



BILLE NA dTITHE, 1970
HOUSING BILL, 1970

Mar a leasaíodh i gCoiste
As amended in Committee

ARRANGEMENT OF SECTIONS

Section

1. Act of 1966.
2. Grants by Minister for provision of houses.
3. Grants by Minister for provision of houses for farmers and others.
4. Grants by Minister for erection of flats or maisonettes.
5. Contributions by Minister to certain annual loan charges of housing authorities.
6. Increase of certain limits.
7. Making of supplementary grants (borough or urban district) by county council.
8. Validity of certain grants.
9. Amendment of section 17 (1) of Act of 1966.
10. Amendment of sections 29 (1), 30 and 31 (1) of Act of 1966.
11. Amendment of section 33 of Act of 1966.
12. Amendment of section 62 of Act of 1966.
13. Repeal.
14. Short title, construction and collective citation.

SCHEDULE

SUBSECTIONS ADDED TO SECTIONS 15, 16 AND 18 OF ACT OF 1966.



BILLE NA dTITHE, 1970
HOUSING BILL, 1970

BILL

entitled

AN ACT TO AMEND AND EXTEND THE HOUSING ACTS, 5
1966 AND 1969.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Act of 1966.
1966, No. 21.

1.—In this Act “the Act of 1966” means the Housing Act, 1966.

Grants by Minister
for provision of
houses.

2.—Section 15 of the Act of 1966 is hereby amended by the addition of the subsections set out in *Part I* of the Schedule to this Act. 10

Grants by Minister
for provision of
houses for farmers
and others.

3.—Section 16 of the Act of 1966 is hereby amended by the addition of the subsections set out in *Part II* of the Schedule to this Act.

Grants by Minister
for erection of
flats or maisonettes.

4.—Section 18 of the Act of 1966 is hereby amended by the addition of the subsections set out in *Part III* of the Schedule to this Act. 15

Contributions by
Minister to certain
annual loan charges
of housing
authorities.

5.—Section 44 (2) (a) of the Act of 1966 is hereby amended by the addition of the following subparagraph:

“(vi) on or after the 13th day of June, 1969, for the accommodation of key workers of a class specified by the Minister and necessarily brought into an area 20
for new or expanding industry.”

Increase of certain
limits.

6.—Article 2 of the Third Schedule to the Act of 1966 is hereby amended by the substitution of “two thousand pounds” for “five hundred pounds” in paragraph (a), paragraph (b), paragraph (c) and paragraph (h) and the substitution of “five thousand pounds” for “twelve hundred pounds” in paragraph (g). 25

Making of
supplementary
grants (borough or
urban district) by
county council.

7.—(1) In this section “relevant section” means any of the following sections: section 26 (exclusive of subsections (7) and (8)), section 27, section 28 and section 29 of the Act of 1966.

(2) (a) References in a relevant section to the housing authority 30
shall, in the application of the section to a borough (not
being a borough designated by the Minister by regulations
as excluded with respect to the section from the applica-
tion of this paragraph), be taken as not referring to the
corporation of the borough and as referring instead to 35
the council of the county in which the borough is situate.

(b) With respect to expenses under a relevant section of the
council of a county in relation to a borough, the

exclusions of boroughs contained in paragraphs (a) and (b) (ii) of section 8 of the Act of 1966 shall be taken as not extending to the borough.

5 (3) (a) References in a relevant section to the housing authority shall, in the application of the section to an urban district (not being an urban district designated by the Minister by regulations as excluded with respect to the section from the application of this paragraph), be taken as not referring to the council of the urban district and as referring
10 instead to the council of the county in which the urban district is situate.

(b) With respect to expenses under a relevant section of the council of a county in relation to an urban district, the
15 exclusions of urban districts contained in paragraphs (a) and (b) (ii) of section 8 of the Act of 1966 shall be taken as not extending to the urban district.

(c) Where—

(i) under an agreement made between the council of a
20 county and the council of an urban district on or after the 13th day of June, 1969, and before the passing of this Act a grant was made by the council of the county, and

(ii) apart from the agreement, the grant would have fallen
25 to be made under a relevant section by the council of the urban district, the following provisions shall have effect:

(I) the grant shall be as valid as if, when it was made,
30 *paragraph (a)* of this subsection was in operation, and the urban district stood not designated by the Minister by regulations as excluded with respect to the relevant section from the application of that paragraph,

(II) *paragraph (b)* of this subsection shall apply and
35 be deemed always to have applied to the expenses of the council of the county in relation to the grant.

8.—(1) If, before the passing of this Act, any grant under section 16 of the Act of 1966, was, in a case in which there was compliance with the requirements of paragraph (a) of subsection (2) of
40 that section, made in contravention of that section because the house was not provided in a rural area, the fact that the grant was so made shall not affect, and shall be deemed never to have affected, the validity of the making of the grant. Validity of certain grants.

(2) If, before the passing of this Act, any grant under section 29
45 of the Act of 1966 was made in contravention of subsection (4) of that section, the fact that the grant was so made shall not affect, and shall be deemed never to have affected, the validity of the making of the grant.

9.—Section 17 (1) of the Act of 1966 is hereby amended by the
50 addition of the following proviso: Amendment of section 17 (1) of Act of 1966.

“ Provided that in a case in which the erection of the house commenced or commences on or after the 31st day of August, 1970, a grant under this section shall not be made unless a notice of approval for the purposes of this section was issued by the Minister in respect
55 of the house before that day.”

Amendment of sections 29 (1), 30 and 31 (1) of Act of 1966.

10.—Sections 29 (1), 30 and 31 (1) of the Act of 1966 are each hereby amended by the insertion of “, whether the grant has been paid in whole or in part,” after “housing authority may”.

Amendment of section 33 of Act of 1966. 1963, No. 27.

11.—(1) Section 33 (1) of the Act of 1966 is hereby amended by the insertion before “or in case a grant is made” of “or under section 5 (2) of the Shannon Free Airport Development Company Limited (Amendment) Act, 1963 (the case being one in which the house in respect of which the grant under the said section 5 (2) is made is completed after the 31st day of March, 1969), or in case a house is erected by the Land Commission, or with the aid of a grant from the Land Commission, in pursuance of section 12 of the Irish Land Act, 1903, as extended by section 22 of the Land Act, 1927 (the case being one in which the house is completed after the 31st day of March, 1969, and the total area of all its floors satisfies the requirements, in the case of a house the erection of which commenced before the 1st day of October, 1969, of section 15 (1) (a), in the case of a house the erection of which commenced on or after the 1st day of October, 1969, and on or before the 31st day of August, 1970, of section 15 (4) (b) or, in the case of a house the erection of which commenced after the 31st day of August, 1970, of section 15 (6) (b) of this Act),” and by the insertion before “to which the grant relates” of “erected by the Land Commission or”.

1903, c. 37. 1927, No. 19.

(2) Section 33 (4) of the Act of 1966 is hereby amended by the insertion before “the valuation of the tenement” of “or in case a house is reconstructed by the Land Commission, or with the aid of a grant from the Land Commission, in pursuance of section 12 of the Irish Land Act, 1903, as extended by section 22 of the Land Act, 1927 (the case being one in which the reconstruction is completed after the 31st day of March, 1969), or in case a grant, for the reconstruction (completed after the 31st day of March, 1969) of a house, is made by Bord Fáilte Éireann pursuant to a scheme for development of supplementary holiday accommodation,” and by the insertion before “to which any such grant relates” of “reconstructed by the Land Commission or”.

(3) Section 33 (5) of the Act of 1966 is hereby amended by the addition of the following paragraph:

“(f) in relation to a house reconstructed by, or with the aid of a grant from, the Land Commission or to a grant, for the reconstruction of a house, by Bord Fáilte Éireann—the reconstruction.”

(4) A housing authority shall make any refunds which become appropriate in consequence of the amendments effected by this section.

Amendment of section 62 of Act of 1966.

12.—(1) Subsection (4) of section 62 of the Act of 1966 is hereby amended by the insertion after “sections 86, 87 and 88 of the Act of 1860” of “(subject, in the case of the said section 86, to the substitution of ‘of one month’ for ‘to be therein named, and not less than seven or more than fourteen clear days from the date of such warrant’ and the substitution of ‘eight in the morning and eight in the afternoon’ for ‘nine in the morning and four in the afternoon’)”.

(2) The following subsection is hereby added to section 62 of the Act of 1966:

“(7) If, in a case in which there is no tenancy in a dwelling provided by a housing authority under this Act, a person makes an entry into the dwelling, or uses it for human habitation, without the consent of the housing authority, such person shall be guilty of an offence and

shall be liable on summary conviction to a fine not exceeding fifty pounds, or, at the discretion of the court, to a term of imprisonment not exceeding one month or to both such fine and imprisonment."

13.—Subsection (4) of section 29 of the Act of 1966 is hereby Repeal.
5 repealed.

14.—(1) This Act may be cited as the Housing Act, 1970.

Short title, construction and collective citation.

(2) This Act and the Housing Acts, 1966 and 1969, shall be construed together as one Act and may be cited together as the Housing Acts, 1966 to 1970.

SCHEDULE

10

SUBSECTIONS ADDED TO SECTIONS 15, 16 AND 18 OF ACT OF 1966 *Sections 2, 3 and 4.*

PART I

SUBSECTIONS ADDED TO SECTION 15

15 (3) Grants under subsection (1) of this section shall not be made on or after the 1st day of October, 1969, save in respect of houses the erection of which commenced before that day, and subsection (2) of this section shall accordingly apply in relation to those houses only.

20 (4) The Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for the purposes of this section, make, out of moneys provided by the Oireachtas, to a person providing one or more than one house in respect of which a grant under any enactment (including this Act) has not been made, a grant of such amount as may be appropriate
25 having regard to subsection (5) of this section if, but only if—

(a) the commencement of the erection of the house or each house occurs on or after the 1st day of October, 1969, and on or before the 31st day of August, 1970,

30 (b) the total area of all the floors of the house or each house when measured in the prescribed manner is neither less than three hundred and fifty square feet nor more than—

(i) in the case of a house in which sewerage facilities and a piped water supply are installed, fifteen hundred square feet,

35 (ii) in any other case, fourteen hundred square feet, and

(c) in case the house or each house is provided by a public utility society, the first occupier of the house or each house is a member of the society who occupies it as his normal place of residence.

40 (5) A grant under subsection (4) of this section in respect of a house shall not exceed the appropriate amount specified in the Table hereunder :

TABLE
AMOUNT OF GRANT

Person to whom grant may be made by Minister under subsection (4) of this section	Where sewerage facilities and piped water supply cannot reasonably be provided				Where sewerage facilities and piped water supply are provided				
	Total area in square feet of all floors of house when measured in prescribed manner				Total area in square feet of all floors of house when measured in prescribed manner				
	350 or more, but less than 500	500 or more, but less than 800	800 or more, but less than 1,050	1,050 or more, but not exceeding 1,400	350 or more, but less than 600	500 or more, but less than 800	800 or more, but less than 1,050	1,050 or more, but less than 1,250	1,250 or more, but not exceeding 1,500
	£	£	£	£	£	£	£	£	£
Person (other than a public utility society) providing house	100	175	250	225	175	250	325	300	275
Public utility society providing house	110	185	260	235	185	260	335	310	285

(6) The Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for the purposes of this section, make, out of moneys provided by the Oireachtas, to a person providing one or more than one house in respect of which a grant under any enactment (including this Act) has not been made, a grant of such amount as may be appropriate having regard to subsection (7) of this section if, but only if—

(a) the commencement of the erection of the house or each house occurs after the 31st day of August, 1970,

(b) the total area of all the floors of the house or each house when measured in the prescribed manner is neither less than thirty-five square metres nor more than one hundred and sixteen square metres, and

(c) in case the house or each house is provided by a public utility society, the first occupier of the house or each house is a member of the society who occupies it as his normal place of residence,

subject to the proviso that a grant shall not be made in respect of a house the use of which will, in the opinion of the Minister, be other than as a normal place of residence.

(7) A grant under subsection (6) of this section in respect of a house shall not exceed the appropriate amount specified in the Table hereunder :

TABLE
AMOUNT OF GRANT

Person to whom grant may be made by Minister under subsection (6) of this section	Where sewerage facilities and piped water supply cannot reasonably be provided				Where sewerage facilities and piped water supply are provided			
	Total area in square metres of all floors of house when measured in prescribed manner				Total area in square metres of all floors of house when measured in prescribed manner			
	35 or more, but less than 45	45 or more, but less than 75	75 or more, but less than 100	100 or more, but not exceeding 116	35 or more, but less than 45	45 or more, but less than 75	75 or more, but less than 100	100 or more, but not exceeding 116
	£	£	£	£	£	£	£	£
Person (other than a public utility society) providing house ...	100	175	250	225	175	250	325	300
Public utility society providing house ...	110	185	260	235	185	260	335	310

PART II

SUBSECTIONS ADDED TO SECTION 16

- 5 (5) (a) Subsection (1) of this section shall have effect, in a case in which there has been compliance with paragraph (a) of subsection (2) of this section, as if "in a rural area" were deleted.
- 10 (b) Grants under subsection (1) of this section shall not be made on or after the 1st day of October, 1969, save in respect of houses the erection of which commenced before that day, and subsections (2), (3) and (4) of this section shall accordingly apply in relation to those houses only.
- 15 (6) Subject to subsection (10) of this section, the Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for the purposes of this section, make, out of moneys provided by the Oireachtas, to a person providing (in a case in which there is compliance with the requirements of paragraph (a) of subsection (10) of this section) in any area or (in any other case) in a rural area, a house in respect of which a grant under any enactment (including this Act) has not been made, 20 a grant of such amount as may be appropriate having regard to subsection (7) of this section if, but only if—
- (a) the commencement of the erection of the house occurs on or after the 1st day of October, 1969, and on or before the 31st day of August, 1970,
- 25 (b) the total area of all the floors of the house when measured in the prescribed manner is neither less than three hundred and fifty square feet nor more than—
- (i) in the case of a house in which sewerage facilities and a piped water supply are installed, fifteen hundred square feet,
- 30 (ii) in any other case, fourteen hundred square feet,
- (c) the house is erected on a site other than a site in relation to which a contribution has been made by the Minister under section 44, 45 or 47 of this Act, and
- 35 (d) the house is occupied by the person as his normal place of residence or, in case the house is provided by a public utility society, the first occupier of the house is a member of the society who occupies it as his normal place of residence.

(7) A grant under subsection (6) of this section shall not exceed the appropriate amount specified in the Table hereunder:

TABLE
AMOUNT OF GRANT

Person to whom grant may be made by Minister under subsection (6) of this section	Where sewerage facilities and piped water supply cannot reasonably be provided			Where sewerage facilities and piped water supply are provided		
	Total area in square feet of all floors of house when measured in prescribed manner			Total area in square feet of all floors of house when measured in prescribed manner		
	350 or more, but less than 500	500 or more, but less than 800	800 or more, but not exceeding 1,400	350 or more, but less than 500	500 or more, but less than 800	800 or more, but not exceeding 1,500
	£	£	£	£	£	£
1. Person (other than a public utility society) providing a house: where the rateable valuation or the aggregate of the rateable valuations of the land and buildings occupied by the person—						
(a) does not exceed £25 ..	150	300	375	225	375	450
(b) exceeds £25 but does not exceed £40	125	250	325	200	325	400
(c) exceeds £40 but does not exceed £60	100	200	275	175	275	350
2. Public utility society providing a house of which the first occupier is a member of the society: where the rateable valuation or the aggregate of the rateable valuations of the land and buildings occupied by the said first occupier—						
(a) does not exceed £25 ..	160	310	385	235	385	460
(b) exceeds £25 but does not exceed £40	135	260	335	210	335	410
(c) exceeds £40 but does not exceed £60	110	210	285	185	285	360

(8) Subject to subsection (10) of this section, the Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for the purposes of this section, make, out of moneys provided by the Oireachtas, to a person providing (in a case in which there is compliance with the requirements of paragraph (a) of subsection (10) of this section) in any area or (in any other case) in a rural area, a house in respect of which a grant under any enactment (including this Act) has not been made, a grant of such amount as may be appropriate having regard to subsection (9) of this section if, but only if—

- (a) the commencement of the erection of the house occurs after the 31st day of August, 1970,
- (b) the total area of all the floors of the house when measured in the prescribed manner is neither less than thirty-five square metres nor more than one hundred and sixteen square metres,
- (c) the house is erected on a site other than a site in relation to which a contribution has been made by the Minister under section 44, 45 or 47 of this Act, and

(d) the house is occupied by the person as his normal place of residence or, in case the house is provided by a public utility society, the first occupier of the house is a member of the society who occupies it as his normal place of residence.

(9) A grant under subsection (8) of this section shall not exceed the appropriate amount specified in the Table hereunder:

TABLE
AMOUNT OF GRANT

Person to whom grant may be made by Minister under subsection (8) of this section	Where sewerage facilities and piped water supply cannot reasonably be provided			Where sewerage facilities and piped water supply are provided		
	Total area in square metres of all floors of house when measured in prescribed manner			Total area in square metres of all floors of house when measured in prescribed manner		
	35 or more, but less than 45	45 or more, but less than 75	75 or more, but not exceeding 116	35 or more, but less than 45	45 or more, but less than 75	75 or more, but not exceeding 116
	£	£	£	£	£	£
1. Person (other than a public utility society) providing a house:						
where the rateable valuation or the aggregate of the rateable valuations of the land and buildings occupied by the person—						
(a) does not exceed £25 ..	150	300	375	225	375	450
(b) exceeds £25 but does not exceed £40	125	250	325	200	325	400
(c) exceeds £40 but does not exceed £60	100	200	275	175	275	350
2. Public utility society providing a house of which the first occupier is a member of the society:						
where the rateable valuation or the aggregate of the rateable valuations of the land and buildings occupied by the said first occupier—						
(a) does not exceed £25 ..	160	310	385	235	385	460
(b) exceeds £25 but does not exceed £40	135	260	335	210	335	410
(c) exceeds £40 but does not exceed £60	110	210	285	185	285	360

10 (10) Grants under subsection (6) or subsection (8) of this section shall be made only if, in the opinion of the Minister, the person providing the house or, in case the house is provided by a public utility society, the first occupier of the house complies with the requirements of either paragraph (a) or paragraph (b) of this sub-
15 section, namely, that:

(a) the said person or occupier is in need of housing and derives his livelihood solely or mainly from the pursuit of agriculture and the rateable valuation, or the aggregate of the rateable valuations, of the land (if any) and buildings occupied by him does not exceed sixty pounds,

20 (b) the said person or occupier is ordinarily resident in a rural area and either so resides in an overcrowded house or in a house unfit for human habitation, or is in need of

housing on medical, compassionate or other similar grounds and the circumstances of the person or occupier are such that he could not provide a house for his own occupation without the aid of a grant under this section.

PART III

5

SUBSECTIONS ADDED TO SECTION 18

(4) Grants under subsection (1) of this section shall not be made on or after the 1st day of October, 1969, save in respect of buildings the erection of which commenced before that day, and subsection (2) of this section shall accordingly apply in relation to those 10 buildings only.

(5) The Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for the purposes of this section, make, out of moneys provided by the Oireachtas, to a person in respect of the erection of separate, self- 15 contained flats or maisonettes in a building, a grant of such amount as may be appropriate having regard to subsection (6) of this section, if, but only if—

(a) the commencement of the erection of the building occurs on or after the 1st day of October, 1969, and on or before 20 the 31st day of August, 1970,

(b) the total area of all the floors of the flat or maisonette, as the case may be, when measured in the prescribed manner, is neither less than two hundred and fifty square feet, nor 25 more than fifteen hundred square feet.

(6) A grant under subsection (5) of this section shall not in relation to each flat or maisonette exceed the appropriate amount specified in the Table hereunder :

TABLE

AMOUNT OF GRANT

Description of flat or maisonette	Total area in square feet of all floors of flat or maisonette when measured in prescribed manner				
	250 or more, but less than 500	500 or more, but less than 800	800 or more, but less than 1,050	1,050 or more, but less than 1,250	1,250 or more, but not exceeding 1,500
	£	£	£	£	£
1. A separate, self-contained flat or maisonette in a building of six or more storeys in which a lift is installed	225	300	375	350	325
2. A separate, self-contained flat or maisonette in a building of less than six storeys	175	250	325	300	275

(7) The Minister may, with the consent of the Minister for Finance and subject to such regulations as may be made by the Minister for 30 the purposes of this section, make, out of moneys provided by the Oireachtas, to a person in respect of the erection of separate, self-contained flats or maisonettes in a building, a grant of such amount as may be appropriate having regard to subsection (8) of this section, 35 if, but only if—

(a) the commencement of the erection of the building occurs after the 31st day of August, 1970, and

(b) the total area of all the floors of the flat or maisonette, as the case may be, when measured in the prescribed

manner, is neither less than twenty-five square metres, nor more than one hundred and sixteen square metres,

subject to the proviso that a grant shall not be made in respect of a flat or maisonette the use of which will, in the opinion of the Minister, be other than as a normal place of residence.

(8) A grant under subsection (7) of this section shall not in relation to each flat or maisonette exceed the appropriate amount specified in the Table hereunder :

TABLE
AMOUNT OF GRANT

Description of flat or maisonette	Total area in square metres of all floors of flat or maisonette when measured in prescribed manner			
	25 or more, but less than 45	45 or more, but less than 75	75 or more, but less than 100	100 or more, but not exceeding 116
	£	£	£	£
1. A separate, self-contained flat or maisonette in a building of six or more storeys in which a lift is installed.. .. .	225	300	375	350
2. A separate, self-contained flat or maisonette in a building of less than six storeys	175	250	325	300

BILLE

(mar a leasaíodh i gCoiste)

dá ngairtear

Acht do leasú agus do leathnú Achtanna na dTithe, 1966 agus 1969.

An tAire Rialtais Áitiúil a thug isteach

Ordáíodh ag Dáil Éireann a chlóbhualadh,
3 Meitheamh, 1970

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,
An Stuaara, Ard-Oifig an Phoist, Baile Átha Cliath, nó trí
aon díoltóir leabhar.

Clóbhuailte ag CAHILL & Co., LIMITED.

[Luach: Scilling Glan]

Wt. S63452/G/2. 650. 6/70. C.&Co. (8492). G.16.

BILL

(as amended in Committee)

entitled

An Act to amend and extend the Housing Acts,
1966 and 1969.

Introduced by the Minister for Local Government

Ordered by Dáil Éireann to be printed,
3rd June, 1970

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