



Uimhir 10 de 2001
Number 10 of 2001

Acht na dTithe (Gaeltacht) (Leasú),
2001

Housing (Gaeltacht) (Amendment)
Act, 2001



Number 10 of 2001

HOUSING (GAELTACHT) (AMENDMENT) ACT, 2001

ARRANGEMENT OF SECTIONS

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Uimhir 10 de 2001

ACHT NA dTITHE (GAELTACHT) (LEASÚ), 2001

RIAR NA nALT

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4. Leasú ar alt 3 (deontaisí i gcóir tithe comhnaithe) den Phríomh-Acht.
5. Leasú ar alt 6 (forálacha generálta i dtaobh deontaisí) den Phríomh-Acht.
6. Srian le deontais a thabhairt.
7. Leasú ar alt 16 (rialacháin) den Phríomh-Acht.
8. Leasú ar alt 8 (deontais mhéadaithe maidir le hobair ar oileáin amach ón gcósta) d'Acht 1979.
9. Scéimeanna i ndáil le tithe cónaithe.
10. Deontais a ghnóthú.
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12. Feidhmeanna áirithe a aistriú chuig an Aire.
13. Aisghairm.
14. Gearrtheideal, comhlua agus forléiriú.

AN SCEIDEAL

NA HÁCHTACHÁIN A AISGHAIRTEAR

[No. 10.] *Housing (Gaeltacht) (Amendment) Act, 2001.* [2001.]

ACTS REFERRED TO

Fire Services Act, 1981	1981, No. 30
Housing (Gaeltacht) Act, 1929	1929, No. 41
Housing (Gaeltacht) Acts, 1929 to 1979	
Housing (Gaeltacht) (Amendment) Act, 1953	1953, No. 6
Housing (Gaeltacht) (Amendment) Act, 1959	1959, No. 16
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Ministers and Secretaries (Amendment) Act, 1956	1956, No. 21

[2001.]

*Acht na dTithe (Gaeltacht)
(Leasú), 2001.*

[No. 10.]

NA HACHTANNA DÁ DTAGRAÍTEAR

An tAcht Seirbhísí Dóiteáin, 1981	1981, Uimh. 30
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An tAcht Airí agus Rúnaithe (Leasú), 1956	1956, Uimh. 21



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HOUSING (GAELTACHT) (AMENDMENT) ACT, 2001

AN ACT TO AMEND AND EXTEND THE HOUSING (GAELTACHT) ACTS, 1929 TO 1979, AND TO PROVIDE FOR RELATED MATTERS. [23rd April, 2001]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definitions.

1.—In this Act—

“Act of 1953” means the Housing (Gaeltacht) (Amendment) Act, 1953;

“Act of 1959” means the Housing (Gaeltacht) (Amendment) Act, 1959;

“Act of 1964” means the Housing (Gaeltacht) (Amendment) Act, 1964;

“Act of 1967” means the Housing (Gaeltacht) (Amendment) Act, 1967;

“Act of 1979” means the Housing (Gaeltacht) (Amendment) Act, 1979;

“Minister” means Minister for Arts, Heritage, Gaeltacht and the Islands;

“Principal Act” means the Housing (Gaeltacht) Act, 1929.

Interpretation of
Principal Act.

2.—The Principal Act is amended by the substitution for section 1 of the following:

“1.—In this Act—

‘Commissioners’ means Commissioners of Public Works in Ireland;

‘family’, in relation to the occupier of a dwelling-house, means all persons usually residing in the dwelling-house with the occupier, whether related or not related by blood or marriage to the occupier;

‘Housing (Gaeltacht) Acts’ means the Housing (Gaeltacht) Act, 1929, and every other enactment which is to be construed together as one with that Act;



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ACHT NA dTITHE (GAELTACHT) (LEASÚ), 2001

ACHT DO LEASÚ AGUS DO LEATHNÚ ACHTANNA NA dTITHE (GAELTACHT), 1929 GO 1979, AGUS DO DHÉANAMH SOCRÚ I dTAOBH NITHE GAOLMHARA. [23 *Aibreán*, 2001]

ACHTAÍTEAR AG AN OIREACHTAS MAR A LEANAS:

1.—San Acht seo—

Míithe.

ciallaíonn “Acht 1953” Acht na dTithe (Gaeltacht) (Leasú), 1953;

ciallaíonn “Acht 1959” Acht na dTithe (Gaeltacht) (Leasú), 1959;

ciallaíonn “Acht 1964” Acht na dTithe (Gaeltacht) (Leasú), 1964;

ciallaíonn “Acht 1967” Acht na dTithe (Gaeltacht) (Leasú), 1967;

ciallaíonn “Acht 1979” Acht na dTithe (Gaeltacht) (Leasú), 1979;

ciallaíonn “Aire” an tAire Ealaíon, Oidhreachta, Gaeltachta agus Oileán;

ciallaíonn “Príomh-Acht” Acht na dTithe (Gaeltacht), 1929.

2.—Leasaítear an Príomh-Acht tríd an méid seo a leanas a chur in ionad alt 1:

Léiriú ar an bPríomh-Acht.

“1.—San Acht seo—

ciallaíonn ‘Coimisinéirí’ Coimisinéirí na nOibreacha Poiblí in Éirinn;

ciallaíonn ‘teaghlach’, i ndáil le háititheoir tí chónaithe, na daoine go léir a chónaíonn sa teach cónaithe de ghnáth leis an áititheoir, cibé acu atá nó nach bhfuil gaol fola nó cleamhnais acu leis an áititheoir;

ciallaíonn ‘Achtanna na dTithe (Gaeltacht)’ Acht na dTithe (Gaeltacht), 1929, agus gach achtachán eile atá le forléiriú in éineacht leis an Acht sin mar aon ní amháin;

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S.2 ‘Minister’ means Minister for Arts, Heritage, Gaeltacht and the Islands;

‘prescribed’ means prescribed by regulations made by the Minister under this Act.”.

Extent of Gaeltacht.

3.—The Principal Act is amended by the substitution for section 2 of the following:

“2.—For the purposes of the Housing (Gaeltacht) Acts, the Gaeltacht shall comprise such areas as, by order under section 2 of the Ministers and Secretaries (Amendment) Act, 1956, stand determined for the time being to be Gaeltacht areas.”.

Amendment of section 3 (grants in relation to dwelling-houses) of Principal Act.

4.—Section 3 of the Principal Act is amended—

(a) by the substitution for subsection (7) (as amended by section 3(a) of the Act of 1967) of the following:

“(7) The Minister may, in his or her discretion but subject to the Housing (Gaeltacht) Acts, make a grant (in this Act also referred to as a building grant) to a person who—

(a) is not the occupier of a dwelling-house in the Gaeltacht, and

(b) shows to the satisfaction of the Minister that the Irish language is the language habitually used by him or her and, if a family will be living in the proposed dwelling-house concerned, will also be the language habitually used by the family,

towards the cost of the erection of the dwelling-house in the Gaeltacht for occupation by him or her as his or her permanent residence.”,

and

(b) by the insertion after subsection (9) (inserted by section 3(b) of the Act of 1967) of the following:

“(10) (a) Where, on application to the Minister in that behalf in respect of a dwelling-house in the Gaeltacht, the roof of which is a thatched roof, by a person (‘the applicant’) who is—

(i) the owner thereof and who resides in the dwelling-house or elsewhere in the Gaeltacht, or

(ii) the occupier, but not the owner, thereof,

the Minister may, in his or her discretion, but subject to the Housing (Gaeltacht) Acts and in accordance with any regulations made under this section, if he or she is satisfied that—

(I) the roof requires to be repaired or replaced, and

ciallaíonn ‘Aire’ an tAire Ealaíon, Oidhreacht, Gael- A.2
tacht agus Oileán;

ciallaíonn ‘forordaithe’ forordaithe le rialacháin arna
ndéanamh ag an Aire faoin Acht seo.”.

3.—Leasaítear an Príomh-Acht tríd an méid seo a leanas a chur in Fairsinge na
ionad alt 2: Gaeltachta.

“2.—Chun críocha Achtanna na dTithe (Gaeltacht), is í an
Ghaeltacht cibé limistéir a mbeidh cinnte de thuras na huaire,
le hordú faoi alt 2 den Acht Airí agus Rúnaithe (Leasú), 1956,
gur limistéir Ghaeltachta iad.”.

4.—Leasaítear alt 3 den Phríomh-Acht—

Leasú ar alt 3
(deontaisí i gcóir
tithe comhnaithe)
den Phríomh-Acht.

(a) tríd an méid seo a leanas a chur in ionad fho-alt (7) (arna
leasú le halt 3(a) d’Acht 1967):

“(7) Féadfaidh an tAire, dá rogha féin ach faoi réir
Achtanna na dTithe (Gaeltacht), deontas (dá ngairtear
deontas tógála freisin san Acht seo) a thabhairt do
dhuine—

(a) nach áititheoir tí chónaithe sa Ghaeltacht, agus

(b) a shuífidh chun sástacht an Aire gurb í an Ghaeilge
a ghnáth-theanga nó a gnáth-theanga agus,
más rud é go mbeidh teaghlach ina chónaí sa
teach cónaithe beartaithe lena mbaineann,
gurb í an Ghaeilge an ghnáth-theanga a
bheidh ag an teaghlach freisin,

faoi chomhair an chostais a ghabhann leis an teach cón-
aithe a thógáil sa Ghaeltacht lena áitiú aige nó aici mar
bhuanáit chónaithe aige nó aici.”,

agus

(b) tríd an méid seo a leanas a chur isteach i ndiaidh fho-alt (9)
(a cuireadh isteach le halt 3(b) d’Acht 1967):

“(10) (a) Más rud é, ar iarratas chun an Aire chuige sin
i leith tí chónaithe sa Ghaeltacht, ar díon tuí
a dhíon, ó dhuine (‘an t-iarratasóir’)—

(i) arb é nó í úinéir an tí chónaithe sin é nó í
agus a chónaíonn sa teach cónaithe nó in
áit eile sa Ghaeltacht, nó

(ii) arb é nó í áititheoir, seachas úinéir, an tí
chónaithe sin é nó í,

féadfaidh an tAire, dá rogha féin, ach faoi réir
Achtanna na dTithe (Gaeltacht) agus de réir
aon rialachán arna ndéanamh faoin alt seo,
más deimhin leis nó léi—

(I) gur gá an díon a dheisiú nó a athshol-
áthar, agus

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(II) the Irish language is the language habitually used by the applicant and his or her family,

make a grant not exceeding such amount as may be determined under paragraph (b) in respect of the cost of such repair or replacement.

(b) The Minister may, by regulations made with the consent of the Minister for Finance, determine the maximum amount of the grant payable under this section.”.

Amendment of section 6 (general provisions as to grants) of Principal Act.

5.—Section 6 (as amended by section 8(8) of the Act of 1959) of the Principal Act is amended by the substitution for subsection (1) of the following:

“(1) An application for a grant under the Housing (Gaeltacht) Acts shall be in such form, and shall contain such information, as the Minister may direct.”.

Restriction on making of grants.

6.—The Principal Act is amended by the substitution for section 7 of the following:

“7.—(1) A grant shall not be made under the Housing (Gaeltacht) Acts in respect of works in respect of which a grant for those works is being or has been made—

(a) out of public moneys, or

(b) out of moneys provided by an institution of the European Communities.

(2) An improving grant (other than an improving grant to which subsection (3) applies) shall not be made under the Housing (Gaeltacht) Acts in respect of a dwelling-house during the period of 7 years following the making of the final payment in respect of a building grant or improving grant in respect of the same dwelling-house.

(3) This subsection applies to—

(a) the installation of a back boiler or solid fuel burning appliance to provide a hot water supply, or

(b) works carried out to comply with advice given under section 18(4) of the Fire Services Act, 1981, or with a fire safety notice served under section 20 of that Act.

(4) The Minister may, in his or her discretion, refuse to make any grant under the Housing (Gaeltacht) Acts in respect of a dwelling-house in respect of which a grant out of public moneys or out of moneys provided by an institution of the European Communities has been made within 7 years preceding the date of application for such a grant.”.

(II) gurb í an Ghaeilge gnáth-theanga an iarrata- A.4
sóra agus a theaghlaigh nó a teaghlaigh,

deontas a thabhairt nach mó ná cibé méid a
chinnfear faoi mhír (b) i leith chostas an deis-
ithe nó an athsholáthair sin.

(b) Féadfaidh an tAire, le rialacháin arna ndéanamh le
toiliú an Aire Airgeadais, méid uasta an deontais is
iníoctha faoin alt seo a chinneadh.”.

5.—Leasaítear alt 6 (arna leasú le halt 8(8) d’Acht 1959) den Phríomh-Acht tríd an méid seo a leanas a chur in ionad fho-
alt (1): Leasú ar alt 6
(forálacha generálta
i dtaobh deontais)
den Phríomh-Acht.

“(1) Beidh iarratas ar dheontas faoi Achtanna na dTithe
(Gaeltacht) i cibé foirm, agus beidh cibé faisnéis ann, a ordóidh
an tAire.”.

6.—Leasaítear an Príomh-Acht tríd an méid seo a leanas a chur in
ionad alt 7: Srian le deontais a
thabhairt.

“7.—(1) Ní thabharfar deontas faoi Achtanna na dTithe
(Gaeltacht) i leith oibreacha a bhfuil deontas do na hoibreacha
sin á thabhairt nó tugtha ina leith—

(a) as airgead poiblí, nó

(b) as airgead arna sholáthar ag institiúid de na Comh-
phobail Eorpacha.

(2) Ní thabharfar deontas feabhsúcháin (seachas deontas
feabhsúcháin lena mbaineann fo-alt (3)) faoi Achtanna na dTithe
(Gaeltacht) i leith tí chónaithe le linn na tréimhse 7 mbliana tar
éis an íocaíocht deiridh a thabhairt i leith deontais tógála nó
deontais feabhsúcháin i leith an tí chónaithe chéanna.

(3) Tá feidhm ag an bhfo-alt seo—

(a) maidir le cúlchoire nó fearas dóite breosla sholadaigh a
fheistiú d’fhonn soláthar uisce the a chur ar fáil, nó

(b) maidir le hoibreacha a dhéantar chun comhairle arna
tabhairt faoi alt 18(4) den Acht Seirbhísí Dóiteáin,
1981, a chomhlíonadh nó chun fógra um shábháil-
teacht ó dhóiteán arna sheirbheáil faoi alt 20 den
Acht sin a chomhlíonadh.

(4) Féadfaidh an tAire, dá rogha féin, diúltú aon deontas a
thabhairt faoi Achtanna na dTithe (Gaeltacht) i leith tí chón-
aithe ar tugadh deontas as airgead poiblí nó as airgead arna
sholáthar ag institiúid de na Comhphobail Eorpacha ina leith
laistigh de 7 mbliana roimh dháta an iarratais ar dheontas den
sórt sin.”.

[No. 10.] *Housing (Gaeltacht) (Amendment) Act, 2001.* [2001.]

Amendment of section 16 (regulations) of Principal Act.

7.—Section 16(1) of the Principal Act is amended by—

(a) the substitution for paragraph (b) (as amended by section 3(3) of the Act of 1953) of the following:

“(b) the nature, character and extent of the works to be executed with the aid of any grant made or financial assistance provided under the Acts;”,

and

(b) the deletion in paragraph (c) of “(whether erection, improvement, or extension)”.

Amendment of section 8 (increased grants in respect of work on offshore islands) of Act of 1979.

8.—Section 8 of the Act of 1979 is amended by the substitution for subsection (1) of the following:

“(1) The Minister may, by regulations made with the consent of the Minister for Finance, provide for an increase by such amount not exceeding 200 per cent as he or she may from time to time determine, of any grants payable under the Housing (Gaeltacht) Acts in respect of dwelling-houses situated on islands, including such grants in respect of works that were begun before the passing of this Act but after 2 December 1998.”.

Schemes in relation to dwelling-houses.

9.—(a) Notwithstanding anything contained in the Housing (Gaeltacht) Acts, the Minister may, with the consent of the Minister for Finance and in accordance with any regulations under this section, make schemes for the provision of grants or other financial assistance to a person towards the cost of the erection or improvement of a dwelling-house in the Gaeltacht, where the Minister is satisfied that the occupation of such a dwelling-house will not be detrimental to the use of the Irish language in that Gaeltacht area.

(b) The Minister may, with the consent of the Minister for Finance, make regulations for the purposes of this section and, without prejudice to the generality of the foregoing, may make provision in those regulations in relation to any one or more of the following:

(i) the maximum amount, expressed as a monetary amount or as a percentage of the cost of the improvement or erection or both, of a grant or other financial assistance provided under this section;

(ii) the persons to whom such a grant or other financial assistance may be provided;

(iii) the restriction of the number of dwelling-houses in respect of which such a grant or other financial assistance may be provided to a particular person;

(iv) the restriction of the provision of such a grant or other financial assistance in cases where grants or financial assistance out of public moneys or out of moneys provided by an institution of the European Communities have been provided in respect of the same dwelling-house;

7.—Leasaítear alt 16(1) den Phríomh-Acht—

Leasú ar alt 16
(rialacháin) den
Phríomh-Acht.

(a) tríd an méid seo a leanas a chur in ionad mhír (b) (arna leasú le halt 3(3) d’Acht 1953):

“(b) cineál, carachtar agus méid na n-oibreacha a bheidh le déanamh le cabhair aon deontais a thabharfar nó aon chúnamh airgeadais a sholáthrófar faoi na hAchtanna;”

agus

(b) trí “(pe’ca cur-suas, feabhsú no méadú iad)” i mír (c) a scriosadh.

8.—Leasaítear alt 8 d’Acht 1979 tríd an méid seo a leanas a chur in ionad fho-alt (1):

Leasú ar alt 8
(deontais
mhéadaithe maidir
le hobair ar oileáin
amach ón gcósta)
d’Acht 1979.

“(1) Féadfaidh an tAire, le rialacháin arna ndéanamh le toiliú an Aire Airgeadais, socrú a dhéanamh chun aon deontais is iníoctha faoi Achtanna na dTithe (Gaeltacht) i leith tithe cónaithe ar oileáin, lena n-áirítear deontais den sórt sin i leith oibreacha a tosaíodh roimh an Acht seo a rith ach tar éis an 2 Nollaig, 1998, a mhéadú de cibé méid, nach mó ná 200 faoin gcéad, a chinnfidh sé nó sí ó am go ham.”

9.—(a) D’ainneoin aon ní in Achtanna na dTithe (Gaeltacht), féadfaidh an tAire, le toiliú an Aire Airgeadais agus de réir aon rialachán faoin alt seo, scéimeanna a dhéanamh chun deontais nó cúnaimh airgeadais eile a sholáthar do dhuine faoi chomhair an chostais a ghabhann le teach cónaithe sa Ghaeltacht a thógáil nó a fheabhsú, i gcás gur deimhin leis an Aire nach rachaidh áitiú an tí chónaithe sin chun aimpléas úsáid na Gaeilge sa limistéar Gaeltachta sin.

Scéimeanna i ndáil
le tithe cónaithe.

(b) Féadfaidh an tAire, le toiliú an Aire Airgeadais, rialacháin a dhéanamh chun críocha an ailt seo agus, gan dochar do ghinearáltacht an méid sin roimhe seo, féadfaidh sé nó sí socrú a dhéanamh sna rialacháin sin i ndáil le haon ní amháin nó níos mó díobh seo a leanas:

(i) méid uasta deontais nó cúnaimh airgeadais eile arna sholáthar faoin alt seo, arna shonrú mar mhéid in airgead nó mar chéatadán de chostas an fheabhsaithe nó na tógála nó iad araon;

(ii) na daoine a bhféadfar deontas nó cúnaimh airgeadais eile den sórt sin a sholáthar dóibh;

(iii) srian a chur le líon na dtithe cónaithe a bhféadfar deontas nó cúnaimh airgeadais eile den sórt sin a sholáthar do dhuine áirithe ina leith;

(iv) srian a chur le soláthar deontais nó cúnaimh airgeadais eile den sórt sin i gcásanna ina ndearnadh deontais nó cúnaimh airgeadais as airgead poiblí nó as airgead arna sholáthar ag institiúid de na Comhphobail Eorpacha a sholáthar i leith an tí chónaithe chéanna;

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- (v) the provision of such a grant or other financial assistance in respect of a dwelling-house that has been damaged by fire, explosion or an act of God;
 - (vi) (I) the size, design, floor area and standards of construction of, and the provision of water, sewerage and other services for, a dwelling-house,
 - (II) the suitability of a dwelling-house for improvement and the type and purpose of improvement works,
 - (III) the occupation of a dwelling-house,
 - (IV) the social, financial and family circumstances of the occupiers or the intended occupiers of a dwelling-house,
 - (V) the use of the Irish language by the occupiers or intended occupiers of a dwelling-house,in respect of which such a grant or other financial assistance may be provided.
 - (c) The Minister may, with the consent of the Minister for Finance, make a scheme amending or revoking a scheme under this section.

Recovery of grants. **10.**—Where the Minister is satisfied that—

- (a) a grant or other financial assistance under the Housing (Gaeltacht) Acts has been procured through fraud or by misrepresentation, or
- (b) an overpayment of such a grant or other financial assistance has been provided,

the amount of the grant or other financial assistance or overpayment, as the case may be, shall be repayable to the Minister on demand and, if not so repaid, the Minister may recover the amount, as a simple contract debt in any court of competent jurisdiction, from the person to whom it was made.

Recovery of loans. **11.**—(a) The Minister may by regulations—

- (i) make provision for the repayment of loans made under section 8 of the Principal Act, and the regulations may specify the time or times at which and the instalments in which such repayment is to be made, and
- (ii) with the consent of the Minister for Finance, make provision for the writing off of the whole or part of the amount owing in respect of loans made under section 8 of the Principal Act, if he or she considers that—
 - (I) the whole or part, as the case may be, of the debt is irrecoverable,

(v) deontas nó cúnamh airgeadais eile den sórt sin a sholáthar i leith tí chónaithe a mbeidh damáiste déanta dó le tine, pléascadh nó foiche Dé; A.9

(vi) (I) méid, dearadh, achar urláir agus caighdeáin foirgníochta tí chónaithe agus soláthar uisce, séarachais agus seirbhísí eile le haghaidh tí chónaithe,

(II) oiriúnacht tí chónaithe le haghaidh feabhsúcháin agus saghas agus cuspóir na n-oibreacha feabhsúcháin,

(III) áitiú tí chónaithe,

(IV) imthosca sóisialta, airgeadais agus teaghlaigh áititheoirí nó áititheoirí beartaithe tí chónaithe,

(V) úsáid na Gaeilge ag áititheoirí nó áititheoirí beartaithe tí chónaithe,

a bhféadfar deontas nó cúnamh airgeadais eile den sórt sin a sholáthar ina leith.

(c) Féadfaidh an tAire, le toiliú an Aire Airgeadais, scéim a dhéanamh lena leasófar nó lena gcúlghairfear scéim faoin alt seo.

10.—I gcás inar deimhin leis an Aire—

Deontais a ghnóthú.

(a) gur trí chalois nó trí mhífhaisnéis a fuarthas deontas nó cúnamh airgeadais eile faoi Achtanna na dTithe (Gaeltacht), nó

(b) gur ró-íocadh deontas nó cúnamh airgeadais eile den sórt sin,

beidh méid an deontais nó an chúnamh airgeadais eile nó na ró-íocaíochta, de réir mar a bheidh, inaisíoctha leis an Aire ar é a éileamh agus, mura n-aisíocfar amhlaidh é, féadfaidh an tAire an méid a ghnóthú, mar fhiach conartha shimplí in aon chúirt dlínse inniúla, ón duine dár tugadh é.

11.—(a) Féadfaidh an tAire, le rialacháin—

Iasachtaí a ghnóthú.

(i) socrú a dhéanamh chun iasachtaí arna dtabhairt faoi alt 8 den Phríomh-Acht a aisíoc, agus féadfar an tráth nó na tráthanna ag a mbeidh, agus na tráthchodanna ina mbeidh, an t-aisíoc sin le déanamh a shonrú sna rialacháin, agus

(ii) le toiliú an Aire Airgeadais, socrú a dhéanamh chun an méid iomlán nó cuid den mhéid a bheidh dlíte i leith iasachtaí arna dtabhairt faoi alt 8 den Phríomh-Acht a dhíscríobh, má mheasann sé nó sí—

(I) nach féidir an fiach iomlán nó cuid de, de réir mar a bheidh, a ghnóthú,

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- (II) the repayment of the whole or the part, as the case may be, would cause undue hardship to the borrower, or
 - (iii) with the consent aforesaid write off the whole of the said amount if he or she considers that it is so small that its recovery would be unduly costly.
- (b) A regulation under section 8(3) of the Principal Act that is in force immediately before the passing of this Act shall continue in force as if made under this section, and a reference in any such regulation to the Commissioners shall be construed as a reference to the Minister.

Transfer of certain functions to Minister.

12.—Where a loan the subject of a charging order under subsection (1) of section 9 of the Principal Act that has been registered under subsection (3) of that section has not been repaid in full—

- (a) for the purposes of subsection (2) of that section, the Minister shall be deemed to be the mortgagee under the mortgage concerned and the said section 9 shall be construed accordingly,
- (b) section 10 of the Principal Act shall apply in relation to the charging order as if the references to the Commissioners were references to the Minister.

Repeals.

13.—The enactments mentioned in *columns (1) and (2) of the Schedule* are repealed to the extent specified in *column (3) of the Schedule* opposite such mention.

Short title, collective citation and construction.

14.—(1) This Act may be cited as the *Housing (Gaeltacht) (Amendment) Act, 2001.*

(2) The *Housing (Gaeltacht) Acts, 1929 to 1979*, and this Act may be cited together as the *Housing (Gaeltacht) Acts, 1929 to 2001*, and shall be construed together as one Act.

SCHEDULE

ENACTMENTS REPEALED

Section 13.

Number and year (1)	Short Title (2)	Extent of Repeal (3)
1929, No. 41	Housing (Gaeltacht) Act, 1929	Sections 3(3) and (4), 3A(1) and (3), 8, 9(1) and the Schedule
1953, No. 6 1959, No. 16	Housing (Gaeltacht) (Amendment) Act, 1953 Housing (Gaeltacht) (Amendment) Act, 1959	Section 3(4) and (5) Sections 7, 8(2) and (3)
1964, No. 34 1967, No. 16 1979, No. 29	Housing (Gaeltacht) (Amendment) Act, 1964 Housing (Gaeltacht) (Amendment) Act, 1967 Housing (Gaeltacht) (Amendment) Act, 1979	Section 4(1) Section 2 Sections 2(4) and 4.

(II) gurbh ábhar cruatain mhíchuí don iasachtaí an t-iomlán nó an chuid, de réir mar a bheidh, a aisíoc, nó A.11

(iii) leis an toiliú réamhráite, iomlán an méid sin a dúradh a dhíscríobh má mheasann sé nó sí é a bheith chomh beag sin go mbeadh costas as cuimse ag gabháil lena ghnóthú.

(b) Maidir le rialachán faoi alt 8(3) den Phríomh-Acht a bheidh i bhfeidhm díreach roimh an Acht seo a rith, leanfaidh sé i bhfeidhm amhail is gur faoin alt seo a rinneadh é, agus déanfar tagairt in aon rialachán den sórt sin do na Coimisinéirí a fhorléiriú mar thagairt don Aire.

12.—Más rud é nach mbeidh iasacht is ábhar d’ordú muirir faoi fho-alt (1) d’alt 9 den Phríomh-Acht a bheidh cláraithe faoi fho-alt (3) den alt sin aisíoctha go hiomlán— Feidhmeanna áirithe a aistriú chuig an Aire.

(a) chun críocha fho-alt (2) den alt sin, measfar gurb é nó í an tAire an morgáistí faoin morgáiste lena mbaineann agus forléireofar an t-alt sin 9 dá réir sin,

(b) beidh feidhm ag alt 10 den Phríomh-Acht i ndáil leis an ordú muirir amhail is gur tagairtí don Aire na tagairtí do na Coimisinéirí.

13.—Déantar na hachtacháin a luaitear i *gcolúin (1)* agus *(2)* den *Sceideal* a aisghairm a mhéid a shonraítear i *gcolún (3)* den *Sceideal* os coinne an lua sin. Aisghairm.

14.—(1) Féadfar Acht na dTithe (Gaeltacht) (Leasú), 2001, a ghairm den Acht seo. Gearrtheideal, comhlua agus forléiriú.

(2) Féadfar Achtanna na dTithe (Gaeltacht), 1929 go 2001, a ghairm d’Achtanna na dTithe (Gaeltacht), 1929 go 1979, agus den Acht seo le chéile, agus forléireofar le chéile iad mar aon Acht amháin.

AN SCEIDEAL

NA HACHTACHÁIN A AISGHAIRTEAR

Alt 13.

Uimhir agus Bliain (1)	Gearrtheideal (2)	Méid na hAisghairme (3)
1929, Uimh. 41	Acht na dTithe (Gaeltacht), 1929	Ailt 3(3) agus (4), 3A(1) agus (3), 8, 9(1) agus an Sceideal
1953, Uimh. 6	Acht na dTithe (Gaeltacht) (Leasú), 1953	Alt 3(4) agus (5)
1959, Uimh. 16	Acht na dTithe (Gaeltacht) (Leasú), 1959	Ailt 7, 8(2) agus (3)
1964, Uimh. 34	Acht na dTithe (Gaeltacht) (Leasú), 1964	Alt 4(1)
1967, Uimh. 16	Acht na dTithe (Gaeltacht) (Leasú), 1967	Alt 2
1979, Uimh. 29	Acht na dTithe (Gaeltacht) (Leasú), 1979	Ailt 2(4) agus 4.