



# **DÁIL ÉIREANN**

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**AN BILLE LUACHÁLA (LEASÚ) (UIMH. 2), 2012  
VALUATION (AMENDMENT) (NO. 2) BILL 2012**

**LEASUITHE TUARASCÁLA  
REPORT AMENDMENTS**

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## AN BILLE LUACHÁLA (LEASÚ) (UIMH. 2), 2012 —AN TUARASCÁIL

### VALUATION (AMENDMENT) (NO. 2) BILL 2012 —REPORT

#### *Leasuithe Amendments*

1. In page 5, after line 30, to insert the following:

“(a) property which has experienced a change in circumstances which has significantly affected its net value,”.

—Seán Fleming.

2. In page 14, line 31, after “shall” to insert “, within 2 months,”.

—Seán Fleming.

3. In page 15, line 16, to delete “within 6 months” and substitute “within 4 months”.

—Seán Fleming.

4. In page 16, between lines 27 and 28, to insert the following:

#### **“Supplemental provision in relation to *section 13* – time within which decision on revision must be made**

14. On and from such day as the Minister appoints by order under this section, the following amendment shall have effect in relation to the section inserted in the Principal Act by *section 13*, namely, the following subsection shall be substituted for subsection (5) of *section 28* inserted in the Principal Act by that section:

“(5) (a) A revision manager shall, if the property concerned is property that has been the subject of an application under *section 27*, before the expiry of the relevant period—

- (i) make a decision as to whether the circumstances referred to in subsection (4) exist for the exercise by him or her of the powers under that subsection in relation to that property,
  - (ii) if he or she decides that those circumstances do exist, exercise those powers in relation to that property accordingly.
- (b) In this subsection ‘relevant period’ means the period of 6 months from the date the Commissioner determined that the relevant application made to the Commissioner under *section 27* (that is to say, the application, under that section, on foot of which the

appointment of the revision manager referred to in paragraph (a) was made) was valid and that the fee prescribed in respect of that application has been paid.””.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

5. In page 17, between lines 23 and 24, to insert the following:

“(3) The Commissioner shall exercise the function provided for at subsection (1) within 2 months of the making by the revision manager of the decision referred to at subsections (1)(a) or (1)(b).

(4) For the purposes of subsection (2) the revision manager shall comply with the Commissioner’s direction referred to at subsection (1) within 2 months of the making of the direction by the Commissioner.””.

—Seán Fleming.

6. In page 21, between lines 32 and 33, to insert the following:

**“Amendment of section 49 of the Principal Act**

27. Section 49 of the Principal Act is amended by substituting for subsection (1) the following:

“(1) If the value of a relevant property (in subsection (2) referred to as the ‘first-mentioned property’) falls to be determined for the purpose of section 28(4), (or of an appeal from a decision under that section) that determination shall be made by reference to the values, as appearing on the valuation list relating to the same rating authority area as that property is situate in, of other properties comparable to that property and any other relevant evidence concerning the net annual value of the property at the date of application.””.

—Seán Fleming.

7. In page 28, line 32, to delete “subparagraph (b)” and substitute “clause (b) of subparagraph (2)”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

8. In page 28, between lines 36 and 37, to insert the following:

**“Amendment of Schedule 3 to the Principal Act**

38. Schedule 3 to the Principal Act is amended by inserting the following before paragraph 1:

“A1. All buildings and facilities used in connection with water and wastewater owned by Irish Water.””.

—Seán Fleming.

9. In page 28, after line 38, to insert the following:

“(a) by inserting the following before paragraph 1:

“A1. Any part of a building used for the purpose of providing the Early Child Care Education Scheme.”.”.

—Seán Fleming.

**10.** In page 29, between lines 38 and 39, to insert the following:

“(b) by substituting for paragraph 8 the following:

“8. Any part of land or building used by a body for the purposes of caring for sick persons under the Fair Deal Scheme.”.”.

—Seán Fleming.

**11.** In page 33, after line 29, to insert the following:

“(4) *Subsection (3)* is in addition to the provision made by *section 14\** with respect to the commencement of the amendment to which that section relates.”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

[\*This is a reference to the section proposed to be inserted by Amendment No. 4.]