



STATUTORY INSTRUMENTS.

**S.I. No. 590 of 2017**

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PLANNING AND DEVELOPMENT (HOUSING) AND RESIDENTIAL  
TENANCIES ACT 2016 (COMMENCEMENT OF SECTION 49) ORDER  
2017

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PLANNING AND DEVELOPMENT (HOUSING) AND RESIDENTIAL  
TENANCIES ACT 2016 (COMMENCEMENT OF SECTION 49) ORDER  
2017

I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 1(3) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016) (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 Planning and Development (Housing) and Residential Tenancies Act 2016 (Commencement of Section 49) Order 2017.
2. The 19th day of December 2017 is appointed as the day on which section 49 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016) comes into operation.



GIVEN under my Official Seal,  
18 December 2017.

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

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 26th December, 2017.*

## EXPLANATORY NOTE

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

This Order appoints 19th December 2017 as the date on which section 49 of the Planning and Development (Housing) and Residential Tenancies Act 2016 comes into effect.

The Residential Tenancies Act 2004 provides for enforcement of Residential Tenancies Board determination orders in the Circuit Court. The current provisions allow the court to make ancillary or other orders, but does not explicitly allow for the making of an order for possession under the Act.

Section 49 of the Planning and Development (Housing) and Residential Tenancies Act 2016 amends section 124(7) of the Residential Tenancies Act 2004, to include the making of an order for possession of a dwelling, in the orders that the court can make on the hearing of an application for enforcement of a determination order.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
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nó trí aon díoltóir leabhar.

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