



AN BILLE UM PLEANÁIL AGUS FORBAIRT (LEASÚ) 2008
PLANNING AND DEVELOPMENT (AMENDMENT) BILL
2008

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Change of use of shop to use as sex shop not exempted development.
 2. Short title, collective citation and construction.
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ACTS REFERRED TO

Health and Social Care Professionals Act 2005	2005, No. 27
Planning and Development Act 2000	2000, No. 30
Planning and Development Acts 2000 to 2004	



AN BILLE UM PLEANÁIL AGUS FORBAIRT (LEASÚ) 2008
PLANNING AND DEVELOPMENT (AMENDMENT) BILL
2008

BILL

5

entitled

AN ACT TO PROVIDE THAT A CHANGE OF USE OF A
STRUCTURE TO USE AS A SEX SHOP SHALL NOT BE
EXEMPTED DEVELOPMENT; AND TO PROVIDE FOR
CONNECTED MATTERS.

10 BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.-(1) For the purposes of sections 3 and 4 of the Planning and
Development Act 2000, and notwithstanding any regulations made
under that Act, a change in the use of a structure from any other use
to use as a sex shop involves a material change in the use of the
15 structure and is not an exempted development.

Change of use of
shop to use as sex
shop not exempted
development.

(2) In this section “sex shop”—

20 (a) means a structure used for a business which consists to a
significant degree of selling, hiring, exchanging, lending,
displaying or demonstrating, or otherwise making access-
ible or available to the public, goods or services con-
cerned with or for use in connection with sexual activity,
including acts of force or restraint which are associated
with sexual activity,

25 (b) does not include a structure used as a hospital or in con-
nection with the provision of services by or on behalf of
the Health Services Executive or by a person who is—

(i) a medical practitioner, pharmaceutical chemist, nurse
or midwife and who is registered under the enact-
ments governing his or her profession, or

30 (ii) a member of a designated profession within the mean-
ing of the Health and Social Care Professionals Act
2005.

2.—(1) This Act may be cited as the Planning and Development
(Amendment) Act 2008.

Short title,
collective citation
and construction.

(2) This Act and the Planning and Development Acts 2000 to 2004 may be cited together as the Planning and Development Acts 2000 to 2008 and shall be construed together as one Act.