 1890 to 1952, the Labourers Acts, 1883 to 1952, and the Small Dwellings Acquisition Acts, 1899 to 1952, and to make provision with respect to other matters connected with the matters aforesaid.

Introduced by the Minister for Local Government.

Ordered by Dáil Éireann, to be printed, 24th March, 1954.

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