DÁIL ÉIREANN

AN BILLE UM LEASÚCHÁN AR THEAGHAISÍ A nDEARNADH DAMÁISTE DÓIBH MAR GHEALL AR ÚSÁID BLOC COINCRÉITE LOCHTACH (LEASÚ), 2025
REMEDIATION OF DWELLINGS DAMAGED BY THE USE OF DEFECTIVE CONCRETE BLOCKS (AMENDMENT) BILL 2025

LEASUITHE COISTE
COMMITTEE AMENDMENTS

[No. 75 of 2025] [9 December, 2025]

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REMEDIATION OF DWELLINGS DAMAGED BY THE USE OF DEFECTIVE CONCRETE BLOCKS (AMENDMENT) BILL 2025 —COMMITTEE

Leasuithe
Amendments

SECTION 1

1. In page 5, line 22, to delete "Blocks".

—Charles Ward.

2. In page 5, line 24, after "appoint" to insert the following:

", provided that sections relating to grants for alternative accommodation, storage, and immediate repairs shall come into operation on the day after the enactment of this Act".

—Charles Ward.

3. In page 5, between lines 26 and 27, to insert the following:

"(3) The Building Control Acts 1990 to 2020 and *Part 3** may be cited together as the Building Control Acts 1990 to 2025.".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

*[*This is a reference to a Part proposed to be inserted by amendment No. 62.]*

SECTION 2

4. In page 5, between lines 26 and 27, to insert the following:

"Establishment of inquiry into regulatory failures

2. The Government shall establish a public inquiry into the regulatory failures leading to the widespread use of defective concrete.".

—Charles Ward.

5. In page 5, between lines 26 and 27, to insert the following:

"Report on gap between cost of remediation and grant under scheme

2. Within 3 months of the passing of this Act the Minister shall lay before both Houses of the Oireachtas a report examining the gap between the actual cost of remediation for

eligible homeowners and the grant provided under the scheme. The report shall set out recommendations for reform of the defective concrete block scheme to ensure that it provides 100 per cent redress to all impacted homeowners.".

—Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

6. In page 5, between lines 26 and 27, to insert the following:

"Report on legislative changes necessary for end-to-end remediation scheme

2. Within three months of the passing of this Act the Minister shall lay before both Houses of the Oireachtas a report detailing the necessary changes to primary and secondary legislation to allow for the operation of an end-to-end remediation scheme for all those impacted by defective concrete blocks and related building materials.".

—Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

7. In page 5, between lines 26 and 27, to insert the following:

"Report on barriers to inclusion in scheme

2. Within three months of the passing of this Act the Minister shall lay before both Houses of the Oireachtas a report examining barriers to full inclusion of affected homeowners and others in the scheme including:

(a) the operation of the damage threshold;

(b) the issue of semi-detached properties;

(c) the issue of side-by-side remediation;

(d) the issue of retrospective payments.

The report shall set out recommendations for reform of the defective concrete block scheme to remove these barriers.".

—Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

8. In page 5, between lines 26 and 27, to insert the following:

"Report on supportive measures for rental property activation in areas impacted by defective concrete blocks

2. The Minister shall, within 3 months of the passing of this Act, prepare and lay before Dáil Éireann a report on supportive tax measures for rental property activation in areas impacted by defective concrete blocks.".

—Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

[SECTION 2]

9. In page 5, after line 29, to insert the following:

" "modular home" means a dwelling unit that—

(a) is manufactured, in whole or in substantial part, off-site in one or more volumetric or panelised modules,

(b) is designed and constructed so as to be capable of being transported to, installed upon and removed from a site without material alteration to the structural integrity of the unit,

(c) provides, when installed on a site, self-contained accommodation suitable for occupation as a family home, including sanitary, cooking and sleeping facilities, and

(d) complies with any building standards, technical requirements or performance criteria prescribed by the Minister for the purposes of this Act,

and, for the avoidance of doubt, a modular home does not include a caravan, mobile home, campervan or any other structure designed primarily for seasonal or temporary recreational use;".

—Charles Ward.

10. In page 5, after line 29, to insert the following:

" "side-by-side construction" means the construction of a replacement dwelling on the same curtilage or site as the affected dwelling, where—

(a) sufficient space exists on the site to permit such construction without requiring the demolition of the affected dwelling prior to completion of the replacement dwelling,

(b) the affected dwelling continues to be occupied by the applicant during the period of construction,

(c) the replacement dwelling is of substantially the same design, scale and external appearance as the dwelling being replaced, and

(d) the construction of the replacement dwelling may proceed, notwithstanding any requirement for planning permission, in accordance with an exemption prescribed under this Act;".

—Charles Ward.

11. In page 5, after line 29, to insert the following:

" "state-managed turnkey option" means an option under which the Minister, or a designated authority acting on his or her behalf, undertakes the full delivery of a completed replacement dwelling for an eligible applicant, including procurement, contracting, supervision and payment of all works, without the applicant being required to procure contractors, manage works or provide upfront funds;".

—Charles Ward.

[SECTION 2]

12. In page 5, after line 29, to insert the following:

" "relevant owner" includes partial builds where primary private residence was not possible due to defective concrete.".

—Charles Ward.

Section proposed to be deleted.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 3

13. In page 6, between lines 2 and 3, to insert the following:

"Interpretation (*Part 2*)

3. In this Part, "Principal Act" means the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022.".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 4

14. In page 6, between lines 5 and 6, to insert the following:

"Local authorities designated under section 5 of Principal Act

4. Each local authority is deemed to be a designated local authority for the purposes of the Principal Act, in respect of the whole of its administrative area.".

—Conor Sheehan.

15. In page 6, between lines 5 and 6, to insert the following:

"Amendment of section 3 of Principal Act

4. Section 3 of the Principal Act is amended by the insertion of the following subsections after subsection (3):

"(4) The Minister shall maintain a single publicly accessible online repository containing:

(a) all regulations made under this Act;

(b) all ministerial orders made under this Act;

(c) all circulars, letters, and guidance issued to designated local authorities or the Housing Agency for the purposes of this Act.

(5) Where any such regulatory or administrative document is amended or replaced, the Minister shall update the repository within 7 days.".".

—Charles Ward.

[SECTION 4]

16. In page 6, between lines 5 and 6, to insert the following:

"Amendment of section 5 of Principal Act

4. Section 5 of the Principal Act is amended by the substitution of the following subsection for subsection (5):

"(5) A designated local authority shall be responsible for the performance, in its designated local authority area, of the functions assigned to it by or under this Act, and shall, within 3 months of the end of each quarter, publish on its website a summary of:

(a) the number of applications received;

(b) the number of decisions issued under sections 17, 18, 22, 23A and 23B;

(c) average and median decision times;

(d) number of appeals lodged and their outcomes; and

(e) such other statistics as may be prescribed.".".

—Charles Ward.

17. In page 6, between lines 18 and 19, to insert the following:

"(d) by the substitution, in the definition of "relevant owner", of "means relevant owner under section 9(1);" for "means relevant owner under section 9(1) and includes owners of partial builds;".".

—Charles Ward.

SECTION 5

18. In page 6, between lines 18 and 19, to insert the following:

"Amendment of section 8 of Principal Act

5. Section 8 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(3) Nothing in this Act or any regulations established under it will affect the eligibility of a dwelling that has already been determined to be impacted under I.S. 465:2018, except in cases where fraud or clear error is proven or a non-scientific diagnosis has been given.".".

—Charles Ward.

19. In page 6, between lines 18 and 19, to insert the following:

"Amendment of Principal Act

5. The Principal Act is amended by the insertion of the following section after section 8—

"8A. (1) In this Act, 'partially-constructed building' means a structure on land

which—

(a) has been commenced on foot of a valid planning permission or other lawful development authorisation under the Act of 2000, or other applicable planning or building control law,

(b) includes permanent works such as foundations, sub-structures, load-bearing walls, or other structural elements, and

(c) concrete blocks or concrete products used in those works are shown to be defective concrete blocks as defined in section 2, and have caused or are likely to cause structural damage or risk of structural damage.

(2) For the purposes of this Act, a 'partially-constructed building' is deemed to be a 'relevant dwelling', notwithstanding that the building is not completed nor certified for occupation, provided that—

(a) the structure is located in a designated local authority area,

(b) the concrete used in the construction is demonstrated to include defective concrete blocks, and

(c) the owner or intended occupier would otherwise qualify as a 'relevant owner' under section 9 were the building a completed dwelling.

(3) For the avoidance of doubt—

(a) subsection (2) does not require the building to have been occupied,

(b) the incomplete or suspended nature of the works, or absence of a certificate of completion or habitation, shall not disqualify the building from eligibility, and

(c) any grant, remediation option, ancillary grant, or other assistance under this Act that would apply to a 'relevant dwelling' shall apply equally to a building deemed eligible under this section, subject to any necessary modification to reflect its incomplete status (e.g. adjusted remediation plan, valuation, or grant level).

(4) The Minister may by regulations prescribe—

(a) evidentiary requirements for applications under this section, including but not limited to: planning permission, building-control records, receipts or invoices for concrete materials and construction works, structural engineer reports, core-sampling or other test results demonstrating use of defective concrete blocks,

(b) minimum or threshold stages of construction at which a structure qualifies as 'partially-constructed', and

(c) any modifications to the procedure for assessment, building condition assessment, remediation planning, grant valuation,

payment schedule or other administrative safeguards as are appropriate given the incomplete nature of the building.

(5) Where a partially-constructed building is approved as a 'relevant dwelling' under this section, the provisions of this Act relating to application for grants (Part 2), condition assessments (section 12), remediation plans (section 17), grant payments (section 18), ancillary grants (section 22), and all other relevant procedures shall apply - subject to any regulations made under subsection (4).

(6) Nothing in this section shall be taken to confer eligibility on a building which is an 'unauthorised structure' as defined in the Act of 2000, or otherwise to confer entitlement where to do so would breach planning, building control or other statutory requirements.".".

—Charles Ward.

SECTION 7

20. In page 7, between lines 3 and 4, to insert the following:

"Damage threshold for attached dwellings

7. The Principal Act is amended by the insertion of the following section after section 15:

"15A.(1) Where a determination is made under section 15(1)(b) that a relevant dwelling does not meet the damage threshold, the relevant owner may make a notification under subsection (2) where—

(a) the relevant dwelling is—

(i) terraced or semi-detached, and

(ii) connected to another relevant dwelling,

(in this section the first-mentioned relevant dwelling is referred to as an 'attached dwelling'), and

(b) the Housing Agency has approved a remediation option and remediation option grant under section 16(4)(a) in relation to the relevant dwelling referred to in paragraph (a)(ii).

(2) The relevant owner referred to in subsection (1) may notify the designated local authority that he or she is seeking a determination under section 15(1)(a) that the attached dwelling meets the damage threshold.

(3) A notification under subsection (2) shall—

(a) be made in such form and manner as may be prescribed, and

(b) be accompanied by—

(i) such evidence as may be prescribed of the matters referred to in paragraphs (a) and (b) of subsection (1), and

(ii) such other documents or information as may be prescribed for the purposes of the notification.

(4) The designated local authority shall, having regard to any matters prescribed under subsection (8), consider the notification under subsection (2) and decide—

(a) where it is satisfied that the notification is made in accordance with subsection (3), that the Housing Agency shall be deemed to have made a determination under section 15(1)(a) that the attached dwelling meets the damage threshold, or

(b) where it is not satisfied that the notification is made in accordance with subsection (3), that the determination of the Housing Agency under section 15(1)(b) in relation to the attached dwelling remains valid.

(5) The designated local authority shall, as soon as practicable, notify the relevant owner of the attached dwelling and the Housing Agency of its decision under subsection (4).

(6) Where a decision is made under subsection (4)(b), a notification under subsection (5) shall state that the relevant owner of the attached dwelling may appeal the decision in accordance with Part 5 within 90 days of the date of the notification.

(7) Where a decision is made under subsection (4)(a), the Housing Agency shall, notwithstanding the criteria prescribed under section 16(10)(c), in so far as is possible, prioritise the assessment and consideration of the application under section 16.

(8) The Minister may prescribe the matters to which a designated local authority is to have regard in considering the notification under subsection (2).

(9) In this section, 'damage threshold' has the meaning given to it by section 15.".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 8

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

"8. The Principal Act is amended by the insertion of the following section after section 17:

"17A. (1) A relevant owner may apply to the designated local authority for an increase to the remediation option grant where the relevant owner—

(a) received, before the coming into operation of the section 11 Order on 23 October 2024, a notification under section 16(9) which relates to a decision under section 16(4)(a), and

(b) has evidence of qualifying expenditure.

(2) A relevant owner who has received a final part payment or full payment of a remediation option grant under section 18 may still make an application under subsection (1) where the total qualifying expenditure exceeds the amount previously paid.

(3) An application under subsection (1) shall be accompanied by—

(a) evidence of qualifying expenditure, and

(b) details of any payment received in respect of damage to the dwelling caused by the use of defective concrete blocks; provided that such payments shall not reduce the amount of the remediation option grant payable.

(4) For the purposes of considering an application under subsection (1), the designated local authority may request further information or documents within a specified period, and failure to provide such information shall not automatically result in the withdrawal of the application if reasonable efforts to comply are demonstrated.

(5) The designated local authority shall consider an application under subsection (1) and decide—

(a) where satisfied that the application is made in accordance with subsections (1) and (3), to approve an increase to the remediation option grant (in this Act referred to as the 'increased grant'), which may be paid under section 18A for the purpose of qualifying expenditure, or

(b) where not satisfied, to refuse the application, providing written reasons.

(6) The increased grant shall be calculated using the same measurements of the relevant dwelling that were used by the Housing Agency in calculating the original remediation option grant.

(7) No reduction shall be made to the increased grant by reason of any other payment received by the relevant owner or any other person with a legal or beneficial interest in the dwelling.

(8) The designated local authority shall notify the applicant of its decision as soon as practicable, including the reasons and the right to appeal in accordance with Part 5 within 90 days.

(9) A relevant owner shall make an application for payment of a remediation option grant in respect of all expenditure incurred, including qualifying expenditure, under section 18 before applying for an increased grant under section 18A.

(10) The Minister may prescribe—

(a) the form and manner of application,

(b) the form and manner of information requests under subsection (4),

(c) the matters to be considered by the designated local authority in approving the increased grant, and

(d) the form and manner of notification under subsection (8).

(11) In this section—

'section 11 Order' means the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 (Section 11) Order 2024 (S.I. 577 of 2024);

'qualifying expenditure' means expenditure, in carrying out works to satisfy the approved remediation option, incurred by the relevant owner after the date of the notification referred to in subsection (1)(a).".".

—Charles Ward.

[Acceptance of this amendment involves the deletion of section 8 of the Bill.]

22. In page 7, line 37, after "withdrawn" to insert the following:

"if the applicant fails to comply within 30 days of a written request, and only after a further reminder has been issued and a period of 14 additional days has elapsed".

—Charles Ward.

23. In page 8, to delete lines 29 to 31 and substitute the following:

"dwelling caused by the use of defective concrete in its construction, designated local authority shall reduce the increased grant only by the amount of any material payment received in respect of damage caused by defective concrete, and shall disregard minor or incidental insurance/other payments that do not materially offset the cost of remediation.".

—Charles Ward.

24. In page 9, line 3, to delete "he or she makes" and substitute "they make".

—Charles Ward.

25. In page 9, lines 22 and 23, to delete "after the date of the notification referred to in subsection (1)(a), but not earlier than 29 March 2024".

—Charles Ward, Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

26. In page 9, lines 22 and 23, to delete ", but not earlier than 29 March 2024".

—Conor Sheehan.

27. In page 9, between lines 23 and 24, to insert the following:

"(14) Where a designated local authority refuses to recognise an individual as a relevant owner under subsection (4A), the individual shall be

entitled to appeal such refusal under Part 5.".

—Charles Ward.

28. In page 9, between lines 23 and 24, to insert the following:

"17B. (1) Where the land associated with a relevant dwelling reasonably permits, a relevant owner may elect to construct a replacement dwelling adjacent to the existing dwelling ('side-by-side construction'), and such construction shall be deemed to be a remediation option for the purposes of this Act.

(2) The Housing Agency and designated local authority shall accept side-by-side construction as compliant with any approved remediation option and shall not refuse such an option solely on the basis that the existing dwelling remains *in situ* during construction.

(3) For the avoidance of doubt, all structural elements of a dwelling containing defective concrete blocks shall be deemed to form part of the dwelling for the purposes of remediation. This includes, but is not limited to—

(a) foundations and sub-structure,

(b) floor slabs,

(c) load-bearing internal or external walls,

(d) retaining walls connected to or supporting the dwelling, and

(e) any other concrete element affected by iron-sulphide related deterioration.

(4) Where this section applies, qualifying expenditure shall include all costs reasonably associated with the construction of a new dwelling on the same plot, including demolition of the defective dwelling after completion, site works, reconnection of utilities, and reinstatement.

(5) A replacement dwelling shall not be deemed complete for the purposes of this Act, and no final certificate, completion approval or closing payment shall issue, until the applicant has complied with the requirement to demolish the affected dwelling.

17C. (1) Any works undertaken solely for the purpose of enabling remediation—

(a) involving the temporary or permanent separation of a semi-detached or terraced dwelling, or

(b) involving the minor relocation of a dwelling on its existing curtilage, shall be exempt from any requirement to obtain planning permission.

(2) A certificate from a competent engineer stating that the works are required solely for remediation purposes shall be sufficient evidence

for the exemption.

(3) No local authority shall refuse or delay a remediation application on the basis of planning requirements associated with separation or relocation works.”.”.

—Charles Ward.

SECTION 10

29. In page 9, between lines 29 and 30, to insert the following:

“10. The Principal Act is amended by the insertion of the following section after section 18:

“18A. (1) A relevant owner may apply to the designated local authority for payment of an increased grant for qualifying expenditure, in whole or in part, regardless of any previous payments made under section 18.

(2) An application shall be accompanied by:

(a) evidence of qualifying expenditure incurred by the relevant owner, without restriction by any fixed date, and

(b) a simplified works statement prepared by a competent professional describing the works completed.

(3) The designated local authority shall approve payment of the increased grant without reduction for any amounts previously received under section 18 or from any other source (insurance, SEAI, third-party).

(4) Interim, post-works, or final certificates may be submitted at the discretion of the homeowner. The authority may request supporting evidence or clarification, but failure to provide information within a specified period shall not automatically lead to refusal if reasonable efforts are demonstrated.

(5) The total amount payable to a relevant owner shall not be less than the total qualifying expenditure incurred.

(6) Designated authority inspections shall be conducted reasonably and with notice, and refusal of entry shall only justify non-payment if access is unreasonably denied.

(7) If payment is refused, the designated local authority shall provide:

(a) written reasons, and

(b) the right to appeal in accordance with Part 5 within 90 days.

(8) The Minister may prescribe:

(a) simplified forms and procedures for applications,

(b) the content of supporting documentation,

(c) matters to be considered in approving the increased grant, and

(d) reasonable timelines for information requests.

(9) In this section, 'qualifying expenditure' means all expenditure reasonably incurred in carrying out works to satisfy the approved remediation option, without reference to any pre-determined date or prior payment.".".

—Charles Ward.

[Acceptance of this amendment involves the deletion of section 10 of the Bill.]

30. In page 10, lines 5 and 6, to delete "on or after 29 March 2024".

—Conor Sheehan.

31. In page 10, lines 5 to 7, to delete "on or after 29 March 2024 in carrying out the works described in the interim valuation certificate".

—Charles Ward.

32. In page 10, lines 14 and 15, to delete "on or after 29 March 2024".

—Conor Sheehan, Charles Ward, Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

33. In page 10, to delete lines 19 and 20 and substitute the following:

"section 17A(6)(a), the relevant owner may make applications for payment of an increased grant under subsection (1), as justified by circumstances.".

—Charles Ward.

34. In page 10, lines 25 and 26, to delete "on or after 29 March 2024".

—Conor Sheehan.

35. In page 12, line 21, after "refusal" where it secondly occurs to insert the following:

"and the reasons for the refusal and such notification shall include clear and specific reasons for the decision, referencing the statutory provisions, evidence relied upon, and criteria applied".

—Charles Ward.

36. In page 12, between lines 36 and 37, to insert the following:

"18B. (1) A relevant owner may apply for an advance payment of up to 30 per cent of the approved remediation option grant, or such greater percentage as may be prescribed by the Minister.

(2) The designated local authority shall make such advance payment within 30 days of application, and such payment shall not be subject to any clawback, charge or reduction, except as expressly provided for in this Act.

(3) Advance payments shall be considered qualifying expenditure and shall be deducted from the remaining instalments of the remediation option grant.

(4) A failure by the relevant owner to commence works within a reasonable time, owing solely to insufficient funds, shall not prejudice any application under this section.

18C. (1) A relevant owner may elect to avail of a state-managed remediation option ('turnkey delivery'), wherein—

(a) the Housing Agency or a body appointed by the Minister shall procure, manage and complete all remediation works on behalf of the owner, and

(b) the remediation option grant shall be applied directly by the State for this purpose.

(2) A relevant owner availing of the turnkey delivery option shall retain the right to occupy temporary accommodation during works and shall not be financially liable for any costs exceeding the approved remediation option grant.

(3) The turnkey delivery option shall be voluntary and shall not affect eligibility for any payment under sections 18, 18A or 22.

(4) The Minister may prescribe minimum standards, timelines and homeowner protections for the operation of the turnkey delivery option.".".

—Charles Ward.

SECTION 11

37. In page 14, between lines 2 and 3, to insert the following:

" "(14) All time periods specified in this Act relating to the commencement or completion of works, the submission of payment applications, or any procedural obligation of a relevant owner, shall be automatically suspended from the date an application is made under section 23A(1) until the date that a notification is issued under section 23A(7) or section 23B(9), as appropriate.".".

—Charles Ward.

SECTION 13

38. In page 14, to delete line 15.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

39. In page 14, between lines 15 and 16, to insert the following:

"(b) by the substitution, in subsection (2), of "Subject to subsection (2A), an ancillary grant" for "An ancillary grant",

(c) by the insertion of the following subsection after subsection (2):

"(2A) Where an adjacent remediation option has been approved under section 22A(6)(a), an ancillary grant shall only be approved in respect of costs incurred by the relevant owner for the purposes referred to in

section 10(2)(c).",

and".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 14

40. In page 14, between lines 19 and 20, to insert the following:

"**Application for an adjacent remediation option**

14. The Principal Act is amended by the insertion of the following section after section 22:

"22A.(1) Where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the relevant owner may apply to the designated local authority for approval to construct a new dwelling in the curtilage of the relevant dwelling (in this section referred to as an 'adjacent remediation option') to replace the approved remediation option.

(2) A relevant owner may only make an application under subsection (1) where—

(a) the relevant dwelling was adapted for the accommodation of a person who has a disability, and

(b) the works necessary to carry out the approved remediation option have not commenced.

(3) An application under subsection (1) shall—

(a) be made in such form and manner as may be prescribed, and

(b) be accompanied by—

(i) such evidence as may be prescribed of the matters referred to in paragraphs (a) and (b) of subsection (2), and

(ii) such other documents or information as may be prescribed for the purposes of the application.

(4) The designated local authority may require the relevant owner—

(a) to provide, in writing, within 90 days of the date of the requirement, such further information or documents relating to the application as the designated local authority may consider necessary, and

(b) to facilitate, within 90 days of the date of the requirement, an inspection of the dwelling by an authorised officer of the designated local authority.

(5) Where an applicant does not comply with a requirement under subsection (4), the application under subsection (1) shall be considered to have been withdrawn.

(6) The designated local authority shall consider the application under subsection (1) and shall—

(a) approve an adjacent remediation option where it is satisfied that—

(i) the relevant dwelling was adapted for the accommodation of a person who has a disability, and

(ii) the eligibility requirements, prescribed under subsection (11)(a), have been met,

or

(b) where it is not satisfied that the requirements pursuant to paragraph (a) have been met, refuse to approve the adjacent remediation option.

(7) Where an adjacent remediation option is approved under subsection (6)(a), the remediation option grant calculated in accordance with section 10 and approved under section 16(4)(a)(ii) may be paid to the relevant owner under section 18 for the purpose of completing the adjacent remediation option.

(8) The designated local authority shall, as soon as practicable, notify the relevant owner of the decision under subsection (6), and the reasons for the decision, and the notification shall—

(a) where it relates to a decision under subsection (6)(a), state that the relevant owner shall—

(i) obtain permission prior to commencing works to satisfy the adjacent remediation option,

(ii) comply with section 17, subject to the modifications referred to in subsection (10), and

(iii) provide a certificate of demolition in respect of the relevant dwelling to the designated local authority within 12 months of the date of the final payment of the remediation option grant under section 18,

and

(b) state that the relevant owner may appeal the decision in accordance with Part 5 within 90 days of the date of the notification.

(9) Subject to the modifications referred to in subsection (10) and any other necessary modifications, an adjacent remediation option shall for the purposes of this Act, be deemed to be an approved remediation option under section 16(4)(a)(i) and this Act shall apply accordingly.

(10) The modifications are:

(a) in section 17:

(i) the reference in subsection (1) to 'a notification under section 16(9) which relates to a decision under section 16(4)(a)' shall be construed as a reference to 'a notification under section 22A(8) which relates to a decision under section 22A(6)(a)';

(ii) subsection (5) shall be construed as if the following subsection were substituted for that subsection:

'(5) Where an adjacent remediation option is approved under section 22A(6)(a) and the remedial works plan provided under subsection (1) indicates that the internal floor area of the new dwelling which the relevant owner proposes to construct is a reduction of the internal floor area of the relevant dwelling, the designated local authority shall reduce the amount of the remediation option grant approved by the Housing Agency under section 16(4) proportionately.';

(iii) subsection (8) shall be construed as if the following paragraphs were substituted for paragraphs (b) and (c):

'(b) satisfy the designated local authority that he or she has obtained permission for the adjacent remediation option and the demolition of the relevant dwelling and any additional works, if required,

(c) complete the adjacent remediation option, and';

(b) in section 18:

(i) the reference in subsection (5)(b) to 'where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling' shall be construed as a reference to 'where an adjacent remediation option has been approved under section 22A(6)(a)';

(ii) the reference in subsection (6)(b) to 'where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling' shall be construed as a reference to 'where an adjacent remediation option has been approved under section 22A(6)(a)';

(c) in section 19(1)(a):

(i) the reference in subparagraph (i) to 'the notification under section 16(9)' shall be construed as a reference to 'the notification under section 22A(8)';

(ii) the reference in subparagraph (ii) to 'a decision under section 16(4)' shall be construed as a reference to 'a decision under section 22A(6)';

(d) in section 20:

(i) the reference in subsection (1)(b) to ‘any additional works are completed’ shall be construed as a reference to ‘any additional works, other than the demolition of the relevant dwelling, are completed’;

(ii) the reference in subsection (2)(a)(ii) to ‘where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling’ shall be construed as a reference to ‘where the approved remediation option is the construction of a new dwelling, approved under section 22A(6)(a)’;

(e) section 21(2) shall be construed as if the following paragraph were substituted for paragraph (a):

‘(a) the approved remediation option, or any additional works completed by the relevant owner, did not result in the construction of a new dwelling, and’.

(11) The Minister may prescribe—

(a) the eligibility requirements for an adjacent remediation option, including—

(i) the class of person who qualifies under subsection (2)(a),

(ii) the residence of that person in the relevant dwelling and in the new dwelling to be constructed, and

(iii) the nature of the adaptations to the relevant dwelling,

(b) the form and manner in which a requirement may be made under subsection (4),

(c) the standards by reference to which inspections by authorised officers for the purposes of this section are to be carried out,

(d) matters to which a designated local authority is to have regard in making a decision under subsection (6),

(e) the form and manner in which a notification may be given under subsection (8),

(f) the content of a demolition certificate,

(g) the inspection of the demolition of the relevant dwelling by a competent building professional, and

(h) the form and manner in which a demolition certificate shall be provided to the designated local authority.

(12) In this section—

'curtilage' means the area immediately surrounding or adjacent to the relevant dwelling and used in conjunction with the dwelling;

'disability' has the same meaning as it has in the Disability Act 2005;

'permission' has the meaning given to it by section 28.".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

41. In page 14, between lines 19 and 20, to insert the following:

"**Amendment of Principal Act**

14. The Principal Act is amended by the insertion of the following section after section 22:

"Provision of modular or temporary accommodation

22A. (1) The Minister shall establish and maintain a scheme for the provision of modular, prefabricated or other forms of temporary accommodation for relevant owners who must vacate a dwelling for the purpose of remediation.

(2) A relevant owner may elect—

(a) to receive a grant towards temporary accommodation costs, or

(b) to request that the Minister provide modular accommodation directly.

(3) The cost of modular accommodation provided under this section shall not be deducted from any remediation option grant, increased grant, or ancillary grant.

(4) The Minister may lease, purchase, or otherwise procure modular units for the purposes of this section.

(5) Local authorities shall facilitate placement of temporary units on the owner's site or other suitable land without the need for planning permission.".".

—Charles Ward.

SECTION 15

42. In page 14, to delete lines 34 and 35, to delete page 15, and in page 16, to delete lines 1 to 24 and substitute the following:

"23A. (1) Where an approved remediation option is not the demolition of the relevant dwelling and the reconstruction of the dwelling, the relevant owner may apply to the designated local authority for:

(a) a review of the approved remediation option, and

(b) approval of a new remediation option (an 'updated remediation option') and a new remediation option grant ('updated remediation option grant'), to replace the approved remediation option and remediation option grant.

(2) A relevant owner shall not be required to wait for the revision of I.S. 465:2018 or any subsequent technical review in order to make an application under subsection (1).

(3) A relevant owner may make an application under subsection (1) where:

(a) the works necessary to carry out the approved remediation option have not commenced, or

(b) no works have been carried out to satisfy the approved remediation option since 6 November 2024, and

(c) a certificate of remediation has not been completed under section 20.

(4) An application under subsection (1) shall:

(a) be made in such form and manner as may be prescribed,

(b) be accompanied by such evidence as may be prescribed of the matters referred to in subsection (3),

(c) include details of any payment received by the applicant or any other person with a legal or beneficial interest in the dwelling, but such payments shall not reduce the homeowner's grant entitlement under this section, and

(d) include such other documents or information as may be prescribed.

(5) The designated local authority may require the relevant owner to provide additional information or allow inspections only where strictly necessary and within a reasonable timeframe, and shall not use pending reviews or delays as grounds to refuse or postpone grant approval.

(6) Where an appeal is pending regarding a Housing Agency decision, the original decision of the qualified engineer who approved the remediation option shall be reinstated and binding unless the homeowner requests reconsideration.

(7) The designated local authority shall notify the applicant of any referral or refusal without undue delay, and a notification shall:

(a) for a referral, state that the applicant may proceed with works to satisfy the approved remediation option without waiting for any technical review, and

(b) for a refusal, include the reasons and confirm that the applicant may appeal under Part 5 within 90 days of the notification.

(8) This section overrides any provision in the Principal Act or any regulations that would require mandatory waiting for technical or standards reviews that delay remediation, grant approval, or the

exercise of homeowner rights.".

—Charles Ward.

43. In page 15, line 23, after "*2025*" to insert "or within a longer period as the designated local authority may allow".

—Charles Ward.

44. In page 16, between lines 24 and 25, to insert the following:

"(9) For the avoidance of doubt, where an assessment under this section is carried out, the updated remediation option shall not be a remediation option lower than the remediation option originally approved under section 16(4).".

—Charles Ward.

45. In page 16, to delete lines 27 to 41, to delete pages 17 and 18, and in page 19, to delete lines 1 to 29 and substitute the following:

"23B. (1) Following receipt of an application pursuant to section 23A(1), the Housing Agency shall arrange for an authorised officer, who is a competent engineer, to assess the relevant dwelling and submit a report to the Housing Agency. The assessment shall rely on existing scientific evidence of pyrrhotite and pyrite damage, and shall not be delayed pending any revision of I.S. 465:2018.

(2) For the purposes of preparing a report under subsection (1), the authorised officer may:

(a) exercise powers strictly necessary to carry out the assessment,

(b) review information or documents provided by the homeowner or designated local authority.

(3) The authorised officer shall submit a report to the Housing Agency stating whether, in their opinion, the approved remediation option should be replaced.

(4) The Housing Agency shall consider the application under section 23A(1) and the authorised officer's report and shall:

(a) if satisfied that an updated remediation option is required, approve:

(i) an updated remediation option to remedy damage caused by defective concrete blocks, and

(ii) an updated remediation option grant, to be paid to the relevant owner under section 18 for the purpose of completing the updated remediation option,

or

(b) if not satisfied that an updated remediation option is required, refuse to approve the updated remediation option and grant.

(5) The Housing Agency shall not require additional information or documents in a way that unreasonably delays the application. The application shall not be deemed withdrawn for minor procedural non-compliance or delays.

(6) The amount of the updated remediation option grant shall not be reduced by any insurance payment or other compensation received.

(7) Where an appeal is pending regarding a Housing Agency decision, the original engineer-approved remediation option shall be reinstated and binding unless the homeowner requests reconsideration.

(8) The Housing Agency shall notify the designated local authority of its decision and the reasons without undue delay, and the designated local authority shall promptly notify the relevant owner. The notification shall include:

(a) for an approval, confirmation that the homeowner may proceed with works immediately, and

(b) for a refusal, the reasons and the right to appeal under Part 5 within 90 days.

(9) Any regulation or procedure under this section or section 23A shall not:

(a) require mandatory waiting for technical reviews or standards revisions,

(b) reduce the homeowner's grant entitlement due to other payments or insurance claims, or

(c) allow the Housing Agency to impose requirements beyond what is explicitly provided in this Act.

(10) In this section, 'specified date' and other references shall be interpreted consistently with the protections in section 23A, and the updated remediation option and grant shall, from the specified date, be deemed an approved remediation option and grant for all purposes of this Act.".".

—Charles Ward.

46. In page 17, line 25, after "withdrawn" to insert the following:

"only if the applicant fails to comply within 30 days of a written request, and only after a further reminder has been issued and a period of 14 additional days has elapsed".

—Charles Ward.

47. In page 17, lines 30 and 31, to delete ", as soon as practicable after the decision is made" and substitute the following:

"no later than 14 days after the decision is made".

[SECTION 15]

—Charles Ward.

48. In page 17, to delete lines 36 to 38 and substitute the following:

"dwelling caused by the use of defective concrete in its construction, designated local authority shall reduce the increased grant only by the amount of any material payment received in respect of damage caused by defective concrete, and shall disregard minor or incidental insurance/other payments that do not materially offset the cost of remediation.".

—Charles Ward.

49. In page 19, between lines 29 and 30, to insert the following:

"(16) The Housing Agency shall publish, and update as necessary, a statement of the methodology, testing procedures and criteria used by its authorised officers in assessments carried out under this section, having regard to the revised I.S 465:2018.".".

—Charles Ward.

50. In page 19, between lines 29 and 30, to insert the following:

"Annual Report on Technical Reviews and Operation of Revised I.S. 465:2018

23C. (1) The Minister shall, not later than 30 June each year, prepare and lay before each House of the Oireachtas a report on the operation of sections 23A and 23B in the preceding calendar year.

(2) The report shall include, in respect of each designated local authority area:

(a) the number of applications received under section 23A;

(b) the number deemed valid and invalid;

(c) the number referred to the Housing Agency;

(d) the average and median time for assessment and decision-making at each stage;

(e) the number of dwellings for which the remediation option was revised upward; and

(f) the number of appeals and outcomes.".".

—Charles Ward.

SECTION 18

51. In page 20, to delete lines 32 and 33 and substitute the following:

"(b) in subsection (2)—

(i) by the substitution, in paragraph (a), of "section 18 or 18A, as the case may be" for "section 18", and

(ii) by the insertion of the following paragraph after paragraph (c):

"(ca) the relevant owner fails to demolish the relevant dwelling and to provide a certificate of demolition pursuant to section 22A(8)(a)(iii);".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 19

52. In page 20, between lines 33 and 34, to insert the following:

"**Amendment of section 28 of Principal Act**

19. Section 28 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "Subject to subsections (2), (3) and (3A)" for "Subject to subsections (2) and (3)", and

(b) by the insertion of the following subsection after subsection (3):

"(3A) Subsection (1) shall not apply to development consisting of the completion of an adjacent remediation option that has been approved under section 22A(6)(a).".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 21

Section opposed.

—Charles Ward.

SECTION 22

Section opposed.

—Charles Ward.

SECTION 23

Section opposed.

—Charles Ward.

SECTION 25

53. In page 23, to delete lines 32 to 34 and substitute the following:

"(a) by the substitution of "15A(4)(b), 16(4) and 17A(6), subsections (7), (8) and (9) of section 18, subsections (12), (13), (14) and (15) of section 18A and section 22A(6), 23A(5)(b) and 23B(4)" for "16(4), and subsections (7), (8) and (9) of section 18", and".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

54. In page 23, after line 36, to insert the following:

"(2) Section 39 of the Principal Act is amended by the substitution of the following subsection for subsection (10):

"(10) Following consideration of the appeal, the Appeal Board shall—

(a) affirm the decision the subject of the appeal, or

(b) where the Appeal Board considers that an error of law or fact which detrimentally affected the party who made the appeal was made by the designated local authority or the Housing Agency, annul the decision and replace it with such other decision as it considers it appropriate to make in accordance with this Act.”.”.

—Conor Sheehan.

55. In page 23, after line 36, to insert the following:

“(c) by the insertion of the following subsection after subsection (13):

“(14) The Appeals Board shall publish, in anonymised form, every decision made under this Part within 90 days of the decision. Such publication shall include the facts, issues, reasoning, statutory interpretation and final outcome.”.”.

—Charles Ward.

SECTION 26

56. In page 23, after line 36, to insert the following:

“Amendment of section 41 of Principal Act

26. Section 41 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

“(3) The Minister shall, annually, publish a report summarising data received from local authorities and the Housing Agency relating to:

(a) deleterious materials detected in dwellings (including, pyrrhotite, pyrite, total sulfur, mica);

(b) regional patterns in material failure;

(c) emerging risks requiring attention;

(d) international comparisons.”.”.

—Charles Ward.

SECTION 27

57. In page 24, to delete lines 7 to 21 and substitute the following:

“ “(3A) The SEAI may share information with a designated local authority solely for the purposes of administrative verification of applications under this Act and not for the purpose of reducing or offsetting any grant payable under this Act, where it is necessary and proportionate to establish the funding which has been provided or is to be provided by the SEAI to a person who has made an application under section 13, 17A, or 23A, as the case may be.

(3B) The information referred to in subsection (3A) may include only—

(a) a relevant owner's name and address;

(b) the address and Eircode of a relevant dwelling;

(c) the meter point reference number assigned to an electricity account in the relevant dwelling;

(d) confirmation that an application for funding has been made by a relevant owner to the SEAI;

(e) the purpose of funding provided or to be provided by a relevant owner; but shall not include any detail which may be used to reduce, offset, or otherwise limit any grant under this Act.",".

—Charles Ward.

58. In page 24, line 11, after "be." to insert the following:

"SEAI funding cannot be used to reduce, replace, offset, or otherwise diminish a person's entitlement under the Defective Concrete Block Grant Scheme.".

—Charles Ward.

SECTION 28

59. In page 24, after line 31, to insert the following:

"Amendment of section 51 of Principal Act

28. Section 51 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(3) Without prejudice to subsection (1), on the passing of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025* the Minister shall commence, and shall within 6 months complete, a review of the need to designate additional local authorities or additional designated local authority areas under section 5 of the Principal Act and, not later than 3 months after the completion of the review, shall make a report to each House of the Oireachtas of his or her findings and conclusions resulting from that review.".".

—Conor Sheehan.

60. In page 24, after line 31, to insert the following:

"**Amendment of section 51 of Principal Act**

28. Section 51 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

"(3) The Minister shall, not later than 12 months after the commencement of this section, prepare and lay before each House of the Oireachtas a report examining:

[SECTION 28]

(a) international models of defective building compensation;

(b) the effectiveness and fairness of the charging order system;

(c) administrative options for reducing long-term homeowner liability without additional Exchequer cost;

(d) the impact of the current scheme design on mortgageability and housing mobility.”.”.

—Charles Ward.

SECTION 28

61. In page 25, after line 6, to insert the following:

“(c) by the insertion of the following subsection after subsection (1):

“(1A) Notwithstanding any provision of this Act, information shared by the SEAI under this section shall not be used to reduce, offset, or otherwise limit any grant payable to a relevant owner under this Act.”.”.

—Charles Ward.

NEW SECTION

62. In page 25, after line 6, to insert the following:

“PART 3

AMENDMENT OF BUILDING CONTROL ACT 1990

Interpretation (*Part 3*)

29. In this Part, “Act of 1990” means the Building Control Act 1990.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

63. In page 25, after line 6, to insert the following:

“Amendment of section 3 of Act of 1990

30. Section 3 of the Act of 1990 is amended, in subsection (2), by the insertion of the following paragraph after paragraph (d):

“(da) making provision for certain specified information to be provided in relation to products, materials or systems used or installed in, or in connection with, buildings or works;”.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[NEW SECTION]

64. In page 25, after line 6, to insert the following:

"Amendment of section 6 of Act of 1990

31. Section 6 of the Act of 1990 is amended—

(a) in subsection (2)—

(i) in paragraph (a)—

(I) in subparagraph (ii), by the substitution of "fire safety design certificate" for "fire safety certificate",

(II) in subparagraph (iv), by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs,

(III) in subparagraph (v), by the substitution of "fire safety design certificate" for "fire safety certificate" in both places it occurs,

(IV) in subparagraph (vi)—

(A) by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs, and

(B) by the substitution of "revised fire safety design certificate" for "revised fire safety certificate",

(V) in subparagraph (ix), by the substitution of "access to, and use of, a building for persons with disabilities (an 'access and use design certificate')" for "access to a building for persons with disabilities (a 'disability access certificate')",

(VI) in subparagraph (x)—

(A) by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs,

(B) by the substitution of "revised fire safety design certificate" for "revised fire safety certificate",

(C) by the substitution of "an access and use design certificate" for "a disability access certificate" in both places where it occurs,

(D) by the substitution of "revised access and use design certificate" for "revised disability access certificate", and

(E) by the substitution of "building control authority," for "building control authority, and",

(VII) in subparagraph (xi)—

(A) in clause (I), by the substitution of "fire safety design certificate, an access and use design certificate, a revised fire safety design certificate, a revised access and use design certificate, a regularisation certificate or a regularisation fire safety design certificate" for "fire safety certificate or disability access certificate

(or, as the case may require, a revised certificate of either kind) or a regularisation certificate", and

(B) in clause (II), by the substitution of "attachment of conditions to any of them, and" for "attachment of conditions to any of them;",

and

(VIII) by the insertion of the following subparagraphs after subparagraph (xi):

"(xii) where work has been commenced or completed in respect of the construction of a building or an extension of or material alteration to a building and such notice as may be specified in regulations made under paragraph (k) has not been given in accordance with those regulations, the submission to a building control authority of a notice in writing (in this section referred to as a 'regularisation notice') by a person who has commenced or completed such work,

(xiii) the submission to a building control authority, by a person who submits a regularisation notice, of a statutory declaration (in this Act referred to as a 'regularisation notice statutory declaration') made by that person stating that any works that have been commenced before the submission of the regularisation notice concerned comply with the building regulations,

(xiv) the submission to a building control authority of certificates on completion of works (in this Act referred to as 'certificates of compliance on completion') being certificates relating to compliance with the building regulations (subject to any relevant dispensation or relaxation already granted under section 4 or 5 or to any appeal under section 7 which has been allowed) after the completion of the construction of any buildings, classes of buildings, works or classes of works, to which such building regulations apply,

(xv) where work has been commenced or completed in respect of the construction of a building or an extension of or a material alteration to a building, and no application has been made for a fire safety design certificate that is required under building control regulations for such construction, extension of, or material alteration to, a building, the submission to a building control authority of an application for a certificate (in this Act referred to as a 'regularisation fire safety design certificate') which shall be accompanied by drawings of the relevant works and a statutory declaration from the applicant stating that such works would comply (subject to any relevant dispensation or relaxation already granted under section 4 or 5, any conditions attached to the certificate or to any appeal under section 7 which has been allowed) with such provisions of the building

regulations relating to fire safety as may be prescribed,

(xvi) that a new building, or an existing building in respect of which an extension or a material alteration has been made, shall not be opened, operated or occupied or permitted to be opened, operated or occupied—

(I) unless a regularisation fire safety design certificate required by regulations under this Act has been granted by the building control authority in relation to the building, or

(II) if such an appeal is made to it, pending the determination of an appeal under section 7 relating to a refusal to grant a regularisation fire safety design certificate or the attachment of conditions to such a certificate,

(xvii) the submission to a building control authority, in relation to work the subject of a regularisation notice, of regularisation certificates on completion of works (in this Act referred to as 'regularisation certificates of compliance on completion') being certificates relating to compliance with the building regulations (subject to any relevant dispensation or relaxation already granted under section 4 or 5 or to any appeal under section 7 which has been allowed) after the completion of the construction of any buildings, classes of buildings, works or classes of works, to which such building regulations apply, and

(xviii) that a new building, or an existing building in respect of which an extension or a material alteration has been made shall not be opened, operated or occupied or permitted to be opened, operated or occupied unless a certificate of compliance on completion, or a regularisation certificate of compliance on completion, required by regulations under this Act has been submitted to the building control authority in relation to the buildings, works or classes of works, to which such building regulations apply, and registered in accordance with paragraph (f).",

and

(ii) in paragraph (b)—

(I) in subparagraph (i)—

(A) in clause (II), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificates, access and use design certificates and revised access and use design certificates" for "fire safety certificates, revised fire safety certificates, regularisation certificates, disability access certificates and revised disability access certificates", and

(B) by the insertion of the following clause after clause (V):

"(VI) regularisation notices and regularisation notice statutory declarations,",

and

(II) in subparagraph (ii), by the substitution of "fire safety design certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use design certificates, building energy rating certificates, revised access and use design certificates" for "fire safety certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety certificates, regularisation certificates, disability access certificates, building energy rating certificates, revised disability access certificates",

(iii) in paragraph (d), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificates, access and use design certificates and revised access and use design certificates" for "fire safety certificates",

(iv) in paragraph (e), by the substitution of "fire safety design certificate, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate" for "fire safety certificate",

(v) by the substitution of the following paragraph for paragraph (f):

"(f) the registration of certificates of compliance and regularisation certificates of compliance and of such information as may be prescribed in relation to applications for fire safety design certificates, fire safety design certificates, applications for revised fire safety design certificates, revised fire safety design certificates, applications for regularisation certificates, regularisation certificates, applications for regularisation fire safety design certificates, regularisation fire safety design certificates, applications for access and use design certificates, access and use design certificates, applications for revised access and use design certificates, revised access and use design certificates, notice given under paragraph (k), 7 day notices, applications for certificates of approval and certificates of approval and the making available of such information to such persons as may be prescribed;",

(vi) in paragraph (h)—

(I) by the substitution of the following subparagraph for subparagraph (i)—

"(i) the registration of certificates of compliance, certificates of compliance on completion, regularisation certificates of compliance on completion, notices given under paragraph (k) and

regularisation notices,", and

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

"(ii) the submission of applications for fire safety design certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use design certificates, revised access and use design certificates, or certificates of approval,",

and

(vii) in paragraph (j), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use design certificates, revised access and use design certificates, certificates of compliance on completion, regularisation certificates of compliance on completion, regularisation notices" for "fire safety certificates",

(b) in subsection (2A), by the substitution of "References in subsection (2)(a)(iv) to (xviii)" for "References in subsection (2)(a)(iv) to (xi)",

(c) by the substitution of the following subsection for subsection (5)—

"(5) Where, within a period of 2 months beginning on the date of an application for a fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate or a certificate of approval, or within such extended period as may at any time be agreed in writing between the applicant and the building control authority, the building control authority does not notify the applicant of the decision on the application, then a decision by the building control authority to grant the fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate or the certificate of approval, as the case may be, shall be regarded as having been made on the last day of the period or such extended period, as the case may be.",

and

(d) in subsection (6), by the substitution of "fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate" for "fire safety certificate, 7 day notice, revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[NEW SECTION]

65. In page 25, after line 6, to insert the following:

"Transitional provisions in relation to change of names of certificates

32. The Act of 1990 is amended by the insertion of the following section after section 7B:

"7C. Where, before the coming into operation of *Part 3* of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025*, an application has been made for, or an appeal is pending in relation to—

(a) a fire safety certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a fire safety design certificate,

(b) a revised fire safety certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a revised fire safety design certificate,

(c) a disability access certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, an access and use design certificate, or

(d) a revised disability access certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a revised access and use design certificate."."

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

66. In page 25, after line 6, to insert the following:

"Amendment of section 7 of Act of 1990

33. Section 7 of the Act of 1990 is amended, in subsection (1)—

(a) in paragraph (b), by the substitution of "fire safety design certificate" for "fire safety certificate",

(b) in paragraph (e), by the substitution of "an access and use design certificate, or" for "a disability access certificate,", and

(c) by the insertion of the following paragraph after paragraph (e):

"(f) section 6(2)(a)(xv), for a regularisation fire safety design certificate,"."

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

67. In page 25, after line 6, to insert the following:

"Amendment of section 8 of Act of 1990

34. Section 8 of the Act of 1990 is amended—

(a) in subsection (4) by the insertion of the following paragraph after paragraph (b):

[NEW SECTION]

"(ba) require a person on whom the notice is served to cut into or lay open any such building or works insofar only as may be necessary to allow the building control authority to ascertain that the building regulations have been complied with in relation to the building or works the subject of the notice,",

and

(b) by the insertion of the following subsections after subsection (4)—

"(4A) A building control authority may include, in an enforcement notice, a requirement pursuant to subsection (4)(ba) only where it is satisfied that it is necessary following—

(a) an inspection by an authorised person, in accordance with section 11, of the building or works in relation to which the enforcement notice is to be issued, and

(b) the issue, by an authorised person, of a warning under section 11(3A) stating that the building control authority concerned intends to issue an enforcement notice which includes a requirement under paragraph (ba).

(4B) Where an enforcement notice includes a requirement pursuant to subsection (4)(ba)—

(a) an authorised person shall be present during the works carried out pursuant to that notice, and

(b) the notice shall identify—

(i) the building, or part thereof, or works to be cut into or laid open,

(ii) the provision of the building regulations that are alleged to be contravened, and

(iii) the timeframe within which the cutting into or laying open of works is to be carried out.".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

68. In page 25, after line 6, to insert the following:

"Insertion of sections 10A and 10B in Act of 1990

35. The Act of 1990 is amended by the insertion of the following sections after section 10:

"Withdrawal of enforcement notice

10A. (1) Where an enforcement notice has taken effect under section 8(5) or been confirmed under section 9, the person on whom the notice was served may apply in writing to the building control authority concerned for the withdrawal of the enforcement notice on the grounds that the notice has been complied with.

(2) An application under subsection (1) shall be accompanied by such plans, documents, or information concerning compliance that may be relevant to demonstrate to the building control authority compliance with the enforcement notice.

(3) The building control authority concerned shall, within a period of 2 months beginning on the date of receipt of an application under subsection (1), or within such extended period as may at any time be agreed in writing between the applicant and the building control authority—

(a) withdraw the enforcement notice where it is satisfied that it has been complied with, or

(b) refuse to withdraw the enforcement notice, and, where the application is refused, state the reasons in writing for the refusal.

(4) Where an application has been made under subsection (1) and the building control authority refuses to withdraw the enforcement notice, the person on whom the notice was served may, within 4 weeks of the date of the refusal, or such later date as may be permitted by the District Court, apply to the District Court for an order directing the building control authority to withdraw the enforcement notice.

(5) An application under subsection (4) shall be on notice to the building control authority concerned.

(6) On the hearing of an application under subsection (4), the District Court may—

(a) dismiss the application and affirm the refusal of the building control authority to withdraw the enforcement notice, or

(b) direct the building control authority to withdraw the enforcement notice.

(7) Where an enforcement notice has been withdrawn by a building control authority under subsection (3), or in accordance with an order of the District Court under subsection (6)(b), the building control authority concerned shall notify, in writing, the person on whom the notice was served and note the decision to withdraw the notice and the date of the withdrawal of the notice.

(8) The jurisdiction conferred on the District Court under this section shall be exercised by a judge of that court for the time being assigned to the district court district in which the building or works is situated.

Enforcement notice regulations

10B. (1) The Minister may make regulations providing for matters of procedure and administration for the service, and withdrawal, of enforcement notices and regulations under this section may make such incidental, consequential or supplementary provisions as may appear to the

Minister to be necessary or expedient.

(2) Without prejudice to the generality of subsection (1), regulations under this section may make provision for all or any of the following matters—

(a) prescribing—

(i) the form and content of—

(I) enforcement notices, and

(II) applications for the withdrawal of enforcement notices under section 10A,

(ii) the plans, documents and information to be submitted with applications for the withdrawal of enforcement notices, and

(iii) the procedures to apply in respect of the service of an enforcement notice, or the receipt of applications for the withdrawal of enforcement notices,

(b) the registration of enforcement notices, applications for the withdrawal of enforcement notices and withdrawal of enforcement notices, and the making available of such information to such persons as may be prescribed, and

(c) records to be kept, and the information to be provided to the Minister, by a building control authority for the purposes of this Act;".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

69. In page 25, after line 6, to insert the following:

"Amendment of section 11 of Act of 1990

36. Section 11 of the Act of 1990 is amended, in subsection (3), by the insertion of the following subsection after subsection (3):

"(3A) (a) An authorised person may, where he or she deems it necessary, issue a warning, in writing, to the owner or occupier of the building, or any person responsible for the construction of the building, in relation to any requirement of building regulations or building control regulations.

(b) A warning under paragraph (a) shall—

(i) specify the provision of the regulations in relation to which the warning relates, and

(ii) state that the person to whom the warning has been issued may, not later than 4 weeks from the date of the warning, make observations in writing to the authorised person regarding the

[NEW SECTION]

matters to which the warning relates.”.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

70. In page 25, after line 6, to insert the following:

“Amendment of section 12 of Act of 1990

37. Section 12 of the Act of 1990 is amended—

(a) in subsection (1A)—

(i) in paragraph (a)—

(I) by the substitution of “fire safety design certificate, an access and use design certificate, a regularisation certificate or a regularisation fire safety design certificate” for “fire safety certificate, a disability access certificate or a regularisation certificate”,

(II) in subparagraph (i), by the substitution of “fire safety design certificate, access and use design certificate, regularisation certificate or regularisation fire safety design certificate” for “fire safety certificate, disability access certificate or regularisation certificate”, and

(III) in subparagraph (ii), by the substitution of “fire safety design certificate, access and use design certificate, regularisation certificate or regularisation fire safety design certificate” for “fire safety certificate, disability access certificate or regularisation certificate”, and

(ii) in paragraph (b), by the substitution of “fire safety design certificate, access and use design certificate, regularisation certificate or regularisation fire safety design certificate” for “fire safety certificate, disability access certificate or regularisation certificate”,

and

(b) by the insertion of the following subsection after subsection (1A):

“(1B) Where the building regulations apply in respect of the construction of any building or works and such building or works have been completed and opened, operated, or occupied without the required certificate of compliance on completion or regularisation certificate of compliance on completion having been registered by the building control authority for the functional area in which the building or works is situated may apply to the High Court or the Circuit Court for an order restricting or prohibiting the use of the building or works until either a certificate of compliance on completion or a regularisation certificate of compliance on completion have been submitted to the building control authority and registered in accordance with regulations made under section 6(2)(f).”.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[NEW SECTION]

71. In page 25, after line 6, to insert the following:

"PART 4

AMENDMENT OF OTHER ACTS

Amendment of Taxes Consolidation Act 1997

38. The Taxes Consolidation Act 1997 is amended, in section 268(3A)(b)(ii), by the substitution of "fire safety design certificate" for "fire safety certificate".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

72. In page 25, after line 6, to insert the following:

"Amendment of the section 3 of Multi-Unit Developments Act 2011

39. Section 3(1) of the Multi-Unit Developments Act 2011 is amended, in paragraph (c), by the substitution of "fire safety design certificate" for "fire safety certificate".".

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

73. In page 25, after line 6, to insert the following:

"Amendment of Taxes Consolidation Act 1997

29. The Taxes Consolidation Act 1997 is amended in Chapter 1 of Part 7 by the insertion of the following section after section 216F:

"216G. (1) In this section—

'qualifying residence', means a residential premises situated in the State constructed prior to 2023 which has not been subject to a rental agreement in the three years prior to the year of assessment;

'relevant income' means all income arising in respect of rent paid under a rental agreement from a relevant person for the use of a qualifying residence;

'relevant person' means a qualified applicant under a scheme administered by the Minister for Housing, Heritage and Local Government and known as the Enhanced Defective Concrete Blocks Grant Scheme;

'rental agreement' means an agreement or arrangement under which one party grants to a qualifying individual the right to occupy all or part of a dwelling, subject to the payment of money;

'residential premises' means a building or part of a building used as a dwelling.

(2) (a) This subsection applies to an individual who has relevant income

[NEW SECTION]

chargeable to income tax.

(b) An individual referred to in paragraph (a) shall be—

(i) an owner of the qualifying residence, and

(ii) a natural person.

(3) Relevant income shall be exempt from income tax and shall not be reckoned in computing income for the purposes of the Income Tax Acts.”.”.

—Eoin Ó Broin, Pearse Doherty, Donna McGettigan, Rose Conway-Walsh, Padraig Mac Lochlainn.

TITLE

74. In page 5, to delete lines 7 to 16 and substitute the following:

“An Act to amend the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022; to amend the eligibility criteria for applications for grants in respect of alternative accommodation, storage and immediate repairs; to provide for a further mechanism for the assessment of certain attached dwellings damaged by the use of defective concrete blocks; to provide for an application for an increase in the amount of a grant for remediation of certain dwellings damaged by the use of defective concrete blocks; to amend the time limit for the payment of a grant for remediation; to provide for the construction of a new dwelling in exceptional circumstances; to provide for the review of certain approved remediation options and a procedure for the approval of a new remediation option and grant; to enable certain joint owners to become relevant owners; to provide for charging orders for additional payments and their release; to provide for information sharing between specified public bodies; to amend and extend the Building Control Act 1990 to provide for regularisation certificates of compliance on completion in certain circumstances; to change the names of certain certificates issued under that Act; to confer on the Minister for Housing, Local Government and Heritage the power to make regulations relating to enforcement notices; to extend the powers of authorised persons; to provide for the opening up of works in certain limited circumstances; and to provide for related matters.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.