

Compulsory Purchase Orders (Extension of Time Limits) Act 2010



Number 17 of 2010

COMPULSORY PURCHASE ORDERS (EXTENSION OF TIME LIMITS) ACT 2010

ARRANGEMENT OF SECTIONS

Section

1. Amendment of section 217 of the Planning and Development Act 2000.
 2. Short title and collective citation.
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Act Referred to

Planning and Development Act 2000 2000, No. 30



Number 17 of 2010

COMPULSORY PURCHASE ORDERS (EXTENSION OF TIME LIMITS) ACT 2010

AN ACT TO PROVIDE FOR THE EXTENSION OF THE TIME WITHIN WHICH A NOTICE TO TREAT IN RESPECT OF LANDS TO WHICH A COMPULSORY PURCHASE ORDER RELATES MAY BE SERVED; FOR THAT PURPOSE TO AMEND THE PLANNING AND DEVELOPMENT ACT 2000; AND TO PROVIDE FOR RELATED MATTERS.

[7th July, 2010]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Amendment of section 217 of the Planning and Development Act 2000.

1.- Section 217 of the Planning and Development Act 2000 is amended by the insertion of the following subsection after subsection (6):

"(6A) (a) Notwithstanding subsection (6), where legal proceedings are in being challenging the validity of either-

- (i) the compulsory purchase order or provisional order concerned, or
- (ii) permissions, consents or authorisations granted by or under this Act or by or under any other enactment relating to the project in respect of which, or being the purpose for which, the land concerned is to be acquired,

and a notice to treat is not served within the period of 18 months (in this subsection referred to as the 'first period'), the first period shall be extended for a further period (in this subsection referred to as the 'second period') beginning on the day immediately after the day on which the first period expires and expiring on the earlier of the following:

- (I) 30 days after the day on which the legal proceedings are concluded; or
- (II) 18 months after the day on which the first period expires.

(b) Where proceedings referred to in paragraph (a) have not been concluded during the second period, on an application to the High Court by the local authority before the expiration of the second period, that court may, if it considers that, in the particular circumstances there is good and sufficient reason for doing so, extend the second period by such further period from its expiration as it believes necessary in the circumstances provided that, having regard to all of the circumstances, it considers that it would be just and equitable to do so."

Short title and collective citation.

2.- (1) This Act may be cited as the Compulsory Purchase Orders (Extension of Time Limits) Act 2010.

(2) The Planning and Development Acts 2000 to 2009 and this Act may be

cited together as the Planning and Development Acts 2000 to 2010.

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