



DÁIL ÉIREANN

**AN BILLE AIRGEADAIS, 2017
FINANCE BILL 2017**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

DÁIL ÉIREANN

AN BILLE AIRGEADAIS, 2017 —AN TUARASCÁIL

FINANCE BILL 2017 —REPORT

Leasuithe Amendments

1. In page 8, between lines 16 and 17, to insert the following:

“Report on Commission on Taxation, to advise on amalgamating USC and PRSI

3. The Minister shall within one month from the passing of this Act prepare and lay before Dáil Éireann a report on—

- (a) the merits of establishing by statute a permanent Commission on Taxation, along the lines of the Company Law Review Group, to—
 - (i) monitor and review the maintenance of an accessible taxation code, informed by principles of stability, effectiveness and equity,
 - (ii) advise and assist the Minister in relation to the amendment and future maintenance of the code, including in particular amendments to prevent tax avoidance and tax evasion,
 - (iii) consult, on any particular matter which the Commission considers relevant, persons qualified to give opinions thereon,
 - (iv) monitor, review and advise and assist the Minister on international developments in so far as they may be relevant to the tax code, and
 - (v) advise and assist the Minister on any other related issues, including issues submitted by the Minister to the Commission for consideration,
- and
- (b) the merits of requesting such a body as its first task to advise and report on the best means of amalgamating USC and PRSI.”.

—Joan Burton.

2. In page 8, between lines 16 and 17, to insert the following:

“3. The Minister shall, within 6 months of the passing of this Act, bring a report on the cost and implications of abolishing the Universal Social Charge for everyone earning less than €90,000 per annum.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,

Ruth Coppinger.

3. In page 9, between lines 11 and 12, to insert the following:

“4. The Minister shall, within 6 months of the passing of this Act, bring a report on the additional revenue that could be raised by introducing new tax bands for earnings over €100,000 as follows:

- (a) earnings between €100,000 and €140,000 - 50 per cent,
- (b) earnings between €140,000 and €180,000 - 55 per cent,
- (c) earnings between €180,000 and €250,000 - 60 per cent,
- (d) earnings over €250,000 - 65 per cent.”.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

4. In page 9, to delete lines 24 to 35, and in page 10, to delete lines 1 to 5 and substitute the following:

“(a) in subsection (1)(a) by substituting the following for the definition of “qualifying interest”:

“ ‘qualifying interest’, in relation to an individual and a year of assessment, means—

- (i) as respects a year of assessment before 2018, the amount of interest paid by the individual in respect of a qualifying loan,
- (ii) as respects the year of assessment 2018, 100 per cent of the amount of interest paid by the individual in respect of a qualifying loan,
- (iii) as respects the year of assessment 2019, 75 per cent of the amount of interest paid by the individual in respect of a qualifying loan,
- (iv) as respects the year of assessment 2020, 50 per cent of the amount of interest paid by the individual in respect of a qualifying loan, and
- (v) as respects the year of assessment 2021, 25 per cent of the amount of interest paid by the individual in respect of a qualifying loan;”.

(b) in subsection (1A)(b) by substituting “2021” for “2017”,

(c) in subsection (2)(a)(ii) by substituting “2021” for “2017”, and”.

—Pearse Doherty.

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

“8. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report examining increasing the benefit in kind from 1 year to 5 years, to

those who purchase electric cars through work.”.

—Mick Wallace.

6. In page 12, line 24, to delete “after” and substitute “before”.

—An tAire Airgeadais.

7. In page 13, to delete lines 20 to 22 and substitute the following:

“(4) Where an amount is treated as emoluments in a year of assessment under this section—

(a) for the purposes of section 470, the amount (referred to in this subsection and subsection (5) as the ‘notional payment amount’) shall be treated as if it was an amount paid—

(i) under the relevant contract concerned to an authorised insurer by the relevant employee concerned, and

(ii) in the year of assessment,

and

(b) subject to subsection (5), notwithstanding that the payment of the notional payment amount is deemed under paragraph (a) to occur after 6 April 2001—

(i) section 470(3) shall not apply to the notional payment amount, and

(ii) section 470(2) shall apply to the notional payment amount as if the relevant employee concerned had made a payment under a relevant contract of that amount to an authorised insurer.

(5) Where an amount (in this subsection referred to as the ‘actual payment amount’) is paid under the relevant contract concerned by the relevant employee concerned or an individual connected to that employee—

(a) section 470(2) shall apply subject to the following modifications:

(i) a reference to a payment shall be construed as a reference to an amount being the sum of the notional payment amount and the actual payment amount;

(ii) the amount by which the income tax to be charged on the individual for the year of assessment, other than in accordance with section 16(2), is reduced shall itself be reduced by the percentage of the relevant contract price which the actual payment amount represents,

and

(b) section 470(3) shall apply subject to the following modifications:

(i) a reference to a payment shall be construed as a reference to an

amount being the sum of the notional payment amount and the actual payment amount;

- (ii) the amount the individual shall be entitled to deduct and retain shall be reduced by the percentage of the relevant contract price which the notional payment amount represents.”.”.

—An tAire Airgeadais.

8. In page 13, between lines 28 and 29, to insert the following:

“The linking of DIRT rate and Exit Tax rate on Life Assurance policies

10. The Minister shall, within three months of the passing of this Act, prepare and lay before the Oireachtas a report on the breaking of the link between the rate of DIRT and the rate of exit tax from Life Assurance policies, including the impact of this on life assurance savers.”.

—Michael McGrath.

9. In page 13, between lines 28 and 29, to insert the following:

“Tax bands for people over 65 years of age

10. The Minister shall, within three months of the passing of this Act, prepare and lay before the Oireachtas a report on the potential impacts and costs of increasing the income tax bands for those aged over 65 years of age from the current €36,000 for a couple and €18,000 for singles.”.

—Michael McGrath.

10. In page 13, between lines 28 and 29, to insert the following:

“Report on the Possible Extension of the TaxSaver Commuter Ticket Scheme to include annual parking tickets

10. The Minister shall, within 3 months of the passing of this Act, prepare and lay before Dáil Éireann a report on the possibility of extending the TaxSaver Commuter Ticket Scheme to include parking costs associated with public transport.”.

—James Lawless.

11. In page 14, line 25, to delete “pharmaceutical,”.

—An tAire Airgeadais.

12. In page 14, line 27, to delete “engineering,”.

—An tAire Airgeadais.

13. In page 15, line 4, to delete “and”.

—An tAire Airgeadais.

14. In page 15, to delete lines 6 to 9.

—An tAire Airgeadais.

15. In page 15, line 10, to delete “(ii) is” and substitute “(i) is”.

—An tAire Airgeadais.

16. In page 15, between lines 21 and 22, to insert “and”.

—An tAire Airgeadais.

17. In page 15, line 22, to delete “(iii) is” and substitute “(ii) is”.

—An tAire Airgeadais.

18. In page 15, line 24, to delete “and”.

—An tAire Airgeadais.

19. In page 15, to delete lines 25 and 26.

—An tAire Airgeadais.

20. In page 15, between lines 26 and 27, to insert the following:

“and

(d) at the date of grant of the qualifying share option—

(i) is a micro, small or medium sized enterprise within the meaning of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003¹ concerning the definition of micro, small and medium sized enterprises, and

(ii) the total market value of the issued but unexercised qualifying share options of the company does not exceed €3,000,000;”.

—An tAire Airgeadais.

21. In page 19, between lines 21 and 22, to insert the following:

“Amendment of Parts 9 and 36 of, and Schedule 25B to, Principal Act (capital allowances for equipment and buildings used for the purposes of providing childcare services or a fitness centre to employees)

12. (1) Chapter 2 of Part 9 of the Principal Act is amended by inserting the following after section 285A:

“Acceleration of wear and tear allowances for childcare and fitness centre equipment

285B. (1) In this section—

‘qualifying expenditure’ means capital expenditure incurred on qualifying machinery or plant by a person carrying on a qualifying trade;

¹ OJ No. L124, 20.5.2003, p. 36

‘qualifying machinery or plant’ means machinery or plant in use in a qualifying premises;

‘qualifying premises’ has the same meaning as it has in section 843B;

‘qualifying trade’ has the same meaning as it has in section 843B.

- (2) Where a person has incurred qualifying expenditure, and for any chargeable period a wear and tear allowance is to be made under section 284, subsection (2) of that section shall apply as if the reference in paragraph (ad) of that subsection to 12.5 per cent were a reference to 100 per cent.”.

- (2) (a) Part 36 of the Principal Act is amended by inserting the following after section 843A:

“Capital allowances for buildings used for the purposes of providing childcare services or a fitness centre to employees

843B. (1) In this section—

‘childcare services’ means any form of childminding services or supervised activities to care for children, whether or not provided on a regular basis, in respect of which it can be shown that the applicable requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016 (S.I. No. 221 of 2016) have been complied with;

‘construction’ has the same meaning as it has in section 270;

‘fitness centre’ means a gymnasium used exclusively in providing a range of facilities designed to improve and maintain the physical fitness and health of participants;

‘qualifying expenditure’ means expenditure incurred by an employer, carrying on a qualifying trade or a profession, on the construction of a qualifying premises;

‘qualifying premises’ means a building or structure which is in use for the purposes of providing either childcare services or the facilities of a fitness centre to employees of the employer referred to in the immediately preceding definition, and where that employer is a company, whether the employees of that company or of a company connected with that company;

‘qualifying trade’ means a trade, other than a trade which consists of the provision of childcare services or a trade which consists wholly or partly of the provision of the facilities of a fitness centre.

- (2) The provisions of the Tax Acts relating to the making of allowances or charges in respect of capital expenditure incurred on the construction of an industrial building or structure shall, notwithstanding anything to the contrary in those provisions, apply in relation to qualifying expenditure on a qualifying premises—

- (a) as if the qualifying premises were, at all times at which it is a qualifying premises, a building or structure in respect of which an allowance is to be made for the purposes of income tax or corporation tax, as the case may be, under Chapter 1 of Part 9 by reason of its use for the purpose specified in section 268(1)(a), and
 - (b) where any activity carried on in the qualifying premises is not a trade, as if (for the purposes only of the making of allowances and charges by virtue of paragraph (a)), it were a trade.
- (3) In relation to qualifying expenditure incurred on a qualifying premises, section 272 shall apply as if—
- (a) in subsection (3)(a)(ii) of that section the reference to 4 per cent were a reference to 15 per cent, and
 - (b) in subsection (4)(a) of that section the following were substituted for subparagraph (ii):
 - ‘(ii) where capital expenditure on the construction of the building or structure is incurred, 7 years beginning with the time when the building or structure was first used subsequent to the incurring of that expenditure.’.
- (4) Notwithstanding section 274(1), no balancing allowance or balancing charge shall be made in relation to a qualifying premises by reason of any event, referred to in that section, which occurs more than 7 years after the qualifying premises was first used subsequent to the incurring of the qualifying expenditure on the construction of the qualifying premises.
- (5) Where relief is given by virtue of this section in relation to qualifying expenditure incurred on the construction of a building or structure, relief shall not be given in respect of that expenditure under any other provision of the Tax Acts.
- (6) A person shall not be entitled to allowances under this section while that person is regarded as an undertaking in difficulty for the purposes of the Commission Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty¹.”.
- (b) Schedule 25B to the Principal Act is amended by inserting the following after the matter set out opposite reference number 50:

“

| | | |
|------|--|---|
| 50A. | Section 843B (capital allowances for buildings used for the purposes of providing childcare services or a fitness centre to employees) | An amount equal to— (a) the aggregate amount of allowances (including balancing allowances) made to the individual under Chapter 1 |
|------|--|---|

¹ OJ No. C249, 31.07.2014, p. 1

| | | |
|--|--|---|
| | | <p>of Part 9 as that Chapter is applied by section 843B, including any such allowances or part of any allowances made to the individual for a previous tax year and carried forward from that previous tax year in accordance with Part 9, or</p> <p>(b) where full effect has not been given in respect of that aggregate for that tax year, the part of that aggregate to which full effect has been given for that tax year in accordance with section 278 and section 304 or 305, as the case may be, or any of those sections as applied or modified by any other provision of the Tax Acts.</p> |
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”.

(3) This section comes into operation on such day as the Minister for Finance may appoint by order.”.

—An tAire Airgeadais.

22. In page 19, between lines 21 and 22, to insert the following:

“Amendment of section 97 of Principal Act

12. The Principal Act is amended by inserting the following section after section 97:

“Accidental landlords

97A. (1) In this section—

‘qualifying let property’ means a residential property which was acquired, between 1 January 2002 and 1 December 2008 the floor area of which is less than 113 square meters;

‘qualifying rented property’ means a residential property, which has more bedrooms than a qualifying let property, where the rent paid is no more than the market rate;

‘qualifying landlord’ means an individual who—

(a) owns only one premises and—

(i) that premises is a qualifying let property,

(ii) that premises was acquired by that individual as a principal private residence, within the meaning of section 604, and was

occupied as such for a period of at least 2 years prior to its first letting, and

(iii) at the time that premises was acquired, the individual was a first time buyer,

and

(b) resides, on a full time basis, in the qualifying rented property.

(2) Notwithstanding section 97(2), in calculating the surplus or deficiency in respect of the qualifying let property, a qualifying landlord shall be entitled to take a deduction for the amount of any rent payable in respect of a qualifying rented property.”.”.

—Stephen S. Donnelly.

23. In page 20, between lines 22 and 23, to insert the following:

“**13.** The Minister shall within 1 month of the passing of this Act, prepare and lay before Dáil Éireann a report considering the merits of a Vacant Home Tax.”.

—Pearse Doherty.

24. In page 20, between lines 22 and 23, to insert the following:

“**13.** The Minister shall, within nine months of the passing of this Act, prepare and lay before the Oireachtas a comprehensive cost benefit analysis of the Help to Buy Scheme.”.

—Michael McGrath.

25. In page 20, between lines 22 and 23, to insert the following:

“**13.** The Minister shall within 6 months of the passing of this Act, prepare and lay before the Dáil a report on the introduction of a Vacant Home Tax.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

26. In page 20, between lines 22 and 23, to insert the following:

“**13.** The Minister shall within 6 months of the passing of this Act, prepare and lay before the Dáil a report on how he will monitor on an ongoing basis the effectiveness and the value for money of the Help to Buy Scheme.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

27. In page 30, line 37, to delete “disposals occurring” and substitute “disposals occurring, or unrealised profits or gains recognised in the income statement,”.

—An tAire Airgeadais.

28. In page 30, lines 37 and 38, to delete “after 1 January 2019” and substitute “after 1 January 2018”.

—Mick Wallace.

29. In page 30, after line 40, to insert the following:

“Gambling

19. The Minister shall, by way of follow-up to the report published in 2015 by the Department of Social Protection and entitled *Playing Social Roulette: The Impact of Gambling on Individuals and Society in Ireland* prepare a report under this section on the potential for increased taxation of gambling operations, including as a Government response to the incidence of problem gambling.”.

—Joan Burton.

30. In page 30, after line 40, to insert the following:

“Real Estate Investment Trust (REITS) and impact on Housing/Rental Market

19. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report analysing the impact Real Estate Investment Trust (REITS) have had on rental prices, and residential and commercial property prices throughout Ireland, and particularly Dublin.”.

—Mick Wallace.

31. In page 30, after line 40, to insert the following:

“Income volatility for the farming sector

19. The Minister shall within three months of the passing of this Act, prepare and lay before the Oireachtas a report on the feasibility of introducing further tax provisions and stabilisation tools to deal with income volatility for farm enterprises both in terms of income tax and corporation tax.”.

—Michael McGrath.

32. In page 30, after line 40, to insert the following:

- “19. The Minister shall within 6 months of the passing of this Act, prepare and lay before the Dáil a report on the impact of Irish Real Estate Funds and Real Estate Investment Trusts on the Irish Property and Housing sector and the effective tax rates on the profits paid by these entities and their shareholders.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

33. In page 31, between lines 2 and 3, to insert the following:

“Report on minimum effective rate of corporation tax

19. The Minister shall within one month from the passing of this Act prepare and lay before Dáil Éireann a report on the merits of a minimum effective rate of corporation tax, along the lines of the minimum effective rate of income tax introduced in respect of the taxation of individuals.”.

—Joan Burton.

34. In page 31, between lines 2 and 3, to insert the following:

“**19.** (1) The Minister shall, within 6 months of the passing of this Act, bring a report on the potential to raise additional Corporation Tax revenue by closing down tax loopholes, examining the extent, legitimacy and abuse of all corporate tax expenditures, exemptions, allowances and deductions, such as losses forward, R&D tax credits, the Knowledge Development Box, Intra-group Transactions, allowances on Intangible Assets and establishing a minimum effective tax rate of 12.5 per cent on gross trading profits and incomes.

(2) The Minister shall, within 6 months of the passing of this Act, bring a specific report and comparative study on the relative social and economic benefit of Research and Development Tax Credit expenditures, benefitting private corporations as against the investment of the equivalent funds into Research and Development in public universities.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

35. In page 32, line 11, to delete “interest paid” and substitute “interest or other distribution payable”.

—An tAire Airgeadais.

36. In page 37, between lines 24 and 25, to insert the following:

“(3) The Minister shall within one month of the passing of this Act, prepare and lay before the Oireachtas a report on the potential impacts of changes to section 135 of the Principal Act on management buy-ins and buy-outs and third party SME company purchases and whether legislative changes can be used to mitigate these impacts.”.

—Michael McGrath.

37. In page 41, to delete lines 34 and 35.

—Pearse Doherty.

38. In page 41, line 35, to delete “11 October 2017” and substitute “1 January 2008”.

—Pearse Doherty.

39. In page 41, between lines 35 and 36, to insert the following:

“(3) The Minister shall, within 3 months of the passing of this Act, bring a report on the amount of tax revenue foregone as a result of the changes to capital allowances relating to intangible assets made in budget 2014 and the re-introduction of the 80 per cent cap in such allowances in Budget 2018, the reasons for the Budget 2014 changes and the additional revenue that would be generated by applying the 80 per cent cap for the time prior to 11 October 2017 where the allowance was 100 per cent.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

40. In page 41, between lines 35 and 36 to insert the following:

“25. The Minister shall, within six months of the passing of this Act, prepare and lay before Dáil Éireann a report on the tax implications of allowing intangible assets acquired prior to 11 October 2017 be subject to a 100 per cent cap for annual write downs.”.

—Pearse Doherty.

41. In page 41, between lines 35 and 36, to insert the following:

“25. The Minister shall, within six months of the passing of this Act, prepare and lay before Dáil Éireann a report on the tax paid in 2016 by companies that act as loan originators in the State and avail of section 110 status.”.

—Pearse Doherty.

42. In page 41, between lines 35 and 36, to insert the following:

“25. The Minister shall, within six months from the passing of this Act, prepare and lay before Dáil Éireann a report on options available to restrict banks from carrying forward losses against taxable profits of the banks, which could result in many institutions paying no corporation tax for the foreseeable future.”.

—Pearse Doherty.

43. In page 41, between lines 35 and 36, to insert the following:

“Use by Multinational Companies based in Ireland of “Single Malt” tax avoidance system

25. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report analysing the use by Multinational Companies based in Ireland of a system known as “Single Malt”, which directs profits to countries with which Ireland has a double taxation agreement but that do not have any corporation tax, and the impact this has had on returns to the Irish Exchequer.”.

—Mick Wallace.

44. In page 41, between lines 35 and 36, to insert the following:

“Losses forward for financial institutions

25. The Minister shall within six months of the passing of this Act, prepare and lay before the Oireachtas a report on the potential impacts of restricting loss relief brought forward for financial institutions in Ireland.”.

—Michael McGrath.

45. In page 41, to delete line 39, and in page 42, to delete lines 1 to 4 and substitute the following:

“25. (1) Section 29 of the Principal Act is amended in subsection (1A)(c)(i) by inserting “or other assets (apart from relevant assets)” after “money”.”.

—An tAire Airgeadais.

46. In page 42, to delete lines 26 to 29 and substitute the following:

“27. (1) Section 980 of the Principal Act is amended by inserting the following after subsection (2):”.

—An tAire Airgeadais.

47. In page 43, between lines 34 and 35, to insert the following:

“29. The Minister shall within six months of the passing of this Act, prepare and lay before the Oireachtas a report on the possible extension of the Capital Gains Tax Relief for farm restructuring to Stamp Duty.”.

—Michael McGrath.

48. In page 46, to delete lines 36 to 40, and in page 47, to delete lines 1 and 2 and substitute the following:

“31. (1) Section 613 of the Principal Act is amended—

(a) in subsection (1) by inserting the following after paragraph (c):

“(ca) any sum obtained by means of compensation under the 2017 Voluntary Homeowners Relocation Scheme administered by the Commissioners of Public Works in Ireland under section 2 of the Commissioners of Public Works (Functions and Powers) Act 1996;”

and

(b) in subsection (7) by inserting the following after paragraph (a):

“(aa) No chargeable gain shall arise on a disposal of land (including a right of turbary) to the Minister referred to in paragraph (a) where that land has been acquired by that Minister for the purposes of granting a right of turbary to an individual who—

(i) is entitled to compensation under the scheme referred to in paragraph (a), and

(ii) enters into an agreement with that Minister in respect of that land (or any estate, right or interest in or over that land).”.

—An tAire Airgeadais.

49. In page 47, to delete lines 4 to 21.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

50. In page 47, after line 35, to insert the following:

- “34. The Minister shall, within six months of the passing of this Act, prepare and lay before Dáil Éireann a report regarding the reduction in the qualifying period from 7 years to 4 years for the Capital Gains Tax exemption available under section 604A of the Tax Consolidation Act and the proposal to limit the reduction in the qualifying period to land only.”.

—Pearse Doherty.

51. In page 47, after line 35, to insert the following:

“CHAPTER 7

Financial Transaction Tax

34. The Minister shall, within 6 months of the passing of this Act, bring a report on the potential additional income that would be raised by imposing a Financial Transaction Tax.”.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

52. In page 47, after line 35, to insert the following:

“CHAPTER 7

Landlords’ Tax

35. The Minister shall, within 6 months of the passing of this Act, bring a report on abolishing the Local Property Tax and replacing it with a Landlords’ Tax of €600 per annum on a second home and €1000 per annum on a third and all subsequent homes.”.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

53. In page 47, after line 35, to insert the following:

“CHAPTER 7

Millionaire’s Tax

36. (1) The Minister shall, within 6 months of the passing of this Act, bring a report on additional revenue that would be raised by introducing a Millionaires’ Tax of 2 per cent on net wealth exceeding €1 million.
- (2) The Minister shall, within 6 months of the passing of this Act, compile a national database on the distribution of wealth and assets.”.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

54. In page 48, to delete lines 3 to 35, to delete pages 49, 50, 51 and in page 52 to delete lines 1 to 27.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

55. In page 52, between lines 18 and 19, to insert the following:

“44. The Minister shall, within a year of the passing of this Act, bring a report on the effectiveness of the Sugar Sweetened Drinks Tax measure, and possible alternative, non-tax measures that would reduce consumption of sugar sweetened drinks.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

56. In page 52, between lines 18 and 19, to insert the following:

“44. All revenue raised by the implementation of a Sugar Sweetened Drinks Tax be ring-fenced for measures to tackle childhood obesity and diabetes.”.

—Richard Boyd Barrett, Brid Smith, Gino Kenny.

57. In page 53, to delete line 9 and substitute the following:

“

| | |
|----------------------------------|-----------------|
| Cigarettes and Heated Cigarettes | Rate of tax at— |
|----------------------------------|-----------------|

”.

—Colm Brophy.

58. In page 53, between lines 26 and 27, to insert the following:

“Heated Cigarettes

49. Chapter 3, Section 71 of the Finance Act 2005 is amended in subsection (1) by inserting:

“ ‘Heated Cigarettes’ means rolls of tobacco that can be heated and/or smoked when inserted into a battery or electronic device.”.

—Colm Brophy.

59. In page 55, between lines 6 and 7, to insert the following:

“Equalising price of diesel and petrol

54. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report on the merits of raising the excise duty on diesel fuel, with a view to equalising the price of diesel and petrol, over a 3 year period.”.

—Mick Wallace.

60. In page 55, between lines 6 and 7, to insert the following:

“Disabled Drivers and Disabled Passengers (Tax Concessions) (Amendment) Regulations 2015

54. The Minister shall within six months of the passing of this Act, prepare and lay before the Oireachtas a report on the impact of amending the definition of “qualifying organisation” under the Disabled Drivers and Disabled Passenger (Tax Concessions) (Amendment) Regulations 2015 to allow all charitable organisations who are engaged in the care and transport of severely and permanently disabled persons.”.

—Michael McGrath.

61. In page 55, between lines 6 and 7, to insert the following:

“Disabled Drivers and Disabled Passengers (Tax Concessions) (Amendment) Regulations 2015

54. Section 92(5) of the Finance Act 1989 is amended by adding:

“ ‘qualifying organisation’ means a charitable organisation within the meaning of the Charities Act 2009 (No.6 of 2009) that is—

- (a) entered in the register of charitable organisations under Part 3 of that Act, and
- (b) engaged in the care and transport of severely and permanently disabled persons.”.”.

—Michael McGrath.

62. In page 55, between lines 6 and 7, to insert the following:

“Taxation treatment for self-employed contractors

54. The Minister shall within six months of the passing of this Act, prepare and lay before the Oireachtas a report assessing the taxation treatment of travel and subsistence expenses incurred by self-employed contractors, including but not limited to a comparison between the treatment in Ireland and other EU Member States and an impact assessment on foreign direct investment.”.

—Michael McGrath.

63. In page 57, after line 32, to insert the following:

“VAT treatment in respect of children’s footwear and clothes

58. The Minister shall within six months of the passing of this Act, prepare and lay before the Oireachtas a report examining the options for reviewing, in respect of children’s footwear and clothes, the size limits that are currently zero rated for VAT purposes subject to our obligations under EU law.”.

—Michael McGrath.

64. In page 57, after line 32, to insert the following:

“58. The Minister shall, within 6 months of the passing of this Act, bring a report on the second reduced rate of VAT of 9 per cent and additional revenue that could be raised by bringing this rate back to 13.5 per cent.”.

—Richard Boyd Barrett, Paul Murphy, Brid Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

65. In page 58, to delete line 10 and substitute the following:

“(i) in paragraph (4), by substituting “2 per cent of stamp duty for the first €300,000 on non-residential holdings” for “2 per cent”, and”.

—Michael Fitzmaurice, Mattie McGrath.

66. In page 58, to delete line 10 and substitute the following:

“(i) in paragraph (4), by substituting “2 per cent of stamp duty for the first €300,000 for agricultural land sales” for “2 per cent”, and”.

—Michael Fitzmaurice, Mattie McGrath.

67. In page 58, between lines 34 and 35, to insert the following:

“(3) Any distressed property being sold by financial institutions without being offered first to the borrower or family member, at the same price it is been offered to a company or a investment company, incurs a 50 per cent Stamp duty rate.”.

—Michael Fitzmaurice, Mattie McGrath.

68. In page 59, between lines 3 and 4, to insert the following:

“Repayment of stamp duty where land used for residential development

60. The Principal Act is amended by inserting the following section after section 83C:

“83D.(1) (a) In this section—

‘appropriate part’, in relation to land, means the whole or, as the case may be, the part of the land to which the relevant residential development, the subject of a claim for repayment under this section, relates;

‘building control authority’ has the meaning given to it by section 2 of the Building Control Act 1990;

‘completion certificate’ means a Certificate of Compliance (within the meaning of article 5 of the Regulations of 1997)—

(a) submitted on completion to a building control authority, and

(b) the particulars of which are entered by that authority on the register maintained under Part IV of the Regulations of 1997,

in accordance with article 20F of those Regulations;

‘commencement notice’ means—

- (a) a commencement notice within the meaning of article 8, or
- (b) a 7 day notice (within the meaning of article 5 of the Regulations of 1997) required under article 20A of the Regulations of 1997,

that is acknowledged by a building control authority in accordance with article 10(2) or 20A(3), as the case may be, of those Regulations;

‘construction operations’, in relation to a residential development or relevant residential development, means the construction of buildings or structures including the preparatory operations of site clearance, drainage, earth-moving, excavation, laying of foundations and the provision of roadways and other access works;

‘dwelling unit’ means—

- (a) a building or part of a building used or suitable for use as a dwelling, and
- (b) the curtilage of the dwelling, up to an area (exclusive of the site of the dwelling unit) of 0.4047 hectares;

‘gross floor space’ in relation to a dwelling unit means the area ascertained by the internal measurement of the floor space on each floor of a building, including internal walls and partitions;

‘land’, where used without qualification, means the land that is conveyed or transferred by an instrument;

‘planning permission’ has the meaning given to it by section 2 of the Planning and Development Act 2000;

‘Regulations of 1997’ means the Building Control Regulations 1997 (S.I. No. 496 of 1997);

‘residential development’ means the construction of one or more dwelling units and references to ‘relevant residential development’ shall be construed in accordance with paragraph (b).

- (b) References in this section to ‘relevant residential development’ shall be construed—
 - (i) in a case in which a claim for a repayment under subsection (8) is, pursuant to subsection (7)(b), made in respect of such of the construction operations as for the time being are being carried out pursuant to a particular commencement notice, as references to the residential development that comprises those construction operations, or
 - (ii) in either—

(I) a case in which, as mentioned in subsection (7)(b), the making of a claim for repayment under subsection (8) is deferred until completion of the residential development concerned, or

(II) a case in which the residential development concerned is not carried out in a phased manner,

as references to the entire of the residential development concerned.

(c) Without prejudice to subsection (4)(i), for the purposes of this section relevant residential development shall be regarded as completed if there exists in respect of the development a completion certificate.

(2) In this section a reference to an instrument is a reference to an instrument executed on or after 11 October 2017 that has been stamped in accordance with paragraph (4) of the Heading in Schedule 1 titled 'CONVEYANCE or TRANSFER on sale of any property other than stocks or marketable securities or a policy of insurance or a policy of life insurance.' where—

(a) the instrument was chargeable to stamp duty at a rate of 6 per cent, and

(b) the property so conveyed or transferred was land.

(3) (a) Subject to subsection (18) and the other provisions of this section, stamp duty paid on an instrument may be repaid in accordance with this section in relation to the land if construction operations on the land commence pursuant to a commencement notice within the period of 30 months following the date of execution of the instrument.

(b) If the residential development concerned is carried out in a phased manner such that there are 2 or more commencement notices in respect of the construction operations on the land, the reference in paragraph (a) to a commencement notice is a reference to the first of those commencement notices.

(c) Notwithstanding paragraph (a), the stamp duty repaid under this section shall be liable to the clawback provided for in subsection (12) if—

(i) the relevant residential development specified in a commencement notice is not completed within the period of 2 years after the date of the sending by a building control authority, in accordance with article 10(2) or 20A(3)(b), as the case may be, of the Regulations of 1997, of an acknowledgment in relation to that notice, or

(ii) when completed, the relevant residential development on the land, being the land to which that relevant residential development relates, is not such that—

(I) at least 75 per cent of the total surface area of that land is occupied by dwelling units, or

(II) the gross floor space of dwelling units amounts to at least 75 per cent of the total surface area of that land,

and subparagraphs (i) and (ii) are subsequently referred to in this section as the conditions for the avoidance of a clawback under this paragraph.

(4) Where—

(a) the land is acquired for the purpose of constructing a single dwelling unit, and

(b) a declaration of intention to opt out of statutory certification submitted in accordance with article 9(5) of the Regulations of 1997 has been included on the public register in accordance with paragraph (10) of article 20F of those Regulations,

then—

(i) the dwelling unit specified in a commencement notice shall, for the purposes of this section, be treated as completed when a completion certificate is issued under subsection (13) or (14) of section 9D of the Electricity Regulation Act 1999 not later than 2 years after the date of sending by a building control authority, in accordance with article 10(2) or 20A(3)(b), as the case may be, of the Regulations of 1997, of an acknowledgment in relation to that commencement notice, and

(ii) subsection (3)(c)(ii) shall not apply.

(5) (a) Where the satisfaction of any of the following—

(i) the condition specified in paragraph (a) of subsection (3),

(ii) the conditions for the avoidance of a clawback under paragraph (c) of that subsection, or

(iii) the condition specified in subsection (4)(i),

is prevented by—

(I) an appeal made under section 7 of the Building Control Act 1990, or

(II) an order made by a court requiring that construction operations cease to be carried out,

the period commencing on the making of the appeal or the making

of the order by the court and ending on the determination of the appeal or the discharge of the order shall not be reckoned for the purpose of computing the period of 30 months specified in subsection (3)(a) or the period of 2 years specified in subsection (3)(c)(i) or (4)(i).

(b) Subsection (18) shall apply notwithstanding the effect provided for by paragraph (a) in relation to the periods referred to in that paragraph.

(6) (a) The amount to be repaid in accordance with this section shall be determined by the formula—

$$A \times B \times \frac{2}{3}$$

where—

A is the amount of stamp duty paid, at the rate of 6 per cent, on the instrument, and

B is the proportion of the area of the land represented by the appropriate part, expressed as a fraction.

(b) In relation to the construction of a single dwelling unit—

(i) a claim for a repayment under this section shall not include any stamp duty attributable to any part of the land not occupied by the dwelling unit, and

(ii) for the purposes of the formula in paragraph (a), B is the proportion of the land occupied by the dwelling unit.

(7) (a) A claim for a repayment under this section shall be made in accordance with subsection (8).

(b) If the residential development concerned is carried out in a phased manner such that there are 2 or more commencement notices in respect of the construction operations on the land, subsection (8) shall, without prejudice to the accountable person's right to defer making a claim until completion of the residential development concerned, be construed as enabling a claim to be made in respect of such of the construction operations as for the time being are being carried out pursuant to a particular commencement notice.

(8) A claim for a repayment under this section shall—

(a) be made by an accountable person,

(b) without prejudice to paragraph (d), be made in a form and manner specified by the Commissioners,

(c) include a statutory declaration, in such form as the Commissioners specify, stating—

(i) that the condition specified in subsection (3)(a) has been

satisfied, and

- (ii) where a claim relates to a part of the stamp duty paid on the stamping of an instrument, the proportion of the area of the land represented by the appropriate part, or as the case may be, the proportion of the land occupied by the single dwelling unit,
 - (d) be made by electronic means and through such electronic systems as the Commissioners may make available for the time being for any such purpose, and the relevant provisions of Chapter 6 of Part 38 of the Taxes Consolidation Act 1997 shall apply,
 - (e) not be made until such time as construction operations have commenced pursuant to a commencement notice.
- (9) For the purposes of satisfying themselves that either the conditions for the making of a repayment under this section or the conditions for the avoidance of a clawback under paragraph (c) of subsection (3) are satisfied, the Commissioners may specify documents and particulars to be submitted by an accountable person, including the following:
- (a) a copy of any commencement notice;
 - (b) a copy of any acknowledgement sent by a building control authority in accordance with article 10(2) or 20A(3)(b), as the case may be, of the Regulations of 1997;
 - (c) a copy of any planning permission;
 - (d) the number and gross floor space of dwelling units constructed; and
 - (e) the area of the land expressed in hectares.
- (10) Subject to the requirements of this section, a repayment of stamp duty under this section shall—
- (a) be made by the Commissioners pursuant to a claim made in accordance with subsection (8),
 - (b) not carry interest, and
 - (c) not be made after the expiry of 4 years following, in relation to the relevant residential development, the date of acknowledgement by a building control authority in accordance with article 10(2) or 20A(3)(b), as the case may be, of the Regulations of 1997 and this paragraph applies notwithstanding anything in subsection (7)(b).
- (11) (a) Where the Commissioners are of the opinion that the requirements of this section have not been met in relation to a claim for repayment, they shall decide to refuse the claim and shall notify the claimant in writing of the decision and the reasons for it.
- (b) An accountable person aggrieved by a decision to refuse a claim for repayment, may appeal to the Appeal Commissioners against the

decision in accordance with section 949I of the Taxes Consolidation Act 1997, within the period of 30 days after the date of the notification of the decision.

- (12) (a) In either a case in which any of the requirements of this section in relation to an accountable person's eligibility for a repayment of stamp duty are not met or the conditions specified in paragraph (c) of subsection (3) for the avoidance of a clawback under that paragraph are not satisfied, an accountable person shall be liable to pay to the Commissioners the stamp duty that had been repaid under subsection (10) to the accountable person (and that stamp duty to which the foregoing liability attaches is referred to in this section as a 'clawback').
- (b) Interest shall be payable on the clawback calculated in accordance with section 159D from the date on which the repayment was made to the date of payment of the clawback to the Commissioners.
- (13) (a) Where an accountable person fails to pay the clawback, the Commissioners may make an assessment of the amount of the stamp duty concerned as if the failure to pay were a failure to deliver a return under section 20(2).
- (b) Where there is more than one accountable person in relation to an instrument and a clawback, they shall be liable jointly and severally whether or not an assessment is made.
- (14) For the purposes of this section, section 128A shall apply as if the period of 6 years referred to in subsection (4) of that section commenced on the date of acknowledgement, in relation to the residential development concerned, by a building control authority in accordance with article 10(2) or 20A(3)(b), as the case may be, of the Regulations of 1997.
- (15) The submission to the Commissioners of an incorrect statement, document or particulars under this section shall be deemed to constitute the delivery of an incorrect statement for the purposes of section 1078(2) of the Taxes Consolidation Act 1997.
- (16) (a) Where a repayment has been made under this section and it is subsequently found that a declaration made in accordance with subsection (8)—
- (i) was untrue in any material particular that would have resulted in a repayment, or part of a repayment, allowed by this section not being made, and
- (ii) was made knowing same to be untrue or in reckless disregard as to whether or not it was true,
- then the person who made such a declaration shall be liable to pay to the Commissioners as a penalty an amount equal to 125 per cent

of the stamp duty that would not have been repaid had all the facts been truthfully declared, together with interest charged on that amount as may so become payable, calculated in accordance with section 159D, from the date on which the repayment was made to the date the penalty is paid.

- (b) A person shall not be liable to a clawback under subsection (12), or a penalty under paragraph (a), as the case may be, if and to the extent that such person has paid—
 - (i) a penalty under paragraph (a), or
 - (ii) a clawback under subsection (12).
- (17) (a) Notwithstanding any enactment or rule of law, the Commissioners may, by notice in writing, request a building control authority to provide them with such information as is in the possession or control of the building control authority as the Commissioners may reasonably require for the purposes of verifying—
 - (i) that a thing referred to in the definition of ‘commencement notice’ in subsection (1)(a) exists or has been done,
 - (ii) the commencement of construction operations,
 - (iii) the completion of residential development, or
 - (iv) the proportion of the land occupied by dwelling units.
- (b) Where the Commissioners make a request under paragraph (a), the building control authority concerned shall provide such information as may be specified in the notice within the period specified in the notice which period, in any case, shall not be less than 30 days.
- (c) Taxpayer information within the meaning of section 851A(1) of the Taxes Consolidation Act 1997 may be disclosed by an officer of the Revenue Commissioners to a building control authority for the purposes of enabling the building control authority to comply with a request made under paragraph (a).
- (18) This section shall not apply to construction operations comprising relevant residential development commenced, pursuant to a commencement notice, after 31 December 2021.”.”.

—An tAire Airgeadais.

69. In page 61, line 2, to delete “and” where it firstly occurs.

—An tAire Airgeadais.

70. In page 61, line 8, to delete “1408/2013 of 18 December 2013¹⁹.” and substitute “1408/2013 of 18 December 2013¹⁹.”.”.

—An tAire Airgeadais.

¹⁹ OJ No. L352, 24.12.2013, p. 9

71. In page 65, between lines 13 and 14, to insert the following:

“Farm consolidation relief

65. (1) Section 81C of the Principal Act is amended—

- (a) by substituting “24 months” for “18 months” in each place where it occurs,
- (b) in subsection (1)(a)—
 - (i) by deleting the definition of “PPS Number”, and
 - (ii) in the definition of “relevant period”—
 - (I) by substituting “1 January 2018” for “1 July 2007”, and
 - (II) by substituting “31 December 2020” for “30 June 2009”,
- (c) in subsection (3), by substituting “at the rate of one per cent on an instrument executed on or after 1 January 2018” for “on the instrument”,
- (d) by substituting the following subsection for subsection (6):

“(6) A claim for relief under subsection (3) or a claim for relief by way of repayment under subsection (5), made to the Commissioners under this section, shall be allowed where it is the intention of the person purchasing the land to—

 - (a) retain ownership of his or her interest in the qualifying land, and
 - (b) use the qualifying land for farming,

for a period of not less than 5 years from the date on which the first claim for relief in respect of the qualifying land is made.”,
- (e) by substituting the following subsection for subsection (7):

“(7) This section shall not apply to an instrument unless it contains a certificate, by the person or persons to whom the land is conveyed or transferred by the instrument, to the effect that that person is or those persons are, as the case may be, entitled to claim relief in accordance with this section.”,
- (f) by deleting subsection (8),
- (g) in subsection (9)(c)—
 - (i) by substituting “a certificate referred to in subsection (7)” for “a declaration referred to in paragraph (d) or (e) of subsection (6)”,
 - (ii) by substituting “the person or persons to whom the land is conveyed or transferred by the instrument” for “the person or persons who made such a declaration”, and
 - (iii) by deleting “due to all the facts not having been truthfully declared”,
- (h) by deleting subsection (9)(d),

- (i) in subsection (10)—
 - (i) in paragraph (b), by substituting “under paragraph (a) or (c)” for “under paragraph (a), (c) or (d)”,
 - (ii) in paragraph (c), by substituting “under paragraph (c) of subsection (9), and” for “under paragraph (c) or (d) of subsection (9),”,
 - (iii) in paragraph (d), by substituting “under paragraph (a) of subsection (9).” for “under paragraph (a) or (d), as the case may be, of subsection (9), and”, and
 - (iv) by deleting paragraph (e),
- and

(j) in subsection (12)—

- (i) by substituting “1 January 2018” for “1 July 2007”, and
- (ii) by substituting “31 December 2020” for “30 June 2011”.

(2) *Subsection (1)* comes into operation on such day as the Minister for Finance may appoint by order.”.

—An tAire Airgeadais.

72. In page 65, between lines 17 and 18, to insert the following:

“Amendment of the Capital Acquisitions Tax (Consolidation) Act 2003

66. “Qualified cohabitant” has the meaning assigned to it by section 172(5) of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010.”.

—Clare Daly.

73. In page 65, between lines 17 and 18, to insert the following:

“Amendment of section 70 of the Capital Acquisitions Tax (Consolidation) Act 2003

66. Section 70 of the Capital Acquisitions Tax (Consolidation) Act 2003 is amended by the insertion of “or qualified cohabitant” after “spouse or civil partner”.”.

—Clare Daly.

74. In page 65, between lines 17 and 18, to insert the following:

“Amendment of section 71 of the Capital Acquisitions Tax (Consolidation) Act 2003

66. Section 71 of the Capital Acquisitions Tax (Consolidation) Act 2003 is amended by the insertion of “or qualified cohabitant” after “spouse or civil partner”.”.

—Clare Daly.

75. In page 66, after line 36, to insert the following:

“69. The Minister shall, within six months of the passing of this Act, prepare and lay before the Oireachtas a report on the options to incentivise donations to charity in legacies and

also options to incentivise donations to charity through the donation of shares.”.

—Michael McGrath.

76. In page 67, to delete lines 27 to 30 and substitute the following:

“Taxpayer information

72. Part 37 of the Principal Act is amended—

(a) in section 851A by inserting the following paragraphs after paragraph (m) (inserted by *section 62*):

“(n) where the taxpayer information is disclosed to an official of the Department of Finance solely—

(i) for the purposes of or in connection with the compliance by the State with its obligations under—

(I) Article 108 of the Treaty on the functioning of the European Union, or

(II) regulations made pursuant to Article 109 of the Treaty on the functioning of the European Union,

or

(ii) for the purposes of or in connection with the preparation of a response to the exercise by the Commission of the European Union of its functions under—

(I) Articles 107 to 109 of the Treaty on the functioning of the European Union, or

(II) regulations made pursuant to Article 109 of the Treaty on the functioning of the European Union,

and

(o) where the taxpayer information is disclosed to the Commission of the European Union solely for the purposes of or in connection with the compliance by the State with its obligations under—

(i) Article 108 of the Treaty on the functioning of the European Union, or

(ii) regulations made pursuant to Article 109 of the Treaty on the functioning of the European Union.”,

and

(b) by inserting the following section after section 851A:

“Use of, and access to, taxpayer information

851B. (1) In this section—”.

—An tAire Airgeadais.

77. In page 69, between lines 30 and 31, to insert the following:

“73. The Minister shall, within 6 months of the passing of this Act, bring a report on the revenue implications of bogus self-employment, i.e. the misclassification of PAYE workers as self-employed.”.

—Richard Boyd Barrett, Paul Murphy, Bríd Smith, Gino Kenny, Mick Barry,
Ruth Coppinger.

78. In page 72, between lines 11 and 12, to insert the following:

“Amendment of Schedule 24A to Principal Act (arrangements made by the Government with the government of any territory outside the State in relation to affording relief from double taxation and exchanging information in relation to tax)

77. Schedule 24A to the Principal Act is amended—

(a) in Part 1 by inserting the following after paragraph 21:

“21A. The Double Taxation Relief (Taxes on Income) (Republic of Kazakhstan) Order 2017 (S.I. No. 479 of 2017).”,

and

(b) in Part 3 by inserting the following after paragraph 8AB:

“8AC. The Exchange of Information Relating to Tax Matters (Macao Special Administrative Region of the People’s Republic of China) Order 2017 (S.I. No. 480 of 2017).”.

—An tAire Airgeadais.

79. In page 75, between lines 7 and 8, to insert the following:

“Report of Minister for Finance

81. The Minister for Finance shall, not later than 9 months after the passing of this Act, prepare and lay before Dáil Éireann a report on the issues relating to making provision in law for a tax on vacant residential property, the administration and implementation of such a tax, the availability of reliable baseline data and the estimated annual revenue from such a tax.”.

—An tAire Airgeadais.

80. In page 75, between lines 10 and 11, to insert the following:

“Amendment of section 10A of Principal Act

82. Section 10A of the Principal Act is amended—

(a) by the substitution of the following for subsection (1), paragraphs (a) and (b):

“(1)(a) providing for the methodology for the assessment of residential

properties to establish the presence of pyrite,

- (b) providing for the issue, by a competent person, of a certificate in relation to a residential property confirming (if such be the case) the presence of pyrite, in respect of the property, in accordance with the regulations.”,

(b) by the substitution of the following subsection for subsection (3)(a):

“(3)(a)(i) a certificate under and in accordance with regulations under subsection (1) has been issued in relation to it showing the presence of pyrite following the testing of subfloor hardcore material, or

- (ii) following the conduct of a Building Condition Assessment by a competent person which results in a Damage Condition Rating of—

- (I) Categories B-D, and

- (II) Category A,

- in an area where pyrite is known to be prevalent, and prior to the issuing of a green certificate, such certificate to be issued by the the next liability date after the assessment.”,

(c) by the substitution of the following subsection for subsection (4):

“(4) Notwithstanding subsection (3) and subject to subsection (5), a residential property shall not, for the purposes of this Act, be regarded as a relevant residential property until such time as it has been remediated or issued with a green certificate, insofar as it relates to a property referred to—

- (a) in subsection (3)(a), a certificate under and in accordance with regulations made under subsection (1) has been issued in relation to the property, or

- (b) in subsection (3)(b), the liable person was notified under the Pyrite Resolution Act 2013 that the residential property has been included in the pyrite remediation scheme.”,

(d) by the substitution of the following subsection for subsection (4A):

“(4A) Where subsection (3)(a) or (b) applies in relation to a residential property, the Revenue Commissioners shall, subject to subsection (4) and on receipt of a claim for repayment by the liable person, repay to that person any local property tax that was paid in respect of any liability date prior to the issuing of a green certificate or certificate of remediation.”,

and

(e) by the substitution of the following subsection for subsection (4B):

“(4B)(a) Where paragraph (c) or (d) of subsection (3) applies, the confirmation in writing given by the Revenue Commissioners under subsection (3A) shall specify a date (in this subsection referred to as the ‘effective date’), for the purposes of this subsection.

(b) The effective date shall be the date on which—

(i) where paragraph (c) of subsection (3) applies, the funds are provided in satisfaction of a claim for the remediation of the property, or

(ii) where paragraph (d) of subsection (3) applies, the builder completes the remediation of the property or provides sufficient funds for the remediation of the property, but in either case shall not be earlier than 2 May 2013.

(c) Notwithstanding subsection (3) and subject to subsection (5), a residential property shall not, for the purposes of this Act, be regarded as a relevant residential property until the first liability date after the effective date.

(d) The Revenue Commissioners shall, subject to this subsection, and on receipt of a claim for repayment by the liable person, repay to that person any local property tax that was paid by the person in respect of any liability date falling prior to the effective date.”.”

—Clare Daly.

81. In page 75, between lines 10 and 11, to insert the following:

“Funding model of Home Finance Building Ireland

82. The Minister shall, within 3 months of the passing of this Act, prior to the enacting of legislation re Home Finance Building Ireland, prepare and lay before the Oireachtas a report that outlines the funding model the new Home Finance Building Ireland will use.”.

—Mick Wallace.

82. In page 75, between lines 10 and 11, to insert the following:

“Right of first refusal to the original borrower of loan/mortgage

82. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report analysing the possibility of enacting legislation which requires any distressed loans/mortgages being sold by a financial institution to an investment fund/ third party, to give first refusal to the original borrower of the loan/mortgage, at the same price being offered by the investment fund/third party.”.

—Mick Wallace.

83. In page 75, between lines 10 and 11, to insert the following:

“Subsidisation of fossil fuel industry in Ireland

82. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report analysing the current level of subsidies afforded by the State to the fossil fuel industry in Ireland, and the long term effect this subsidisation will have on Ireland’s climate change targets.”.

—Mick Wallace.

84. In page 75, between lines 10 and 11, to insert the following:

“Impact of Airbnb on rental market

82. The Minister shall, within 6 months of the passing of this Act, prepare and lay before the Oireachtas a report analysing the impact Airbnb has had on the rental market in Ireland and particularly Dublin, and which analyses measures taken by other EU members states in curtailing the impact of Airbnb on rental markets.”.

—Mick Wallace.