



An Bille um Thiarnaí Talún agus Tionóntaí (Bunchíosanna) (Leasú), 2017
Landlord and Tenant (Ground Rents) (Amendment) Bill 2017

Mar a tionscnaíodh

As initiated



**AN BILLE UM THIARNAÍ TALÚN AGUS TIONÓNTAÍ (BUNCHÍOSANNA) (LEASÚ),
2017
LANDLORD AND TENANT (GROUND RENTS) (AMENDMENT) BILL 2017**

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CONTENTS

Section

1. Definition
2. Amendment of section 9 of Act of 1978
3. Amendment of section 10 of Act of 1978
4. Short title, collective citation and commencement

ACTS REFERRED TO

Landlord and Tenant (Ground Rents) (No.2) Act 1978 (No. 16)

Landlord and Tenant (Ground Rents) Act 1967 (No. 3)

Landlord and Tenant Acts 1967 to 2005



**AN BILLE UM THIARNAÍ TALÚN AGUS TIONÓNTAÍ (BUNCHÍOSANNA) (LEASÚ),
2017
LANDLORD AND TENANT (GROUND RENTS) (AMENDMENT) BILL 2017**

Bill

entitled

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An Act to amend the Landlord and Tenant (Ground Rents) (No. 2) Act 1978 so as to better enable a lessee to acquire fee simple; and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act—

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“Act of 1967” means the Landlord and Tenant (Ground Rents) Act 1967;

“Act of 1978” means the Landlord and Tenant (Ground Rents) (No.2) Act 1978.

Amendment of section 9 of Act of 1978

2. Section 9 of the Act of 1978 is amended—

(a) by the deletion of subsection (1)(b),

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(b) by the deletion of subsection (2), and

(c) by the insertion of the following after subsection (5):

“(6) For the purpose of this section, section 10 and any application under Part III of this Act, ‘permanent buildings’ means the buildings occupied by the lessee as at the date of service under section 4 of the Act of 1967 of notice of intention to acquire the fee simple including any and all additions, alterations or extensions to the original building as have caused such building to have lost its original identity or have caused an extension in its usable area by not less than 50 per cent.”.

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Amendment of section 10 of Act of 1978

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3. Section 10 is amended by the substitution of the following for condition No. 2:

“2. that the lease is for a term of not less than 50 years and the yearly amount of the rent or the greatest rent reserved thereunder (whether redeemed at any time or not) is of an amount that is less than the amount of the rateable valuation of the property at the date of service under section 4 of

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the Act of 1967 of notice of intention to acquire the fee simple or the date of an application under Part III of this Act as the case may be, and that the permanent buildings on the land demised by the lease were not erected by the lessor or any superior lessor or any of their predecessors in title provided that:

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(a) it shall be presumed until the contrary is proved that the permanent buildings were not so erected, and

(b) 'predecessors in title' means all previous holders of the lessor's or superior lessor's interest in the land demised by the lease but does not include any previous holder of the lessee's interest in the land;".

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Short title, collective citation and commencement

4. (1) This Act may be cited as the Landlord and Tenant (Ground Rents) (Amendment) Act 2017.

(2) The Landlord and Tenant Acts 1967 to 2005 and this Act may be cited together as the Landlord and Tenant Acts 1967 to 2017.

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(3) This Act shall come into operation on 1 March 2018.

An Bille um Thiarnaí Talún agus Tionóntaí
(Bunchíosanna) (Leasú), 2017

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Thiarnaí Talún agus Tionóntaí (Bunchíosanna) (Uimh. 2), 1978 chun a chumasú ar bhealach níos fearr do léasaí feo simplí a fháil; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Seanadóirí Robbie Gallagher, Catherine Ardagh agus Keith Swanick a thug isteach,
19 Deireadh Fómhair, 2017*

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(Amendment) Bill 2017

BILL

(as initiated)

entitled

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*Introduced by Senators Robbie Gallagher, Catherine Ardagh and Keith Swanick,
19th October, 2017*

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