



STATUTORY INSTRUMENTS.

S.I. No. 37 of 2018



RESIDENTIAL TENANCIES (AMENDMENT) ACT 2015
(COMMENCEMENT OF CERTAIN PROVISIONS) ORDER 2018

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(COMMENCEMENT OF CERTAIN PROVISIONS) ORDER 2018

I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 1(4) of the Residential Tenancies (Amendment) Act 2015 (No. 42 of 2015) (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 358 of 2017)), hereby order as follows:

1. This Order may be cited as the Residential Tenancies (Amendment) Act 2015 (Commencement of Certain Provisions) Order 2018.

2. The 25th day of February 2018 is appointed as the day on which the following provisions of the Residential Tenancies (Amendment) Act 2015 (No. 42 of 2015) come into operation:

(a) Part 1, insofar as it is not already in operation;

(b) section 22;

(c) section 57 other than paragraph (b) of subsection (1) of that section;

(d) section 58.



GIVEN under my Official Seal,
14 February 2018.

EOGHAN MURPHY,
Minister for Housing, Planning and Local Government.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 20th February, 2018.*

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order brings Part 1, insofar as it is not already in operation, section 22, section 57 other than paragraph (b) of subsection (1) of that section, and section 58 of the Residential Tenancies (Amendment) Act 2015 (No. 42 of 2015) into operation with effect from 25 February 2018.

Part 1 contains preliminary and general provisions.

Section 22 amends the Minister for Housing, Planning and Local Government's powers to make regulations under section 8 of the Residential Tenancies Act 2004, as amended, by providing that such regulations may contain such incidental, supplementary and consequential provisions as appear to the Minister necessary and expedient for the purposes of the regulations.

Section 57 other than paragraph (b) of subsection (1) of that section empowers the District Court to enforce Residential Tenancies Board determination orders. Heretofore, the Circuit Court held such jurisdiction. The monetary limit that applies in such District Court proceedings shall be the monetary limit that applies to the Circuit Court at any given time.

Section 58 of the Residential Tenancies (Amendment) Act 2015 provides a consequential amendment to section 125 of the Residential Tenancies Act 2004, as amended, by substituting references to the 'Circuit Court' with references to the 'District Court'. Section 125 of the Residential Tenancies Act 2004, as amended, provides for the cancellation of determination orders in cases of non-appearance.

Transitional arrangements are provided under sections 57 and 58 of the Residential Tenancies (Amendment) Act 2015 with regard to dealing with existing and future legal cases connected to the enforcement of Residential Tenancies Board determination orders.

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