



STATUTORY INSTRUMENTS.

**S.I. No. 338 of 2016**



HOUSING ASSISTANCE PAYMENT (AMENDMENT) (NO. 2)  
REGULATIONS 2016

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I, SIMON COVENEY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 4, 38, 42 and 43 of the Housing (Miscellaneous) Provisions Act 2014 (No. 21 of 2014), and with the consent of the Minister for Public Expenditure and Reform, hereby make the following regulations:

*Citation*

1. These Regulations may be cited as the Housing Assistance Payment (Amendment) (No. 2) Regulations 2016.

*Commencement*

2. These Regulations come into operation on 1 July 2016.

*Definition*

3. In these Regulations—

“Principal Regulations” means the Housing Assistance Payment Regulations 2014 (S. I. No. 407 of 2014).

“Regulations of 2016” means the Housing Assistance Payment (Amendment) Regulations 2016 (S.I. No. 40 of 2016).

*Certain prescribed periods*

4. Regulation 7 of the Principal Regulations is amended by deleting the reference to item number 5, together with the entries opposite that reference, in the Table to that Regulation.

*Sharing of dwelling by more than one household*

5. The Principal Regulations are amended by substituting the following for Regulation 8:

“8. The prescribed classes of households for the purpose of section 38 of the Act of 2014, are qualified households to which column (2), (3), (4), (5), (6), (7) or (8) of the Table to Regulation 10 relates.”.

*Requirements in relation to landlord*

6. Regulation 9 of the Principal Regulations is amended by substituting the following for paragraph (2):

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 5th July, 2016.*

“(2) A housing authority may pay, or continue to pay housing assistance in respect of a dwelling in accordance with section 42(6) of the Act of 2014 until—

- (a) the landlord supplies the relevant tax clearance certificate to the authority, or
- (b) a further payment by the authority of housing assistance falls due which, if paid, would result in total payments by the authority to the landlord in any period of 12 months exceeding €10,000.”.

*Maximum rent limits*

7. (1) Regulation 10 (inserted by the Housing Assistance Payment (Amendment) Regulations 2014 (S.I. No. 576 of 2014)) of the Principal Regulations is amended—

- (a) in paragraph (3) (as amended by the Housing Assistance Payment (Amendment)(No. 4) Regulations 2015 (S.I. No. 474 of 2015)) by substituting the following for subparagraph (b) (inserted by the Regulations of 2016):

“(b) The housing authorities for the purposes of subparagraph (a) are—

Carlow County Council,  
 Clare County Council,  
 Cork City Council,  
 Cork County Council,  
 Donegal County Council,  
 Galway City Council,  
 Galway County Council,  
 Kildare County Council,  
 Kilkenny County Council,  
 Limerick City and County Council,  
 Louth County Council,  
 Mayo County Council,  
 Meath County Council,  
 Monaghan County Council,

Offaly County Council,  
 Sligo County Council,  
 South Dublin County Council,  
 Tipperary County Council, and  
 Waterford City and County Council.”,

and

(b) by substituting the following for the Table (inserted by the Regulations of 2016) to that Regulation:

“TABLE

MAXIMUM MONTHLY RENT LIMITS

Local authority administrative area (1)	Household class						
	One adult in shared accommodation (2)	A couple in shared accommodation (3)	One adult (4)	A couple (5)	One adult, or a couple, with 1 child (6)	One adult, or a couple, with 2 children (7)	One adult, or a couple, with 3 children (8)
Carlow County Council	€ 270	€ 290	€ 440	€ 510	€ 570	€ 600	€ 630
Clare County Council	220	240	360	400	480	515	550
Cork City Council	300	330	550	650	900	925	950
Cork County Council	300	330	550	650	900	925	950
Donegal County Council	200	230	340	370	410	470	520
Dublin City Council	430	500	660	900	1,250	1,275	1,300
Dun Laoghaire-Rathdown County Council	430	500	660	900	1,250	1,275	1,300
Fingal County Council	400	440	660	900	1,150	1,175	1,200
Galway City Council	330	360	575	650	850	875	900

Local authority administrative area (1)	Household class						
	One adult in shared accommodation (2)	A couple in shared accommodation (3)	One adult (4)	A couple (5)	One adult, or a couple, with 1 child (6)	One adult, or a couple, with 2 children (7)	One adult, or a couple, with 3 children (8)
Galway County Council	€ 330	€ 360	€ 575	€ 650	€ 850	€ 875	€ 900
Kildare County Council	350	400	575	750	975	1,050	1,100
Kilkenny County Council	230	270	480	530	630	660	690
Limerick City and County Council	270	300	420	450	650	700	750
Louth County Council	310	350	575	650	975	1,050	1,100
Mayo County Council	200	220	390	410	480	500	520
Meath County Council	310	350	575	700	975	1,050	1,100
Monaghan County Council	200	220	330	390	500	515	530
Offaly County Council	210	230	380	435	550	575	600
Sligo County Council	220	250	460	490	550	575	600
South Dublin County Council	430	500	660	900	1,250	1,275	1,300
Tipperary County Council	210	230	380	420	525	560	600
Waterford City and County Council	240	270	430	450	550	575	600

”.

The Minister for Public Expenditure and Reform consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Public Expenditure and Reform,  
30 June 2016.

PASCHAL DONOHOE,  
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,  
30 June 2016.

SIMON COVENEY,  
Minister for the Environment, Community and Local  
Government.

## EXPLANATORY NOTE

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

The primary function of these Regulations is to amend the Housing Assistance Payment Regulations 2014 (S.I. No. 407 of 2014) by increasing the prescribed maximum rent limits for prescribed household classes.

The Regulations also provide that the maximum rent limits set out in the Table under Regulation 10 may be exceeded by not more than 20 per cent in the administrative area of Carlow County Council, Clare County Council, Cork City Council, Cork County Council, Donegal County Council, Galway City Council, Galway County Council, Kildare County Council, Kilkenny County Council, Limerick City and County Council, Louth County Council, Mayo County Council, Meath County Council, Monaghan County Council, Offaly County Council, Sligo County Council, South Dublin County Council, Tipperary County Council, and Waterford City and County Council, where this is necessary to source suitable accommodation for a household that is qualified for social housing support.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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nó trí aon díoltóir leabhar.

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