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**Updated to 21 May 2021 (Act No. 6 of 2021 and S.I. No. 257 of 2021)**

## **Planning and Development (Housing) and Residential Tenancies Act 2016**

### **No. 17 of 2016**

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#### Commencement

Section	Commencement Date	Commencement Information
Ss. <u>1</u> , 2 in so far as it is not already in operation	17 January 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2017 ( <a href="#">S.I. No. 7 of 2017</a> ), art. 2(a)
S. <u>3</u> to the extent that it has not already been commenced	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <a href="#">S.I. No. 270 of 2017</a> ), art. 2(a)(i)
S. <u>3</u> in so far as is necessary for the purposes of enabling the commencement of the Planning and Development (Housing) and Residential Tenancies Act 2016 (17/2016), s. 19, as provided for under S.I. No. 31 of 2017, s. 2(a)	2 February 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) (No. 2) Order 2017 ( <a href="#">S.I. No. 31 of 2017</a> ), art. 2(b)
Ss. <u>4-18</u>	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <a href="#">S.I. No. 270 of 2017</a> ), art. 2(a)(ii)




Section	Commencement Date	Commencement Information
S. <u>19</u> in so far as it relates to the requirements of the Planning and Development Act 2000, s. 144 in determining and giving notice of fees payable to the Board in respect of matters relating to proposed strategic housing developments	2 February 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) (No. 2) Order 2017 ( <a href="#">S.I. No. 31 of 2017</a> ), art. 2(a)
S. <u>19</u> to the extent that it has not already been commenced	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <a href="#">S.I. No. 270 of 2017</a> ), art. 2(a)(iii)
Ss. <u>20-25</u>	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <a href="#">S.I. No. 270 of 2017</a> ), art. 2(a)(iv)
S. <u>26</u>		Not yet commenced. Requires commencement order under s. 1(3)(a)
S. <u>27</u>	1 January 2019	Planning and Development (Housing) and Residential Tenancies Act 2016 (Section 27) (Commencement) Order 2018 ( <a href="#">S.I. No. 588 of 2018</a> ), art. 2
S. <u>28(1)</u>		Not yet commenced. Requires commencement order under s. 1(3)(a)
S. <u>28(2)</u>	9 August 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Section 28(2)) Order 2017 ( <a href="#">S.I. No. 341 of 2017</a> ), art. 2
S. <u>29</u>	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <a href="#">S.I. No. 270 of 2017</a> ), art. 2(b)
Ss. <u>30-32</u>	17 January 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2017 ( <a href="#">S.I. No. 7 of 2017</a> ), art. 2(b)
Ss. <u>33-37</u>	24 December 2016	Commenced as per s. 1(3)(b)



Section	Commencement Date	Commencement Information
Ss. <u>38-43</u>	17 January 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2017, <u>S.I. No. 7 of 2017</u> , art. 2(b)
Ss. <u>44</u> , 45		Not yet commenced. Requires commencement order under s. 1(3)(a)
Ss. <u>46</u> , 47	24 December 2016	Commenced as per s. 1(3)(b)
S. <u>48</u>	23 July 2018	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2018 ( <u>S.I. No. 266 of 2018</u> ), art. 2(a)
S. <u>49</u>	19 December 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Section 49) Order 2017 ( <u>S.I. No. 590 of 2017</u> ), art. 2
S. <u>50</u>	24 December 2016	Commenced as per s. 1(3)(b)
S. <u>51</u>	3 July 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions)(No. 3) Order 2017 ( <u>S.I. No. 270 of 2017</u> ), art. 2(c)
S. <u>52</u>	23 December 2016	Commenced on enactment as per s. 1(3)(c)
Sch. pts. 1, 2	17 January 2017	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2017, <u>S.I. No. 7 of 2017</u> , art. 2(b)
Sch. pt. 3	23 July 2018	Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Certain Provisions) Order 2018 ( <u>S.I. No. 266 of 2018</u> ), art. 2(b)

## Amendments and other effects

How Affected	Affecting Provision
S. 1(3) application extended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), s. <u>48(2)</u>
Ss. <u>3-25</u> reference to time period construed	<u>30/2000</u> , s. <u>251A(1)(e)</u> as inserted by <u>2/2020</u> , s. <u>9</u>
S. <u>3</u> amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>50(1)</u> , (2) 

How Affected	Affecting Provision
S. <u>4</u> specified period extended	Planning and Development (Housing) and Residential Tenancies Act 2016 (Section 4) Order 2019 ( <u>S.I. No. 598 of 2019</u> ), art. 2
S. <u>5</u> (4) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>51</u> (1)(a), (2)
S. <u>5</u> (8) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>51</u> (1)(b), (2)
S. <u>6</u> (1)(b) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>52</u> (1)(a), (2)
S. <u>6</u> (5)(a) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>52</u> (1)(b), (2)
S. <u>6</u> (7) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>52</u> (1)(c), (2)
S. <u>7</u> (1)(a)(i)(I) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 38(a)
S. <u>7</u> (1)(b) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 1
S. <u>7</u> (2)(b)(i) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 38(b)(i)
S. <u>7</u> (2)(b)(ii) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 38(b)(ii)
S. <u>7</u> (2A) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 38(c)
S. <u>7</u> (2B) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 38(c)
S. <u>8</u> (1)(a)(iii) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 2
S. <u>8</u> (1)(a)(iv)(I) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>53</u> (1)(a)(ii), (2)



How Affected	Affecting Provision
S. <u>8</u> (1)(a)(v) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 3
S. <u>8</u> (1)(b) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 4
S. <u>8</u> (1)(i) substituted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>53</u> (1)(a)(i), (2)
S. <u>8</u> (1)(c) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 5
	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>53</u> (1)(a)(iii), (2)
S. <u>8</u> (1)(aa) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 39(a)
S. <u>8</u> (2) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 6
S. <u>8</u> (3)(a) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 7
S. <u>8</u> (3)(b) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 39(b)
S. <u>8</u> (3)(b)(i)(I) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 8
S. <u>8</u> (3)(c)(iii) amended	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>53</u> (1)(b), (2)
S. <u>8</u> (3A) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 39(c)
S. <u>8</u> (4)(c) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 9



How Affected	Affecting Provision
S. <u>9</u> (1)(b) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 43, sch. 2, ref. 10
S. <u>9</u> (5) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 40, 43, sch. 2, ref. 11
S. <u>10</u> (2)(a) substituted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>54</u> (1), (2)
S. <u>10</u> (3)(aa) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(i)
S. <u>10</u> (3)(ab) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(i)
S. <u>10</u> (3)(b) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(ii)
S. <u>10</u> (3)(c) amended	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(iii)
S. <u>10</u> (3)(d) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(iv)
S. <u>10</u> (3)(e) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(a)(iv)
S. <u>10</u> (3A) inserted	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 41(b)
S. <u>12</u> (2)(c) substituted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>55</u> (1), (2)
S. <u>13</u> (d) deleted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>1</u> (3), <u>56</u>
S. 25A inserted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>48</u> (1), (2)
S. <u>26</u> repealed	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 4(1)



<b>How Affected</b>	<b>Affecting Provision</b>
S. <u>28</u> (1) substituted	Planning and Development (Amendment) Act 2018 ( <u>16/2018</u> ), ss. <u>57</u> (1), (2)
S. <u>28</u> (2)(a) substituted	Planning and Development (Amendment) Act 2017 ( <u>20/2017</u> ), s. <u>1</u>
Sch. <u>4</u> para. 18B inserted for transitional period to 31 December 2019 or any additional period ordered	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ( <u>S.I. No. 296 of 2018</u> ), regs. 2(1), 42

## SI's made under the Act

<b>Section</b>	<b>SI's made under the Act</b>
S. <u>4</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )
S. <u>4</u> (2)(b)	Planning and Development (Housing) and Residential Tenancies Act 2016 (Section 4) Order 2019 ( <u>S.I. No. 598 of 2019</u> )
S. <u>5</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )
S. <u>7</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )
S. <u>8</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )
S. <u>9</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )
S. <u>12</u>	Planning and Development (Strategic Housing Development) Regulations 2017 ( <u>S.I. No. 271 of 2017</u> )

