



DÁIL ÉIREANN

**AN BILLE UM THITHÍOCHT INACMHAINNE, 2021
AFFORDABLE HOUSING BILL 2021**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM THITHÍOCHT INACMHAINNE, 2021 —AN COISTE

AFFORDABLE HOUSING BILL 2021 —COMMITTEE

Leasuithe Amendments

SECTION 3

1. In page 6, between lines 27 and 28, to insert the following:

“and shall be passed by both houses of the Oireachtas before being signed into law”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

2. In page 6, to delete lines 28 to 33 and substitute the following:

“(3) All proposed regulations to be made under the Act shall be laid before the Houses of the Oireachtas for consideration. No regulations shall be made until they are approved by both Houses.”.

—Cian O'Callaghan.

SECTION 4

3. In page 7, between lines 9 and 10, to insert the following:

“ “community housing trust” has meaning given to it by section 6(3)*;”.

—Francis Noel Duffy, Steven Matthews.

[*This is a reference to a subsection proposed to be inserted by amendment no. 15].

4. In page 7, line 15, after “maisonette” to insert “, all of which can only be let or purchased in an arrangement where the tenant or mortgage holder will never pay more than 25 per cent of their income on rent or mortgage repayments”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

5. In page 7, to delete lines 27 and 28.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

SECTION 5

6. In page 8, to delete line 4.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould.

[SECTION 6]

SECTION 6

7. In page 8, line 6, after “make” to insert “owner-occupier”.

—Michael Fitzmaurice.

8. In page 8, line 8, to delete “, acquire”.

—Cian O'Callaghan.

9. In page 8, lines 13 and 14, to delete “arrangements with co-operatives, community housing trusts and other not for profit bodies” and substitute the following:

“arrangements with a community-led housing organisation, a housing co-operative or a community land trust”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

10. In page 8, line 13, to delete “housing trusts” and substitute “land trust”.

—Francis Noel Duffy, Steven Matthews.

11. In page 8, to delete line 15.

—Eoin Ó Broin, Thomas Gould.

12. In page 8, to delete line 16.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould, Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

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

“(e) arrangements for the construction of dwellings on fully serviced sites, in divisions of under 10 dwellings to give opportunities to smaller builders.”.

—Michael Fitzmaurice.

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

“(3) The Minister may prescribe minimum requirements in relation to governance, previous experience, financial management and financial reporting to be met by a body or a class of bodies referred to in subsection (2)(b) before a housing authority may enter into an arrangement with such a body for the purposes of subsection (1).”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

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

“(3) A community housing trust is a corporate body which—

(a) is established for the express purpose of furthering the social, economic and environmental interests of a local community by acquiring and managing land and other assets in order—

(i) to provide benefit to the local community,

(ii) to ensure that the assets are not sold or developed except in a manner which the trust's members think benefits the local community,

[SECTION 6]

- (b) is established under arrangements which are expressly designed to ensure that—
 - (i) any profits from its activities will be used to benefit the local community (otherwise than by being paid directly to members),
 - (ii) individuals who live or work in the specified area have the opportunity to become members of the trust (whether or not others can also become members),
 - (iii) the members of a trust control it.”.

—Francis Noel Duffy, Steven Matthews.

- 16.** In page 8, line 21, after “authority” to insert the following:

“, including the provision of State land, with a requirement of repayment to the State of the value of such land at the time of sale where the dwelling is not sold to an eligible affordable housing applicant”.

—Michael Fitzmaurice.

- 17.** In page 8, line 27, to delete “counteract undue segregation” and substitute “promote sustainable communities”.

—Francis Noel Duffy, Steven Matthews.

- 18.** In page 8, line 27, to delete “undue”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta, Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

- 19.** In page 8, line 28, to delete “backgrounds” and substitute “incomes”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

- 20.** In page 8, line 28, after “diverse” to insert “, mixed income”.

—Francis Noel Duffy, Steven Matthews.

- 21.** In page 8, line 31, to delete “eligible applicants” and substitute the following:

“all eligible applicants including people with disabilities, single people, older people, larger families and members of the Travelling community”.

—Cian O’Callaghan.

- 22.** In page 8, line 31, after “applicants” to insert the following:

“providing that a minimum of 7.5 per cent of new developments follow the principles of Universal Design where “Universal Design” has the same meaning as it has in the Disability Act 2005”.

—Francis Noel Duffy, Steven Matthews.

[SECTION 6]

23. In page 8, between lines 31 and 32, to insert the following:

“(c) ensure access to sustainable transport, public services and other public amenities.”.

—Cian O'Callaghan.

SECTION 7

24. In page 9, to delete lines 6 to 8.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould, Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

25. In page 9, between lines 15 and 16, to insert the following:

“(3) An agreement may only be made under *subsection (2)* if the dwellings specified in the agreement are affordable to individuals on average incomes, as may be set out in regulations which allow for regional variations.”.

—Cian O'Callaghan.

26. In page 9, between lines 19 and 20, to insert the following:

“(4) Following the provision of fully serviced sites in any development, the contracts can be divided among builders, in designations of under 10 dwellings.”.

—Michael Fitzmaurice.

27. In page 9, between lines 19 and 20, to insert the following:

“(4) For the contracts to construct any dwelling in a development can be procured in designations of under 10 dwellings.”.

—Michael Fitzmaurice.

SECTION 8

Section opposed.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould.

SECTION 9

28. In page 10, between lines 30 and 31, to insert the following:

“(3) Notifications shall be provided in a range of formats and locations including on the Internet. Notifications shall also be accessible and easy to read.”.

—Cian O'Callaghan.

29. In page 11, line 3, to delete “he or she” and substitute “they”.

—Cian O'Callaghan.

30. In page 11, lines 4 and 5, to delete “his own or her own” and substitute “their own”.

—Cian O'Callaghan.

31. In page 11, line 5, to delete “his or her” and substitute “their”.

—Cian O'Callaghan.

[SECTION 10]

SECTION 10

32. In page 11, between lines 18 and 19, to insert the following:

“(a) they intend to be owner-occupiers of the affordable dwelling for a period as may be set out by the Minister.”.

—Cian O'Callaghan.

33. In page 11, line 35, to delete “his or her” and substitute “their”.

—Cian O'Callaghan.

34. In page 12, line 3, after “nullity” to insert “or where the applicant can demonstrate that the marriage, civil partnership or relationship has broken down”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

SECTION 11

35. In page 12, to delete lines 41 and 42, and in page 13, to delete lines 1 and 2.

—Cian O'Callaghan.

36. In page 13, line 3, after “may” to insert “, following consultation with the relevant Oireachtas Committee, local authority managers and local authority elected members,”.

—Eoin Ó Broin, Thomas Gould.

37. In page 13, between lines 4 and 5, to insert the following:

“(a) priority to be given to applicants with the greatest housing need;”.

—Cian O'Callaghan.

38. In page 13, line 14, after “time” to insert the following:

“(where adequate supply exists this provision may not be used to exclude eligible applicants resident in other administrative areas)”.

—Cian O'Callaghan.

39. In page 13, between lines 16 and 17, to insert the following:

“(e) priority to be given to eligible applicants who had previously been on social housing waiting lists but had been removed due to exceeding income limits.”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

40. In page 13, line 18, after “scheme.” to insert “Any amendments to the scheme should improve the scheme’s effectiveness and fairness.”.

—Cian O'Callaghan.

41. In page 13, lines 21 to 23, to delete all words from and including “and,” in line 21 down to and including “functions” in line 23 and substitute “is an executive function”.

—Cian O'Callaghan.

[SECTION 11]

42. In page 13, line 26, after “hours.” to insert “An easy to read guide and audio version shall also be available.”.

—Cian O’Callaghan.

SECTION 12

Section opposed.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

43. In page 14, line 6, after “shall” to insert the following:

“either be the purchase or retention of the land by the housing authority and its subsequent leasing to the eligible purchaser or”.

—Francis Noel Duffy, Steven Matthews.

44. In page 14, between lines 22 and 23, to insert the following:

“(b) the affordable dwelling contribution may, should the housing authority and the eligible applicant agree, be accommodated by the housing authority purchasing and holding as leaseholder the land parcel which is associated with the affordable dwelling. Where this occurs—

(i) the housing authority will lease the land in perpetuity to the eligible applicant, and

(ii) the eligible applicant may only sell the dwelling to another eligible applicant.”.

—Francis Noel Duffy, Steven Matthews.

45. In page 14, line 23, before “In” to insert “Should the housing authority and the eligible applicant not proceed as per subsection 4(b) then,”.

—Francis Noel Duffy, Steven Matthews.

46. In page 15, to delete lines 9 to 11.

—Eoin Ó Broin, Thomas Gould.

47. In page 15, to delete lines 31 to 34.

—Eoin Ó Broin, Thomas Gould.

SECTION 17

48. In page 20, between lines 34 and 35, to insert the following:

“(2) If an affordable dwelling is not sold to another eligible affordable housing applicant, the seller must repay the value of the site to the housing authority, at the time of sale.”.

—Michael Fitzmaurice.

SECTION 26

Section proposed to be deleted.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 27]

SECTION 27

49. In page 30, between lines 27 and 28, to insert the following:

“(b) in section 10—

- (i) in paragraph (c), by the substitution of “management and control,” for “management and control, and”,
- (ii) in paragraph (d), by the substitution of “housing authorities, and” for “housing authorities.”, and
- (iii) by the insertion of the following paragraph after paragraph (d):

“(e) cost rental dwellings within the meaning of *Part 3* of the *Affordable Housing Act 2021.*”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 29

50. In page 31, between lines 12 and 13, to insert the following:

“ “community-led housing” means housing with the following features:

- (a) meaningful community engagement and consent throughout the process. The community does not necessarily have to initiate and manage the development process, or build the homes themselves, though many do;
- (b) the local community group or organisation owns, manages or stewards the homes in a manner of their choosing;
- (c) benefits to the local area and/or specified community are clearly defined and legally protected in perpetuity;”.

—Francis Noel Duffy, Steven Matthews.

51. In page 31, to delete line 20 and substitute the following:

“ “cost rental rent” shall be calculated in relation to the tenants’ income and will ensure that the tenant will never pay more than 25 per cent of their income on rent or mortgage repayments;”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

52. In page 31, between lines 23 and 24, to insert the following:

“ “equity returns” means an interest-free, upfront, non repayable contribution by the owner of the cost rental dwelling which reduces the capital development or acquisition costs included in the estimated total costs referred to in *section 30(3)(d)*;”.

—Francis Noel Duffy, Steven Matthews.

53. In page 31, between lines 26 and 27, to insert the following:

“ “limited equity return” is an annual payment to the owner of the cost rental dwelling of up to 3.5 per cent of the equity amount;”.

—Francis Noel Duffy, Steven Matthews.

[SECTION 30]

SECTION 30

54. In page 32, line 12, to delete “40 years” and substitute “50 years”.

—Cian O’Callaghan, Eoin Ó Broin, Thomas Gould.

55. In page 32, to delete lines 18 and 19.

—Eoin Ó Broin, Thomas Gould.

56. In page 32, line 24, to delete “and limited equity returns”.

—Cian O’Callaghan, Eoin Ó Broin, Thomas Gould.

57. In page 32, line 24, after “returns” to insert “which can be no more than 3.5 per cent”.

—Francis Noel Duffy, Steven Matthews.

58. In page 32, to delete lines 36 and 37 and substitute the following:

“(4) All dwellings designated as cost rental by the Minister shall be designated as such in perpetuity where there has been a contribution of the State or any public body through monies, land, low-interest loans or any other planning or financial assistance to the housing authority or developer or in satisfaction of planning condition, unless as designated otherwise by Ministerial Order.”.

—Francis Noel Duffy, Steven Matthews.

SECTION 31

59. In page 33, line 5, to delete “he or she” and substitute “they”.

—Cian O’Callaghan.

60. In page 33, line 17, to delete “his or her” and substitute “their”.

—Cian O’Callaghan.

SECTION 32

61. In page 34, lines 16 and 17, to delete all words from and including “the” in line 16 down to and including line 17 and substitute the following:

“the form and content of a cost rental tenancy agreement, including mandatory terms of the agreement, which may include, but shall not be limited to, covenants on the part of the landlord and the tenant, agreements and provisos with regard to the cost rental tenancy, provision for the giving or service of notices, deemed dates of receipt of notices and other incidental and consequential matters.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

62. In page 34, between lines 20 and 21, to insert the following:

“(5) A relative or partner of a tenant of two years or more who has been living at the dwelling for at least two years can assume the tenancy in the event of incapacity or death of the original tenant, providing they satisfy the requirements as set out.”.

—Francis Noel Duffy, Steven Matthews.

[SECTION 33]

SECTION 33

63. In page 34, between lines 31 and 32, to insert the following:

“(4) Within 12 months of the operation of this section the Minister should produce a report to be laid before the Houses of the Oireachtas on the extension of this provision to all tenants in the private residential sector.”.

—Cian O’Callaghan.

64. In page 35, between lines 13 and 14, to insert the following:

“(9) Where a person has, under a cost rental tenancy, been in occupation of a dwelling for a continuous period of six months then, if the condition specified in *paragraph (b)* is satisfied, the following protection applies for the benefit of that person:

- (a) that protection is that, subject to Chapter 3 of the Act of 2004, the tenancy shall (if it would not or might not do so otherwise) continue in being for indefinite period;
- (b) the condition mentioned above is that no notice of termination (giving the required period of notice) has been served in respect of the tenancy before the expiry of the period of six months mentioned in that subsection.”.

—Francis Noel Duffy, Steven Matthews.

SECTION 34

65. In page 35, lines 28 to 31, to delete all words from and including “to” in line 28 down to and including “prescribe” in line 31 and substitute “that is up to 30 per cent of the net income of the proposed tenant”.

—Eoin Ó Broin, Thomas Gould.

66. In page 35, lines 29 to 31, to delete all words from and including “Harmonised” in line 29 down to and including “prescribe” in line 31 and substitute “management and maintenance costs of the property”.

—Eoin Ó Broin, Thomas Gould.

67. In page 35, line 31, after “dwelling,” to insert the following:

“but does not provide for the cost-rental rate to exceed the private market rate of said property in the private market,”.

—Michael Fitzmaurice.

68. In page 36, line 3, after “Office” to insert the following:

“where the portion of rent associated with maintenance will take account of any change in costs associated in the maintenance and ongoing cost of provision”.

—Francis Noel Duffy, Steven Matthews.

69. In page 36, line 9, to delete “12 months” and substitute “3 years”.

—Eoin Ó Broin, Thomas Gould.

[SECTION 34]

70. In page 36, line 11, to delete “12 months” and substitute “36 months”.
—Cian O’Callaghan.
71. In page 36, line 11, to delete “12 months” and substitute “3 years”.
—Eoin Ó Broin, Thomas Gould.
72. In page 36, line 21, to delete “be served not earlier than two weeks before, and not later than four weeks after,” and substitute “be served 90 days before”.
—Eoin Ó Broin, Thomas Gould.
73. In page 36, line 24, after “review” to insert “including the detail of how the new rent amount was arrived at”.
—Eoin Ó Broin, Thomas Gould.
74. In page 36, to delete lines 26 to 28.
—Eoin Ó Broin, Thomas Gould.
75. In page 37, line 1, to delete “28 days” and substitute “three months”.
—Cian O’Callaghan.
76. In page 37, line 1, after “date” to insert “of receipt”.
—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
77. In page 37, line 4, to delete “28 days” and substitute “three months”.
—Cian O’Callaghan.
78. In page 37, line 8, to delete “12 weeks” and substitute “six months”.
—Cian O’Callaghan.
79. In page 38, between lines 6 and 7, to insert the following:
“(15) After the expiry of a period equal to the cost rental calculation period the Minister shall have the power to specify that cost rental rents be lowered so that they cover only the ongoing necessary and appropriate costs of management and maintenance of the dwelling.”.
—Francis Noel Duffy, Steven Matthews.

SECTION 35

Section opposed.

—Cian O’Callaghan.

SECTION 36

Section opposed.

—Cian O’Callaghan.

[SECTION 39]

SECTION 39

Section opposed.

—Eoin Ó Broin, Thomas Gould.

80. In page 40, between lines 30 and 31, to insert the following:

“(12) The Minister shall publish a report on every revocation including the rationale for the revocation, the impact on tenants and any financial implications for the State.”.

—Cian O'Callaghan.

SECTION 41

81. In page 40, line 39, after “bodies” to insert “, co-operatives, community housing trusts and other not for profit bodies”.

—Francis Noel Duffy, Steven Matthews.

82. In page 40, line 39, after “bodies” to insert “and community-led housing bodies”.

—Francis Noel Duffy, Steven Matthews.

83. In page 41, lines 7 and 8, to delete “where requested to do so by the Minister and in accordance with the terms of any such request, invite and” and substitute “on a rolling basis”.

—Eoin Ó Broin, Thomas Gould.

84. In page 41, line 9, after “bodies” to insert “and community-led housing bodies”.

—Francis Noel Duffy, Steven Matthews.

85. In page 41, line 12, after “bodies” to insert “and community-led housing bodies”.

—Francis Noel Duffy, Steven Matthews.

86. In page 42, line 4, after “bodies” to insert “and community-led housing bodies”.

—Francis Noel Duffy, Steven Matthews.

SECTION 42

Section opposed.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould.

SECTION 43

87. In page 43, between lines 25 and 26, to insert the following:

“Reservation of units in any new housing development for owner occupiers

43. 30 per cent of all dwellings in any development will be reserved for owner occupiers. This would apply to all units, including apartments.”.

—Francis Noel Duffy, Steven Matthews.

Section opposed.

—Eoin Ó Broin, Thomas Gould.

[SECTION 44]

SECTION 44

88. In page 44, between lines 6 and 7, to insert the following:

“PART 6

AMENDMENTS TO PART V OF ACT OF 2000

Amendment of section 93(1) of Act of 2000

44. Section 93(1) of the Act of 2000 is amended—

(a) by the insertion of the following definition:

“ ‘cost rental housing’ means housing comprising cost rental dwellings within the meaning of *Part 3* of the *Affordable Housing Act 2021*;”, and

(b) by the substitution of the following definition for the definition of ‘market value’:

“ ‘market value’—

(a) in relation to a house, means the price which the unencumbered fee simple of the house would fetch if sold on the open market, and

(b) in relation to land in respect of which planning permission is granted, means the price which the unencumbered fee simple of the land would have fetched if it had been sold on the open market on the date of the grant of planning permission;”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

89. In page 44, between lines 6 and 7, to insert the following:

“Amendment of section 94 of Act of 2000

45. Section 94 of the Act of 2000 is amended—

(a) in subsection (4)—

(i) in paragraph (a)—

(I) in subparagraph (i), by the deletion of “and”,

(II) by the substitution of the following subparagraph for subparagraph (ii):

“(ii) housing for eligible applicants within the meaning of *Part 2* of the *Affordable Housing Act 2021*, and”,

and

(III) by the insertion of the following subparagraph after subparagraph (ii):

“(iii) cost rental housing.”,

(ii) by the substitution of the following paragraph for paragraph (c):

“(c) Subject to paragraph (d), a housing strategy shall provide that as a

[SECTION 44]

general policy a specified percentage, not being more than 20 per cent, of—

- (i) the land zoned for residential use, or for a mixture of residential and other uses, and
- (ii) any land which is not zoned for residential use, or for a mixture of residential and other uses, but in respect of which permission for the development of houses is granted,

shall be reserved under this Part for the provision of housing for the purposes of one or more of subparagraphs (i), (ii) and (iii) of paragraph (a).”

and

- (iii) by the substitution of the following paragraph for paragraph (d)—

“(d) Paragraph (c) shall not operate to prevent any person (including a local authority) from using more than 20 per cent of land in respect of which permission for the development of houses is granted for the provision of housing to which paragraph (a) applies.”

- (b) in subsection (5), by the deletion of subparagraph (va) of paragraph (a),

and

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

“(6) (a) When making an estimate under subsection (4)(a)(iii), the planning authority shall have regard to the following:

- (i) the supply of and demand for houses for rent in the whole or part of the area of the development plan;
- (ii) the cost of rents applicable to houses generally, or to houses of a particular class or classes, in the whole or part of the area of the development plan;
- (iii) the income of persons generally, or of a particular class or classes of person, who require houses for rent in the area of the development plan;
- (iv) the relationship between the cost of rents referred to in subparagraph (ii) and incomes referred to in subparagraph (iii) for the purpose of establishing the affordability of housing for rent in the area of the development plan;
- (v) such other matters as the planning authority considers appropriate or as may be prescribed for the purposes of this subsection.

- (b) Regulations made for the purposes of this subsection shall not affect any housing strategy or the objectives of any development plan made before those regulations come into operation.

[SECTION 44]

- (7) Where on the date on which this subsection comes into operation a development plan includes a housing strategy—
- (a) the chief executive of the planning authority shall, for the purpose of the performance by a planning authority of its functions under this Part, make an estimate of the amount of housing referred to in subparagraphs (ii) and (iii) of subsection (4)(a) required in the area of the development plan during the period of the development plan,
 - (b) such estimate may state the different requirements for housing for different areas within the area of the development plan, and
 - (c) such estimate shall be deemed to be included in the housing strategy concerned.”.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

90. In page 44, between lines 6 and 7, to insert the following:

“Amendment of section 95 of Act of 2000

46. Section 95 of the Act of 2000 is amended by the substitution of the following subsection for subsection (2):

“(2) Nothing in subsection (1) or section 96 shall prevent any land being developed exclusively for housing referred to in section 94(4)(a)(i), (ii) or (iii).”.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

91. In page 44, between lines 6 and 7, to insert the following:

“Amendment of section 96 of Act of 2000

47. Section 96 of the Act of 2000 is amended—

(a) in subsection (1), by the substitution of “the provisions of this section shall apply to an application for permission for the development of houses on land” for “where a development plan objective requires that a specified percentage of any land zoned solely for residential use, or for a mixture of residential and other uses, be made available for housing referred to in section 94(4)(a), the provisions of this section shall apply to an application for permission for the development of houses on land to which such an objective applies”,

(b) in subsection (3)—

(i) by the substitution of the following paragraph for paragraph (a):

“(a) Subject to paragraphs (b) and (j), an agreement under this section shall provide for the transfer to the planning authority of the ownership of 20 per cent of the land that is subject to the application for permission for the provision of housing referred to in section 94(4)(a).”.

[SECTION 44]

- (ii) in paragraph (b)(iva), by the insertion of “, or persons nominated by the authority in accordance with this Part,” after “to the planning authority”,
- (iii) in paragraph (b), by the substitution of “subparagraph (iva)” for “paragraph (iva)”,
- (iv) by the insertion of the following paragraph after paragraph (b):
 - “(bb) Where property is transferred to a planning authority under paragraph (a) or (b) or there is a reduction in rent payable over the term of a lease referred to in paragraph (b)(iva) (excluding any reduction for maintenance, management and void periods specified in such lease), the planning authority shall use at least half of the aggregate of the net monetary value of that property and of any reduction in rent calculated in accordance with paragraph (b) for the provision of housing referred to in section 94(4)(a)(i).”
- (v) in paragraph (d), by the insertion of “or persons nominated by the authority” after “to the planning authority”, and
- (vi) by the insertion of the following subsection after subsection (i)—
 - “(j) Where—
 - (i) the permission is granted before 1 August 2021, or
 - (ii) the permission is granted during the period beginning on 1 August 2021 and ending on 31 July 2026 and the land to which the application for permission relates was purchased by the applicant, or the person on whose behalf the application is made, during the period beginning on 1 September 2015 and ending on 31 July 2021,the reference to “20 per cent of the land” in paragraph (a) shall be read as “10 per cent of the land” and the reference in paragraph (bb) to “at least half of the aggregate of the net monetary value” shall be read as “all of the aggregate of the net monetary value.”
- (c) in subsection (8), by the substitution of “parties are unable to reach an agreement” for “agreement is not entered into before the expiration of 8 weeks from the date of the grant of permission”,
- (d) in subsection (9)(a)—
 - (i) in subparagraph (i), by the substitution of “the provision on the land of, housing of the type” for “the provision of, houses on the land for persons”,
 - (ii) in subparagraph (ii), by the substitution of “persons eligible for social housing support within the meaning of the Housing (Miscellaneous Provisions) Act 2009 or eligible applicants within the meaning of *Part 2* of the *Affordable Housing Act 2021*” for “those persons”, and
 - (iii) in subparagraph (iii), by the substitution of “provision on the land of housing of the type” for “provision of houses on the land for persons”,

[SECTION 44]

(e) in subsection (10)—

(i) in paragraph (a), by the substitution of “persons eligible under regulations under *section 32(3)* of the *Affordable Housing Act 2021* to be tenants of cost rental dwellings, persons eligible for social housing support within the meaning of the Housing (Miscellaneous Provisions) Act 2009 or eligible applicants within the meaning of *Part 2* of the *Affordable Housing Act 2021*” for “persons to whom section 94(4)(a) applies”, and

(ii) by the substitution of the following paragraph for paragraph (b):

“(b) A nominee of a planning authority may be a person eligible for social housing support within the meaning of the Housing (Miscellaneous Provisions) Act 2009, an eligible applicant within the meaning of *Part 2* of the *Affordable Housing Act 2021* or a body approved for the purposes of section 6 of the Housing (Miscellaneous Provisions) Act 1992 for the provision of housing of the type referred to in section 94(4)(a).”

(f) in subsection (12), by the deletion of “including the making of payments under section 94 of the Housing (Miscellaneous Provisions) Act 2009 into the Affordable Dwellings Fund established under Part 5 of that Act”,

and

(g) in subsection (13)(a), by the insertion of “cost rental housing or” after “development consisting of the provision of”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

92. In page 44, between lines 6 and 7, to insert the following:

“Amendment of section 97 of Act of 2000

48. Section 97 of the Act of 2000 is amended—

(a) in subsection (3)(a), by the substitution of “4 or fewer” for “9 or fewer”, and

(b) in subsection (12)(a), by the insertion of “on the land on which it is proposed to carry out the first-mentioned development or land in its immediate vicinity” after “a development”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

TITLE

93. In page 5, lines 8 to 10, to delete all words from and including “to” where it thirdly occurs in line 8 down to and including “equity;” in line 10.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould.

94. In page 5, line 10, to delete “of shared equity” and substitute “that ensures that these houses remain affordable in perpetuity”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.

[TITLE]

95. In page 5, line 10, after “equity;” to insert “to ensure affordability is always defined in relation to the income of the tenant or mortgage holder and ensures that these tenants or mortgage holders never pay more than 25 per cent of their income on rent or mortgage repayments;”.

—Richard Boyd Barrett, Gino Kenny, Bríd Smith, Paul Murphy.