

DÁIL ÉIREANN

AN BILLE UM ATHCHÓIRIÚ AN DLÍ TALÚN AGUS TÍOLACHTA 2006 —AN TUARASCÁIL

LAND AND CONVEYANCING LAW REFORM BILL 2006 —REPORT

*Leasuithe agus Iondacha Breise
Additional and Substitute Amendments*

39. In page 78, between lines 18 and 19, to insert the following:

“Review of rent in
certain cases.

131.—(1) This section applies to a lease of land to be used wholly or partly for the purpose of carrying on a business.

(2) *Subsection (1)* shall not apply where—

- (a) the lease concerned, or
- (b) an agreement for such a lease,

is entered into prior to the commencement of this section.

(3) A provision in a lease to which this section applies which provides for the review of the rent payable under the lease shall be construed as providing that the rent payable following such review may be fixed at an amount which is less than, greater than or the same as the amount of rent payable immediately prior to the date on which the rent falls to be reviewed.

(4) *Subsection (3)* shall apply—

- (a) notwithstanding any provision to the contrary contained in the lease or in any agreement for the lease, and
- (b) only as respects that part of the land demised by the lease in which business is permitted to be carried on under the terms of the lease.”

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

[*This amendment is in substitution for amendment No. 39 on the Second Additional list of amendments, dated 30th June 2009.*]

Amendment to Amendment No. 39

1. To delete subsection (2).

—Ciaran Lynch, Joanna Tuffy