Number 14 *of* 1990

DERELICT SITES ACT 1990

REVISED

Updated to 11 December 2025

This Revised Act is an administrative consolidation of the *Derelict Sites Act 1990*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Health Insurance (Amendment) Act 2025* (14/2025), enacted 10 December 2025, and all statutory instruments up to and including the *Derelict Sites Act 1990 (Urban Areas) Regulations 2025* (S.I. No. 603 of 2025), made 11 December 2025, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to
revisedacts@lawreform.ie.

Number 14 *of* 1990

DERELICT SITES ACT 1990

REVISED

Updated to 11 December 2025

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Number 14 *of* 1990

DERELICT SITES ACT 1990

REVISED

Updated to 11 December 2025

AN ACT TO MAKE PROVISION WITH RESPECT TO LAND TO PREVENT IT BEING OR BECOMING A DERELICT SITE, TO ENABLE LOCAL AUTHORITIES TO REQUIRE THE TAKING OF MEASURES ON DERELICT SITES BY THE OWNERS OR OCCUPIERS AND, IN CERTAIN CIRCUMSTANCES, TO ACQUIRE DERELICT SITES COMPULSORILY, TO ESTABLISH REGISTERS OF DERELICT SITES, TO ENABLE THE MINISTER TO GIVE DIRECTIONS IN RELATION TO DERELICT SITES, TO PROVIDE FOR A DERELICT SITES LEVY AND TO PROVIDE FOR OTHER MATTERS CONNECTED WITH THE AFORESAID AND TO REPEAL THE DERELICT SITES ACT, 1961. [27*th June,* 1990]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

C1 Prospective affecting provision: certain functions transferred and references construed by *Planning and Development Act 2024* (34/2024), ss. 410(1)(a)(viii), 423(1)(a)(viii), not commenced as of date of revision.

Continuance of vesting of certain functions

410. (1) It is hereby declared that all the functions that, immediately before the repeal of Part XIV of the Act of 2000 by section 6, vested in the Commission (formerly known as An Bord Pleanála) by virtue of sections 214, 215, 215A, 215B and 215C of that Act, namely—

(a) the functions conferred on the Minister of the Government concerned in relation to the compulsory acquisition of land by a local authority under the following enactments: ...

(viii) the Derelict Sites Act 1990;

...

shall, on and after that repeal, continue to vest in the Commission and the enactments referred to in *paragraphs (a)* to *(e)* shall, with all necessary modifications, be construed accordingly.

...

Continuance of vesting of certain functions

423. (1) It is hereby declared that all the functions that, immediately before the repeal of Part XIV of the Act of 2000 by section 6, vested in the Commission (formerly known as An Bord Pleanála) by virtue of sections 214, 215, 215A, 215B and 215C of that Act, namely—

(a) the functions conferred on the Minister of the Government concerned in relation to the compulsory acquisition of a maritime site by a local authority under the following enactments: ...

(viii) the Derelict Sites Act 1990;

...

shall, on and after that repeal, continue to vest in the Commission and the enactments referred to in paragraphs (a) to (e) shall, with all necessary modifications, be construed accordingly.

...

C2 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-

Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b),140(8),141(1)(b),141(4),142(2)(a),142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 14 of 1990	Derelict Sites Act 1990	The whole Act.
...	...	...

C3 Time periods in Act construed by *Planning and Development Act 2000* (30/2000), s. 251A(1), as inserted (29.03.2020) by *Emergency Measures in the Public Interest (Covid-19) Act 2020* (2/2020), s. 9, S.I. No. 100 of 2020, for temporary period initially ceased (20.04.2020) by S.I. No. 129 of 2020, secondly ceased (9.05.2020) by S.I. No. 131 of 2020, and further ceased (23.05.2020) by S.I. No. 165 of 2020.

[Calculation of time limits during emergency

251A. (1) Where calculating any appropriate period, specified period or other time limit referred to in the following Acts or provisions, or in any regulations made under those Acts or provisions, the period referred to in subsection (2) shall be disregarded: ...

(b) the Derelict Sites Act 1990;

...

(2) The period to be disregarded under subsection (1) is the period beginning on the date section 9 of the Emergency Measures in the Public Interest (Covid-19) Act 2020 comes into operation and, subject to subsection (6), ending on the date that shall be specified by order under subsection (3) or that may be specified by order under subsection (4).

...

C4 Application of Act restricted (21.09.2011) by *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011), reg. 42(22).

Screening for Appropriate Assessment and Appropriate Assessment of implications for European Sites

42. ...

(22) Notwithstanding any provision of any statute listed in the Second Schedule that provides for the consent for a plan or project to which this Regulation applies to be obtained by default on the failure of the public authority to provide a response within a specified timescale or otherwise, that provision shall not have effect in respect of any plan or project to which this Regulation applies.

...

SECOND SCHEDULE

...	...	...
14	1990	Derelict Sites Act, 1990
...	...	...

C5 Minister's functions in relation to compulsory acquisition of land under Act transferred to An Board Pleanála (1.01.2001) by *Planning and Development Act 2000* (30/2000), s. 214(1), S.I. No. 449 of 2000.

Transfer of Minister's functions in relation to compulsory acquisition of land to Board.

214.—(1) The functions conferred on the Minister in relation to the compulsory acquisition of land by a local authority under the following enactments are hereby transferred to, and vested in, the Board and any reference in any relevant provision of those Acts to the Minister, or construed to be a reference to the Minister, shall be deemed to be a reference to the Board except that any powers under those enactments to make regulations or to prescribe any matter shall remain with the Minister:

...

Derelict Sites Act, 1990;

...

Editorial Notes:

E1 Act designated a "relevant enactment" (19.12.2020) by *Planning and Development, and Residential Tenancies, Act 2020* (27/2020), s. 5(9), commenced on enactment, enabling the Government to declare emergency periods in the context of Covid-19.

E2 Act included in list of Acts responsibility for which resides primarily with the Minister for the Environment, Community and Local Government (1.01.2002) by *Local Government Act 2001* (37/2001), s. 63(2)(a)(i), sch. 12 part 1, S.I. No. 588 of 2001 as substituted (31.12.2007) by *Water Services Act 2007* (30/2007), s. 115, S.I. No. 846 of 2007.

PART I

PRELIMINARY AND GENERAL

Short title.

1.—This Act may be cited as the Derelict Sites Act, 1990.

Interpretation.

2.—(1) In this Act—

"the appropriate Minister" means any Minister of the Government (other than the Minister) who, having regard to the Ministerial functions vested in him, in the opinion of the Minister might be concerned with or interested in the matter in question;

"bond" has the meaning assigned to it by *section 25*;

"derelict site" has the meaning assigned to it by *section 3*;

"derelict sites levy" has the meaning assigned to it by *section 23*;

"derelict sites register" means the register established under *section 8*;

"development objective" means an objective formulated by a planning authority under section 19 of the Local Government (Planning and Development) Act, 1963;

"functions" includes powers and duties;

"land" includes any structure and any land covered with water;

"local authority", except in the definition of statutory body, means the council of a county, the corporation of a county or other borough or the council of an urban district;

"market value" means the value of the relevant urban land assessed in accordance with *section 22*;

"the Minister" means the Minister for the Environment;

"occupier", in relation to land, includes any person in or entitled to immediate use and enjoyment of the land, any person entitled to occupy the land and any other person having, for the time being, control of the land;

"owner", other than in *section 15,* in relation to land, means a person, other than a mortgagee not in possession, who whether in his own right or as trustee or agent for any other person, is entitled to receive the rack rent of the land or, where the land is not let at a rack rent, would be so entitled if it were so let;

"prescribed" means prescribed by regulations made by the Minister under this Act;

"the register", other than in *section 18*, means the register established under *section 8*;

"registering authority" means a registering authority within the meaning of the Registration of Title Act, 1964;

"State authority" has the meaning assigned to it by section 84 of the Local Government (Planning and Development) Act, 1963;

"statutory body" means:—

(*a*) a local authority within the meaning of the Local Government Act, 1941,

(*b*) a harbour authority within the meaning of the Harbours Act, 1946,

(*c*) a health board established under the Health Act, 1970,

(*d*) a vocational education committee within the meaning of the Vocational Education Act, 1930,

(*e*) a board or other body established by or under statute,

(*f*) a company in which all the shares are held by, or on behalf of, or by directors appointed by, a Minister of the Government, or

(*g*) a company in which all the shares are held by a board, company, or other body referred to in *paragraph (e)* or *(f)* of this definition;

"structure" means any building, erection, structure, excavation, or other thing, constructed, erected, or made on, in or under any land, or any part of a structure so defined, and, where the context so admits, includes the land on, in, or under which the structure is situate;

"the Tribunal" means the Valuation Tribunal established under section 2 of the Valuation Act, 1988;

"urban area" means a county or other borough, an urban district, a town or an area prescribed by the Minister under *section 21*;

"urban land" means a derelict site in an urban area which has been entered on the register but does not include any occupied dwelling or land owned by a State authority or by the local authority in whose functional area the land is situate or land in relation to which—

(*a*) a compulsory purchase order (other than a vesting order under this Act) has become operative, or

(*b*) a development objective exists for the purpose of reserving the land for roads or parking places or for any of the purposes of reserving or preserving land indicated in Part IV of the Third Schedule to the Local Government (Planning and Development) Act, 1963.

(2) A reference in this Act to a section or Part is a reference to a section or Part of this Act, unless it is indicated that a reference to some other enactment is intended.

(3) A reference in this Act to a subsection is a reference to a subsection of the provision in which the reference occurs, unless it is indicated that a reference to some other provision is intended.

Definition of derelict site.

3.—In this section "derelict site" means any land (in this section referred to as "the land in question") which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

(*a*) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(*b*) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(*c*) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by F1**[**or under**]** statute or by common law.

Annotations

Amendments:

F1 Inserted (1.07.1996) by *Waste Management Act 1996* (10/1996), s. 38(10), S.I. No. 192 of 1996.

Regulations.

4.—(1) The Minister may make regulations—

(*a*) for prescribing any matters referred to in this Act as prescribed, and

(*b*) for the purpose of giving full effect to this Act.

(2) Every regulation made under this Act, other than a regulation referred to in *section 23 (4)*, shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either House within the next twenty-one days on which that House has sat after the regulation has been laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done under the regulation.

Annotations

Editorial Notes:

E3 Power pursuant to section exercised (11.12.2025) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2025* (S.I. No. 603 of 2025).

E4 Power pursuant to section exercised (5.11.2024) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2024* (S.I. No. 606 of 2024).

E5 Power pursuant to section exercised (20.12.2023) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2023* (S.I. No. 676 of 2023).

E6 Power pursuant to section exercised (13.06.2022) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2022* (S.I. No. 289 of 2022).

E7 Power pursuant to section exercised (19.12.2018) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2018* (S.I. No. 589 of 2018).

E8 Power pursuant to section exercised (16.11.2016) by *Derelict Sites (Urban Areas) (No. 2) Regulations 2016* (S.I. No. 564 of 2016).

E9 Power pursuant to section exercised (8.03.2016) by *Derelict Sites (Urban Areas) Regulations 2016* (S.I. No. 135 of 2016).

E10 Power pursuant to section exercised (3.02.2015) by *Derelict Sites (Urban Areas) Regulations 2015* (S.I. No. 54 of 2015).

E11 Power pursuant to section exercised (16.12.2013) by *Derelict Sites (Urban Areas) Regulations 2013* (S.I. No. 570 of 2013).

E12 Power pursuant to section exercised (20.12.2012) by *Derelict Sites (Urban Areas) (No. 2) Regulations 2012* (S.I. No. 578 of 2012).

E13 Power pursuant to section exercised (20.12.2012) by *Derelict Sites (Urban Areas) Regulations 2012* (S.I. No. 577 of 2012).

E14 Power pursuant to section exercised (21.11.2011) by *Derelict Sites (Urban Areas) Regulations 2011* (S.I. No. 688 of 2011).

E15 Power pursuant to section exercised (22.12.2010) by *Derelict Sites (Urban Areas) Regulations 2010* (S.I. No. 642 of 2010).

E16 Power pursuant to section exercised (22.12.2009) by *Derelict Sites (Urban Areas) Regluations 2009* (S.I. No. 561 of 2009).

E17 Power pursuant to section exercised (21.12.2007) by *Derelict Sites (Urban Areas) Regulations 2007* (S.I. No. 870 of 2007).

E18 Power pursuant to section exercised (19.12.2006) by *Derelict Sites (Urban Areas) Regulations 2006* (S.I. No. 662 of 2006).

E19 Power pursuant to section exercised (14.12.2005) by *Derelict Sites (Urban Areas) Regulations 2005* (S.I. No. 813 of 2005).

E20 Power pursuant to section exercised (19.11.2003) by *Derelict Sites (Urban Areas) Regulations 2003* (S.I. No. 621 of 2003).

E21 Power pursuant to section exercised (18.12.2001) by *Derelict Sites (Urban Areas) Regulations 2001* (S.I. No. 578 of 2001).

E22 Power pursuant to section exercised (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000).

E23 Power pursuant to section exercised (19.12.2000) by *Derelict Sites (Urban Areas) Regulations 2000* (S.I. No. 440 of 2000).

E24 Power pursuant to section exercised (17.12.1993) by *Derelict Sites (Urban Areas) Regulations 1993* (S.I. No. 392 of 1993).

E25 Power pursuant to section exercised (21.12.1992) by *Derelict Sites (Urban Areas) (No. 2) Regulations 1992* (S.I. No. 408 of 1992).

E26 Power pursuant to section exercised (3.12.1992) by *Derelict Sites (Urban Areas) Regulations 1992* (S.I. No. 364 of 1992).

E27 Power pursuant to section exercised (24.12.1991) by *Derelict Sites (Urban Areas) Regulations 1991* (S.I. No. 362 of 1991).

E28 Power pursuant to section exercised (20.11.1991) by *Derelict Sites (Commencement of Derelict Sites Levy) Regulations 1991* (S.I. No. 286 of 1991).

E29 Previous affecting provision: power pursuant to section exercised (18.12.2004) by *Derelict Sites (Urban Areas) Regulations 2004* (S.I. No. 659 of 2004); revoked (14.12.2005) by *Derelict Sites (Urban Areas) Regulations 2005* (S.I. No. 813 of 2005), reg. 3.

E30 Previous affecting provision: power pursuant to section exercised (25.07.1990) by *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990); revoked (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 7.

Repeal.

5.—(1) The Derelict Sites Act, 1961, is hereby repealed.

(2) Notwithstanding *subsection (1),* and without prejudice to the generality of section 21 of the Interpretation Act, 1937, the repeal of the Derelict Sites Act, 1961, shall not affect—

(*a*) the exercise of any power under section 2, 3, 4, 6, 9, 12, 14, 15, 16 or 18 of that Act, or

(*b*) any right accruing to a person under section 5, 8, 9, 11 or 13 of that Act,

in respect of any procedure or anything commenced before the coming into operation of this Act.

Service of notices, etc.

6.—(1) Any notice required to be given or served on a person under this Act shall be addressed to the person concerned and shall be given or served on him in one of the following ways:—

(*a*) where it is addressed to him by name, by delivering it to him;

(*b*) by leaving it at the address at which he ordinarily resides or, in a case in which an address for service has been furnished, at that address;

(*c*) by sending it by post in a prepaid registered letter, addressed to him at the address at which he ordinarily resides or, in a case in which an address for service has been furnished, at that address;

(*d*) where the address at which he ordinarily resides cannot be ascertained by reasonable inquiry, by delivering it to some person over sixteen years of age resident in or

employed on the land to which the notice relates or by affixing it in a conspicuous position on or near such land.

(2) Where the name of the owner or of the occupier (as the case may be) cannot be ascertained by reasonable inquiry, a notice may be addressed to "the owner" or "the occupier" (as the case may require) without naming him.

(3) For the purposes of this section, a company within the meaning of the Companies Acts, 1963 to 1986, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body shall be deemed to be ordinarily resident at its principal office or place of business.

(4) A person shall not at any time during the period of one month after a notice is affixed under *subsection (1) (d)* remove, damage or deface the notice without lawful authorisation.

Expenses.

7.—(1) The expenses incurred by the Minister in the administration of this Act, shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

(2) Expenses under this Act of a local authority who are the council of a county shall be charged on the county (exclusive of every borough and urban district therein).

PART II

Measures to Prevent and Control Derelict Sites

Register of derelict sites.

8.—(1) Every local authority shall, within one year after the commencement of this Act, establish and thereafter maintain a register to be known as "the derelict sites register" and which is referred to in this Act as "the register" and shall enter on to the register—

(*a*) particulars of any land in their functional area which, in their opinion, is a derelict site,

(*b*) the name and address of each owner and occupier, where these can be ascertained by reasonable enquiry,

(*c*) particulars of any action taken by the local authority under this Act or under any other enactment in relation to the site,

(*d*) in the case of land owned or occupied by a local authority, particulars of the use, if any, which is being made of the land and particulars of any purpose for which the land is intended to be used,

(*e*) particulars of the market value of urban land as determined by the local authority, or by the Tribunal on appeal, in accordance with the provisions of *section 22*, and

(*f*) such other particulars as may be prescribed.

(2) Before making any entry on the register in relation to any land, the local authority shall give to any owner and occupier, where they can be ascertained by reasonable enquiry, notice of their intention to make such entry and shall consider any representations any owner or occupier may make in writing within such period as may be specified in the notice and may either make the entry or not as they think proper having regard to such representations.

(3) A local authority may remove an entry from the register where they consider that the entry is no longer appropriate.

(4) A local authority shall remove an entry from the register (and record in the register the date on which this is done) in relation to a derelict site where—

(*a*) a notice under *section 11* has been complied with, or

(*b*) steps have been taken under *section 11 (5)* to give effect to the terms of a notice under *section 11*, or

(*c*) the land has otherwise ceased to be a derelict site.

(5) The register shall be kept at the offices of the local authority and shall be available for inspection at the offices of the local authority during office hours.

(6) A copy of the register or an entry in the register shall be sent to the Minister on request.

(7) Notice of an entry in the register shall be served by the local authority on the owner and occupier of a site in respect of which an entry has been made in the register where such persons can be ascertained by reasonable enquiry.

(8) Every document purporting to be a copy of an entry in the register and purporting to be certified by an officer of a local authority to be a true copy of the entry shall, without proof of the signature of the person purporting so to certify or that he was such officer, be received in evidence in any legal proceedings and shall, until the contrary is proved, be deemed to be a true copy of the entry and be evidence of the terms of the entry.

(9) Evidence of an entry in the register may be given by production of a copy thereof certified pursuant to this section and it shall not be necessary to produce the register itself.

Annotations

Modifications (not altering text):

C6 Additional particulars for entry onto the register under subs. (1) specified (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 3.

3. (1) A local authority shall enter on to the register, in addition to the particulars specified in section 8 (1) (a) to (e) of the Act,:—

(*a*) Particulars of any development objective for the purpose of reserving the land for roads or parking places or for any of the purposes of reserving or preserving land indicated in Part IV of the Third Schedule to the Local Government (Planning and Development) Act, 1963 (No. 28 of 1963), or for any of the purposes of reserving or preserving land indicated in Parts IV and V of the First Schedule to the Act of 2000, which exists in relation to land particulars of which are entered on to the register, and

(*b*) Particulars of any bond entered into by an owner of urban land under section 25 of the Act.

(2) The register shall incorporate a map for enabling a person to trace any land entered on to the register.

Editorial Notes:

E31 Previous affecting provision: additional particulars for entry onto the register under subs. (1) specified (25.07.1990) by *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990), reg. 3; revoked and replaced (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 7.

General duty of owner and occupier of land.

9.—It shall be the duty of every owner and occupier of land, including a statutory body and a State authority, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.

Duty of local authority.

10.—It shall be the duty of a local authority to take all reasonable steps (including the exercise of any appropriate statutory powers) to ensure that any land situate in their functional area does not become or continue to be a derelict site.

Power of local authority to require measures to be taken in relation to derelict sites.

11.—(1) Where—

(*a*) in the opinion of a local authority it is necessary to do so, in order to prevent land situate in their functional area from becoming or continuing to be a derelict site, or

(*b*) a local authority have been directed to do so by the Minister under *section 12*,

they shall serve a notice in writing on any person who appears to them to be the owner or occupier of the said land.

(2) A notice under this section shall—

(*a*) specify the measures which the local authority or the Minister, as the case may be, consider to be necessary in order to prevent the land from becoming or continuing to be a derelict site,

(*b*) direct the person on whom the notice is being served to take such measures as may be specified in the notice, and

(*c*) specify a period (being not less than one month) within which such measures are to be taken; provided, however, the notice shall not have effect until—

(i) the expiration of fourteen days from the date of service of the notice, or

(ii) if any representations are made under *subsection (3)*, the date on which the local authority notify the person making such representations that they have considered the said representations.

(3) Any person who is the owner or occupier of land in respect of which a notice has been served under this section may, within fourteen days from the date of the service of the notice, make such representations in writing as he thinks fit to the local authority concerning the terms of the notice and the said authority, having considered such representations, may amend or revoke the notice.

(4) Any person who is the owner or occupier of land in respect of which a notice has been served under this section shall, within the period specified in the notice, comply with the requirements of the notice, or, as the case may be, the notice as amended.

(5) Where a person on whom a notice under this section has been served does not, within the period specified in the notice or in the notice as amended, as the case may be, comply with the requirements of the notice, the local authority who served the notice may take such steps (including entry on land by authorised persons in accordance with *section 30*) as they consider reasonable and necessary to give effect to the terms of the notice or the notice as amended, as the case may be, and may recover any expense thereby incurred from the person on whom the notice or the notice as amended, as the case may be, was served and who is the owner or occupier as a simple contract debt in any court of competent jurisdiction.

(6) The carrying out of any works, within the meaning of the Local Government (Planning and Development) Acts, 1963 to 1983, which are specified in a notice or in the notice as amended, as the case may be, under this section shall be exempted development for the purposes of those Acts.

(7) Any person served with a notice or with the notice as amended, as the case may be, under this section who is the owner of the land in respect of which a notice has been served, and his servants or agents, may enter the land and undertake the measures required to be done under the notice.

Annotations

Editorial Notes:

E32 Obligation imposed on sanitary authority to consider issuing a notice under section in respect of a protected structure or a proposed structure prior to issuing a notice under *Local Government (Sanitary Services) Act 1964* (29/1964), s. 3(1) (21.01.2002) by *Planning and Development Act 2000* (30/2000), s. 79, S.I. No. 599 of 2001.

E33 Previous affecting provision: obligation imposed on sanitary authority to consider issuing a notice under section in respect of a protected structure or a proposed structure before issuing a notice under s. 3(1) *Local Governmemt (Sanitary Services) Act 1964* (29/1964) (1.01.2000) by *Local Government (Planning and Development) Act 1999* (17/1999), s. 30(1)(b), commenced as per s. 42(3); repealed (21.01.2002) by *Planning and Development Act 2000* (30/2000), s. 264 and sch. 6, S.I. No. 599 of 2001.

Power of Minister to give a direction.

12.—The Minister may—

(*a*) direct a local authority to serve a notice under *section 11 (1)*, in relation to a derelict site which is included in the register, or

(*b*) direct a local authority to take such steps as he considers reasonable and necessary to give effect to the terms of a notice served under *section 11 (1)*, or

(*c*) direct a local authority to take such steps as may be specified by him so as to prevent any land owned or occupied by them from becoming or continuing to be a derelict site,

and it shall be the duty of the local authority to comply with the direction within such period as may be specified by the Minister.

Disposal of sites held by statutory bodies.

13.—(1) The Minister may, in relation to any derelict site which is included in the register and in which a statutory body has an interest, direct that body to take such steps as are open to it to dispose of that interest.

(2) Before giving a direction under *subsection (1)*, the Minister shall consult with the appropriate Minister and give to the body concerned notice of his proposal to give such a direction and shall consider any objections that body may make and he may modify his proposal in such manner and to such extent as he thinks proper and may give a direction accordingly.

(3) The Minister shall not give a direction under this section unless he is satisfied after consultation with the appropriate Minister that the land to which the direction, if given, will relate is not being used by, or is not, or is unlikely to be, required by, the statutory body for the performance of its functions.

(4) It shall be the duty of a statutory body to whom a direction has been given under this section to comply with the direction within the time specified in the direction.

Power to acquire derelict site.

14.—A local authority may acquire by agreement or compulsorily any derelict site situated within their functional area.

Notice of intention to acquire derelict site compulsorily.

15.—(1) A local authority intending to acquire any derelict site compulsorily under this Act shall—

(*a*) publish in one or more newspapers circulating in their functional area a notice stating their intention to acquire the derelict site compulsorily under this Act, describing the land to which it relates, naming the place where a map of the derelict site is deposited and the times during which it may be inspected and specifying the time within which (not being less than one month) and the manner in which objections to the acquisition of the land may be made to the local authority, and

(*b*) serve on every owner, lessee and occupier (except tenants for a month or a period less than a month) of the land a notice in the prescribed form stating their intention to acquire the derelict site compulsorily under this Act, describing the derelict site to which it relates, naming the place where a map of the derelict site is deposited and the times during which it may be inspected and specifying the time within which (not being less than one month) and the manner in which objections to the acquisition of the derelict site may be made to the local authority.

(2) In this section "owner" means in relation to land, a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion and includes also a person who holds or is entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years.

Annotations

Editorial Notes:

E34 Form of notice required under subs. (1)(b) prescribed (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 4.

E35 Previous affecting provision: form of notice required under subs. (1)(b) prescribed (25.07.1990) by *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990), reg. 4; revoked and replaced (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 7.

Objection to compulsory acquisition of derelict site.

16.—(1) Any of the persons upon whom notices of the proposed compulsory acquisition of a derelict site have been served may, within the time and in the manner specified in the notices, submit to the local authority an objection to the proposed compulsory acquisition referred to in the notice.

(2) An objection to the proposed compulsory acquisition of any derelict site may be withdrawn by the person who made it, by notice in writing sent to the local authority.

(3) Where in relation to the proposed compulsory acquisition of any derelict site by a local authority an objection is made to the local authority in accordance with *subsection (1)* and is not withdrawn, the derelict site shall not be acquired compulsorily by the local authority without the consent of the Minister.

(4) An application by a local authority for the consent of the Minister to the compulsory acquisition of any derelict site under this Act shall be made within one month after the expiry of the time within which objection to the proposed acquisition may be made and shall be

accompanied by the relevant map, the objection duly made to the local authority in pursuance of this section in relation to the compulsory acquisition and not subsequently withdrawn, the comments of the authority (if any) on the objection and such other documents and particulars as may be prescribed.

(5) On receipt of the comments of the authority (if any) referred to in *subsection (4)*, the Minister shall, by notice served on the person who made the objection send a copy of such comments to that person who may, within twenty-one days from the date of the service of the notice, make observations to the Minister in relation to the comments.

(6) On an application under *subsection (4)*, in relation to any derelict site referred to in a notice published by a local authority under *section 15*, the Minister may, as he thinks fit, grant or refuse to grant his consent to the compulsory acquisition of all or part of the derelict site.

Annotations

Modifications (not altering text):

C7 Term "Minister" construed (1.01.2001) by *Planning and Development Act 2000* (30/2000), s. 214(2)(g), S.I. No. of 449 of 2000.

Transfer of Minister's functions in relation to compulsory acquisition of land to Board.

214.— ...

(g) the references to the Minister in sections 16 and 17 of the Derelict Sites Act 1990, shall be construed as referring to the Board and any connected references shall be construed accordingly;

...

C8 Additional particulars specified (20.12.2000) for application under subs. (4) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 5.

Application for consent of An Bord Pleanála to compulsory acquisition of derelict site.

5. An application by a local authority under section 16 of the Act (as amended by Section 214 of the Act of 2000) for the consent of An Bord Pleanála to the compulsory acquisition of any derelict site shall be accompanied by, in addition to the documents and particulars specified in subsection (4) of that section:—

(*a*) a copy of the newspaper or newspapers in which notice of the intention of the local authority to acquire the derelict site compulsorily was published in accordance with section 15 (1) (a) of the Act, and

(*b*) a copy of the notice of intention to acquire the derelict site compulsorily served by the local authority in accordance with section 15 (1) (b) of the Act.

Editorial Notes:

E36 Previous affecting provision: additional particulars specified for application under subs. (4) (25.07.1990) by *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990), reg. 5; revoked (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 7.

Vesting order.

17.—(1) Where, in relation to any derelict site in respect of which the provisions of *section 15* have been complied with by a local authority—

(*a*) no objection is submitted to the local authority in accordance with *section 16,* or

(*b*) any objection which is submitted as aforesaid is subsequently withdrawn, or

(*c*) the Minister gives his consent to the compulsory acquisition thereof by the local authority,

the local authority may by order (in this Act referred to as a vesting order) acquire the derelict site.

(2) Where a local authority, before making a vesting order, become aware that the derelict site to be acquired by the order is subject (whether alone or in conjunction with other land) to any annuity or other payment to the Irish Land Commission or to the Commissioners of Public Works in Ireland, or to any charge payable to the Revenue Commissioners on the death of any person, the local authority shall forthwith inform the Irish Land Commission, the Commissioners of Public Works in Ireland or the Revenue Commissioners, as the case may be, of the intention to make the order.

(3) Whenever a local authority make a vesting order under this section, they shall within fourteen days after making the order—

(*a*) publish in one or more newspapers circulating within their functional area a notice stating that the order has been made, describing the derelict site to which it relates and naming a place where a copy of the order and the map attached thereto may be seen at all reasonable times, and

(*b*) serve on every person appearing to them to have an interest in the derelict site to which the order relates a notice stating that the order has been made and the effect of the order.

Annotations

Modifications (not altering text):

C9 Term "Minister" construed (1.01.2001) by *Planning and Development Act 2000* (30/2000), s. 214(2)(g), S.I. No. of 449 of 2000.

Transfer of Minister's functions in relation to compulsory acquisition of land to Board.

214.— ...

(g) the references to the Minister in sections 16 and 17 of the Derelict Sites Act 1990, shall be construed as referring to the Board and any connected references shall be construed accordingly;

...

Editorial Notes:

E37 Form of vesting order under subs. (1) prescribed (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. of 455 of 2000), reg. 6.

E38 Previous affecting provision: form of vesting order under subs. (1) prescribed (25.07.1990) by *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990), reg. 6; revoked (20.12.2000) by *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000), reg. 7.

Form and effect of vesting order and registration of title acquired thereby.

18.—(1) Every vesting order by which a local authority acquire any derelict site under this Act shall be in the prescribed form and shall have attached thereto a map showing the land to which it relates.

(2) A vesting order shall be expressed and shall operate to vest the derelict site to which it relates in the local authority in fee simple free from encumbrances and all estates, rights, titles and interests of whatsoever kind on a specified date (in this Act referred to as the vesting date) not earlier than twenty-one days after the making of the order.

(3) Notwithstanding anything in *subsection (2),* where a local authority have acquired by a vesting order a derelict site which is subject, either alone or in conjunction with other land, to a purchase annuity, payment in lieu of rent, or other annual sum (not being merely a rent under a contract of tenancy) payable to the Irish Land Commission or to the Commissioners of Public Works in Ireland, the authority shall become and be liable, as from the date on which the derelict site is vested in them by the vesting order, for the payment to the Irish Land Commission or to the Commissioners of Public Works in Ireland, as the case may be, of the annual sum or such portion thereof as shall be apportioned by the Irish Land Commission or by the Commissioners of Public Works in Ireland, as the case may be, on the derelict site as if the derelict site had been transferred to the authority by the owner thereof on that date.

(4) When a local authority make a vesting order in relation to any derelict site, they shall send the order to the registering authority and thereupon the registering authority shall cause the local authority to be registered as owner of the land in accordance with the order.

(5) (*a*) Where a local authority are satisfied on the application of any person interested that a vesting order contains an error or mistake, whether occasioned by the local authority by whom such vesting order was made or otherwise, the local authority may, by order, amend such vesting order, provided such error or mistake may be rectified without injustice to any person.

(*b*) Where a local authority make an order under this subsection amending a vesting order, the registering authority shall on the lodgment with them of a copy of such amending order rectify the register in such manner as may be necessary to make such register conformable with such amending order.

Compensation.

19.—(1) Where, immediately before a vesting order is made, any person has any estate or interest in or right in respect of the derelict site acquired by the order, the person may apply to the local authority not later than twelve months after the making of the order for compensation in respect of the estate, interest or right, and the local authority shall, subject to *subsection (3)*, thereupon pay to the person by way of compensation an amount equal to the value (if any) of the estate, interest or right.

(2) The compensation to be paid by a local authority under this section in respect of any estate or interest in or right in respect of the derelict site shall, in default of agreement, be determined by arbitration under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

(3) Where, after the making of a vesting order by a local authority under this Act in relation to any derelict site, any sum (including any sum for costs) remains due to the local authority by any person by way of derelict sites levy or on foot of an order of any court for payment of an amount due to the local authority under this Act or any other Act—

(*a*) if the sum aforesaid is less than the amount of the compensation payable to the person under this section, the amount of the compensation shall be reduced by the amount of the sum, and

(*b*) if the sum aforesaid is not less than the amount of the compensation aforesaid, the compensation shall not be payable.

(4) Sections 69 to 79 of the Lands Clauses Consolidation Act, 1845, as amended or adapted by or under the Second Schedule to the Housing of the Working Classes Act, 1890, or any other Act, shall apply in relation to compensation to be paid by a local authority under this section as if such compensation were a price or compensation under the said Act as so amended.

(5) Where money is paid into Court under section 69 of the Lands Clauses Consolidation Act, 1845, as applied by this section, by the local authority, no costs shall be payable by that authority to any person in respect of any proceedings for the investment, payment of income, or payment of capital of such money.

Use of derelict site acquired under this Act or other enactment.

20.—(1) A local authority may use any derelict site acquired by them under this Act, the Derelict Sites Act, 1961, or the Acquisition of Derelict Sites Act, 1940, for any purpose connected with their functions.

(2) Where the whole or any part of any derelict site acquired under this Act, the Derelict Sites Act, 1961, or the Acquisition of Derelict Sites Act, 1940, is at any time not required by the local authority by whom it was acquired, the local authority may, subject to any regulations made under this Act, sell, let, transfer or exchange the whole or that part (as the case may be) of the derelict site.

PART III

Levy on Derelict Sites

Prescribed area.

21.—The Minister may prescribe any area not being part of a county or other borough, an urban district or a town, to be an urban area for the purpose of this Act.

Annotations

Editorial Notes:

E39 Power pursuant to section exercised (11.12.2025) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2025* (S.I. No. 603 of 2025).

E40 Power pursuant to section exercised (5.11.2024) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2024* (S.I. No. 606 of 2024).

E41 Power pursuant to section exercised (20.12.2023) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2023* (S.I. No. 676 of 2023).

E42 Power pursuant to section exercised (13.06.2022) by *Derelict Sites Act (Urban Areas) Regulations 2022* (S.I. No. 289 of 2022).

E43 Power pursuant to section exercised (19.12.2018) by *Derelict Sites Act 1990 (Urban Areas) Regulations 2018* (S.I. No. 589 of 2018).

E44 Power pursuant to section exercised (16.11.2016) by *Derelict Sites (Urban Areas) (No. 2) Regulations 2016* (S.I. No. 564 of 2016).

E45 Power pursuant to section exercised (8.03.2016) by *Derelict Sites (Urban Areas) Regulations 2016* (S.I. No. 135 of 2016).

E46 Power pursuant to section exercised (3.02.2015) by *Derelict Sites (Urban Areas) Regulations 2015* (S.I. No. 54 of 2015).

E47 Power pursuant to section exercised (16.12.2013) by *Derelict Sites (Urban Areas) Regulations 2013* (S.I. No. 570 of 2013).

E48 Power pursuant to section exercised (20.12.2012) by *Derelict Sites (Urban Areas)(No. 2) Regulations 2012* (S.I. No. 578 of 2012).

E49 Power pursuant to section exercised (20.12.2012) by *Derelict Sites (Urban Areas) Regulations 2012* (S.I. No. 577 of 2012).

E50 Power pursuant to section exercised (21.11.2011) by *Derelict Sites (Urban Areas) Regulations 2011* (S.I. No. 688 of 2011).

E51 Power pursuant to section exercised (22.12.2010) by *Derelict Sites (Urban Areas) Regulations 2010* (S.I. No. 642 of 2010).

E52 Power pursuant to section exercised (22.12.2009) by *Derelict Sites (Urban Areas) Regulation 2009* (S.I. No. 561 of 2009).

E53 Power pursuant to section exercised (21.12.2007) by *Derelict Sites (Urban Areas) Regulations 2007* (S.I. No. 870 of 2007).

E54 Power pursuant to section exercised (19.12.2006) by *Derelict Sites (Urban Areas) Regulations 2006* (S.I. No. 662 of 2006).

E55 Power pursuant to section exercised (14.12.2005) by *Derelict Sites (Urban Areas) Regulations 2005* (S.I. No. 813 of 2005).

E56 Power pursuant to section exercised (19.11.2003) by *Derelict Sites (Urban Areas) Regulations 2003* (S.I. No. 621 of 2003).

E57 Power pursuant to section exercised (18.12.2001) by *Derelict Sites (Urban Areas) Regulations 2001* (S.I. No. 578 of 2001).

E58 Power pursuant to section exercised (19.12.2000) by *Derelict Sites (Urban Areas) Regulations 2000* (S.I. No. 440 of 2000).

E59 Power pursuant to section exercised (17.12.1993) by *Derelict Sites (Urban Areas) Regulations 1993* (S.I. No. 392 of 1993).

E60 Power pursuant to section exercised (21.12.1992) by *Derelict Sites (Urban Areas) (No. 2) Regulations 1992* (S.I. No. 408 of 1992).

E61 Power pursuant to section exercised (3.12.1992) by *Derelict Sites (Urban Areas) Regulations 1992* (S.I. No. 364 of 1992).

E62 Power pursuant to section exercised (24.12.1991) by *Derelict Sites (Urban Areas) Regulations 1991* (S.I. No. 362 of 1991).

E63 Previous affecting provision: power pursuant to section exercised (18.12.2004) by *Derelict Sites (Urban Areas) Regulations 2004* (S.I. No. 659 of 2004); revoked (14.12.2005) by *Derelict Sites (Urban Areas) Regulations 2005* (S.I. No. 813 of 2005), reg. 3.

Market value of urban land.

22.—(1) A local authority shall determine, as soon as may be after it is entered on the register, and at least once every five years thereafter, the market value of urban land by estimating or

causing to be estimated the price which the unencumbered fee simple of such land would fetch if it was sold on the open market on the valuation date in such manner and in such conditions as might reasonably be calculated to obtain for the vendor the best market price for the land.

(2) The market value of the urban land shall be estimated by the local authority in such manner and by such means as they think fit and they may authorise a person suitably qualified for that purpose to inspect the urban land and report to them the value thereof and the person having possession or custody of that property shall permit the person so authorised to inspect at such reasonable times as the local authority consider necessary.

(3) Where a local authority have determined the market value of urban land, they shall enter particulars of the determination in the register (together with the date of entry in the register), and serve a notice on the owner of the said land of the valuation or the revised valuation, as the case may be, which they have placed on the said land which said notice shall inform the owner that he may appeal to the Tribunal against the determination made by the local authority within twenty-eight days from the day on which the notice is received by him.

(4) An owner of urban land may appeal to the Tribunal against a determination made by a local authority under *subsection (1)*.

(5) The Tribunal shall hear and determine appeals under *subsection (4)*.

(6) Subject to a right of appeal to the High Court on a question of law, the determination of the Tribunal shall be final.

(7) An appeal to the Tribunal shall contain a statement of the specific grounds for the appeal.

(8) The Tribunal shall transmit a copy of every appeal received by it to the local authority by whom the market value of urban land was determined (who shall be the respondent in, and be entitled to be heard and adduce evidence at the hearing of, the appeal concerned) and to any other person appearing to the Tribunal to be affected directly by the determination and any such person shall be entitled to be heard and to adduce evidence at the hearing of the appeal.

(9) The Tribunal shall, where any amendment falls to be made to the market value of relevant urban land pursuant to a determination of the Tribunal or a decision of the High Court in relation to an appeal under this section, give notification of the amendment in writing to the local authority concerned, who shall inform the owner of the land of the said amendment and shall cause the appropriate entry in the register to be amended with effect from the date of entry referred to in *subsection (3)*.

(10) Sections 5 and 7 of the Valuation Act, 1988, shall apply to the determination of an appeal under this section as they apply to appeals under that Act.

Annotations

Editorial Notes:

E64 Fee payable in respect of appeal to the Valuation Tribunal under subs. (4) specified (7.06.1991) by *Derelict Sites (Appeal Fees) Regulations 1991* (S.I. No. 149 of 1991), reg. 2 as adapted (1.01.2002) by *Euro Changeover (Amounts) Act 2001* (16/2001), s. 1, commenced as per s. 1.

E65 Fee payable by party requiring Valuation Tribunal to state and sign a case for the opinion of the High Court under subs. (5) specified (7.06.1991) by *Derelict Sites (Case Stated for High Court) (Fee) Regulations 1991* (S.I. No. 148 of 1991), reg. 2 as adapted (1.01.2002) by *Euro Changeover (Amounts) Act 2001* (16/2001), s. 1, commenced as per s. 1.

Levy on urban land.

23.—(1) F2**[**Subject to *subsection (1A)*, there shall be charged**]**, levied and paid for each local financial year beginning with such year as may be prescribed, in respect of all urban land in relation to which a market value has been determined and stands entered on the register on the first day of January of that local financial year, a levy to be called the derelict sites levy.

F3**[**(1A) The derelict sites levy shall not be payable in respect of any land in respect of which vacant site levy is payable in accordance with the Urban Regeneration and Housing Act 2015.**]**

(2) The derelict sites levy shall be paid by the owner of urban land to the local authority in whose functional area the said land is situated.

F4**[**(3) The amount of the derelict sites levy shall—

(*a*) in respect of the local financial year prescribed in accordance with *subsection (1)*, be such amount as is equal to 3 per cent of the market value of urban land concerned,

(*b*) in respect of any subsequent local financial year falling before the year 2020, be such amount as is equal to—

(i) 3 per cent of the said market value, or

(ii) such other percentage (not exceeding 3 per cent) of the said market value as may stand prescribed for the time being,

and

(*c*) in respect of the local financial year 2020 or any subsequent local financial year, be such amount as is equal to—

(i) 7 per cent of the said market value, or

(ii) such other percentage (not exceeding 7 per cent) of the said market value as may stand prescribed for the time being.**]**

F4**[**(4) Where it is proposed to make regulations under *subsection (3)*, a draft of the regulations shall be laid before each House of the Oireachtas not later than 3 months before the beginning of the year in which it is proposed that the regulations would come into operation, and the regulations shall not be made unless a resolution approving the draft is made by each such House.**]**

(5) Subject to *subsection (6),* the derelict sites levy shall be payable on a demand being made by the local authority in that behalf; and in default of being paid within two months after becoming payable, shall be recoverable as a simple contract debt in any court of competent jurisdiction.

(6) A local authority may provide for the payment of the derelict sites levy by instalments.

(7) Where urban land ceases to be derelict at any time during a local financial year, the amount of the derelict sites levy referred to in *subsection (3)* shall as respects that urban land be reduced by an amount determined by the formula—

$$\frac{A}{365} \times B$$

where—

(*a*) "A" is the number of days remaining in the local financial year after the time at which the urban land ceased to be derelict, and

(*b*) "B" is the amount of the derelict sites levy as respects the urban land, determined in accordance with *subsection (3)*,

and adjustment by way of refund or set-off, as may be appropriate, shall be made accordingly in relation to any amounts paid in respect of derelict sites levy or any amounts due or owing in respect of such levy in relation to that local financial year.

(8) Where an amount of derelict sites levy is due and unpaid for a period beginning two months after the date on which it is demanded, the person liable to pay the amount due shall pay to the local authority concerned simple interest, without deduction of income tax, on the amount, calculated at the rate of 1.25 per cent. for each month or part of a month of the period and such interest shall be due and payable two weeks after the date on which the local authority concerned by notice served on the person concerned, requires payment of the interest.

(9) Where the market value of any urban land is altered by a determination of the Tribunal or a decision of the High Court in relation to an appeal under *section 22*, and where in consequence, having regard to *subsection (9)* of *section 22*, the appropriate entry in the register is amended, the amount of the derelict sites levy in respect of that urban land shall be determined by reference to the market value as so altered; and in case another amount in respect of the derelict sites levy has already been paid, the local authority shall, if the market value is decreased, repay any amount paid in excess of the sum which would have been payable if the market value had originally stood as altered on appeal, and if the market value is increased, the local authority may demand the levy on the amount of the increase.

(10) A local authority may charge and levy the derelict sites levy in respect of urban land notwithstanding that an appeal to the Tribunal is pending in relation to the market value of that urban land.

Annotations

Amendments:

F2 Substituted (1.09.2015) by *Urban Regeneration and Housing Act 2015* (33/2015), s. 27(a), S.I. No. 364 of 2015.

F3 Inserted (1.09.2015) by *Urban Regeneration and Housing Act 2015* (33/2015), s. 27(b), S.I. No. 364 of 2015.

F4 Substituted (19.07.2018) by *Planning and Development (Amendment) Act 2018* (16/2018), s. 59, commenced on enactment.

Editorial Notes:

E66 Power pursuant to subs. (1) exercised (20.11.1991) by *Derelict Sites (Commencement of Derelict Sites Levy) Regulations 1991* (S.I. No. 286 of 1991).

Derelict sites levy to be a charge on land.

24.—(1) Where a derelict sites levy for a local financial year, or any portion of it, is due and owing, the amount of the levy and the interest due and payable thereon shall, on the date on which it becomes so due and payable, become and shall remain until payment thereof, a charge on the relevant urban land.

(2) *Subsection (1)* shall not apply in any case where a vesting order is made in relation to a derelict site.

Bonds.

25.—(1) Where a local authority is satisfied that the owner of urban land requires the said land for the purpose of carrying out a scheme of development of property which includes the land, and for which permission under Part IV of the Local Government (Planning and Development) Act, 1963 has been granted or in relation to which an application for such permission or an appeal under Part IV of the said Act has been made and has not been refused, the owner may, with the consent of the local authority, enter into a bond in lieu of paying the derelict sites levy for a period of one or more but not exceeding five local financial years.

(2) In this section a "bond" means a guarantee secured with a bank or insurance company that, in the event that the scheme of development referred to in *subsection (1),* or a substantially similar scheme, is not carried out before the end of the period referred to in *subsection (1),* there shall be paid to the local authority the amount of all derelict sites levies due within that period.

Hardship.

26.—Where, in the opinion of a local authority, payment of the derelict sites levy or of interest payable under this Act at a particular time by a particular person would cause undue hardship to the person, the local authority may, by notice in writing sent by post or given to the person, suspend action or further action under this Part to secure payment of the whole or part of the amount of the levy due for such period as may be specified in the notice and where, in relation to any amount of derelict sites levy, there is a suspension under this section for any period—

(*a*) *subsection (8)* of *section 23* shall not apply, in respect of that period, to that amount, and

(*b*) *section 24* shall, notwithstanding the suspension, continue to apply in relation to that amount during that period.

PART IV

PROSECUTIONS

Prosecutions.

27.—An offence under this Act may be prosecuted by the local authority in whose functional area the offence is committed.

Offences.

28.—(1) A person who contravenes *section 6 (4), 11 (4), 29 (2), 29 (3), 30 (4)* or *32 (3)* shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding £1,000 (together with, in the case of a continuing offence, a fine not exceeding £100 for every day on which the offence is continued and not exceeding in total an amount which, when added to any other fine under this subsection in relation to the offence concerned, equals £1,000), or to imprisonment for a term not exceeding six months, or at the discretion of the court, to both such fine and such imprisonment.

(2) A person who contravenes *section 11 (4)* shall be liable, on conviction on indictment, to a fine not exceeding £25,000 (together with, in the case of a continuing contravention, a fine not exceeding £2,000 for every day on which the contravention is continued), or to imprisonment for a term not exceeding two years or, at the discretion of the court, to both such fine and such imprisonment.

PART V

MISCELLANEOUS

Obligation to give information to local authority.

29.—(1) A local authority may, for any purpose arising in relation to their functions under this Act, by notice in writing require the occupier of any structure or other land or any person receiving, whether for himself or for another, rent out of any structure or other land to state in writing to such authority, within a specified time not less than fourteen days after being so required, particulars of the estate, interest, or right by virtue of which he occupies such structure or other land or receives such rent (as the case may be), and the name and address (so far as they are known to him) of every person who to his knowledge has any estate or interest in or right over or in respect of such structure or other land.

(2) Where land entered on the register or an interest in such land, is transferred (other than by will or on an intestacy) from a person to another person, it shall be the duty of both persons to notify in writing the local authority in whose functional area the land is situated of the transfer not later than four weeks after the date of the transfer.

(3) Where land entered on the register or an interest in such land, is transferred to a person by will or on an intestacy, it shall be the duty of that person to notify in writing the local authority in whose functional area the land is situated of the transfer not later than six months after the date of the transfer and it shall be the duty of the personal representative of the person under whose will or upon whose intestacy the land, or the interest in land, is transferred as aforesaid to notify in writing the said local authority of the transfer not later than two months after the date of the grant to him of probate of the said will or letters of administration of the estate of the second mentioned person.

(4) When a local authority is notified by any person of a transfer of land, or an interest in land, under this section, it shall cause the appropriate entry in the register to be amended.

(5) Every person who is required under *subsection (1)* to state in writing any matter or thing to a local authority and either fails so to state such matter or thing within the time appointed under this section or, when so stating any such matter or thing, makes any statement in writing which is to his knowledge false or misleading in a material respect, shall be guilty of an offence under this section and shall be liable on summary conviction to a fine not exceeding £1,000.

Power of authorised person to enter on land.

30.—(1) An authorised person may, subject to the provisions of this section, enter on any land at all reasonable times between the hours of 9 a.m. and 6 p.m. for any purpose connected with this Act.

(2) An authorised person entering on land under this section may do thereon all things reasonably necessary for the purpose for which the entry is made and, in particular, may survey, make plans, take levels, make extractions, and examine the depth and nature of the subsoil.

(3) In a case in which any entry is proposed under this subsection if the occupier (in the case of occupied land) or the owner (in the case of unoccupied land) refuses to permit the entry—

(*a*) the entry shall not be effected unless it has been authorised by an order of the justice of the District Court having jurisdiction in the District Court district in which the land or part of the land is situate and, in the case of occupied land, save after at least twenty-four hours notice of the intended entry, and of the object thereof, has been given to the occupier, and

(*b*) an application for such an order shall be made on notice (in the case of occupied land) to the occupier or (in the case of unoccupied land) to the owner.

(4) A person shall not, by act or omission, obstruct an authorised person in the lawful exercise of the powers conferred by this section.

(5) In this section—

"authorised person" means a person who is appointed by the local authority, the Tribunal or the Minister to be an authorised person for the purposes of this section.

Application of proceeds from land disposal.

31.—Every sum received by a local authority in respect of the sale or the lease of a derelict site acquired by them under this Act shall be applied by the local authority for the purpose of their functions in such manner as the local authority, with the consent of the Minister, shall think proper.

Annotations

Modifications (not altering text):

C10 Application of section restricted (6.09.1993) by *Local Government Act 1991 (Removal of Controls) Regulations 1993* (S.I. No. 172 of 1993), reg. 4 and sch. 1 part 1.

Removal of Controls.

4. (1) Subject to sub-article (2), a function which is performed by a local authority under a provision specified in column (3) of an enactment specified in column (2), and which pursuant to that provision is subject to a requirement (which confers a function on the Minister) specified in column (4), may be performed by the local authority without compliance with that requirement and the said provision shall be so construed and shall apply and have effect accordingly.

...

SCHEDULE

PART I — STATUTES

Session and Chapter or Number and Year	Short Title	Provision	Ministerial Control to be Removed	Conditions (if any) to apply
(1)	(2)	(3)	(4)	(5)
...	...	...	...	...
No. 14 of 1990	Derelict Sites Act 1990.	Section 31.	Consent.	
...	...	...	...	...

Power of court to authorise measures.

32.—(1) If any person served with a notice under this Act is unable, without the consent of some other person, to carry out specified measures which he is required to carry out in order to comply with the provisions of such notice, and such other person withholds his consent to the carrying out of the measures, the person concerned may apply to the District Court in which the notice was served for an order under this section.

(2) If, on the hearing of an application under *subsection (1),* the District Court determines that the consent of the other person has been unreasonably withheld, the District Court may, in its discretion deem the consent to have been given and direct the person making the application to carry out the measures.

(3) It shall be an offence for a person to fail to carry out the measures directed by the District Court under *subsection (2)*.

(4) If any person served with a notice under this Act is required to carry out, pursuant to this Act, specified measures, and so carries out the measures and such person considers that the cost of such measures should be borne, in whole or in part, by some other person who has an interest in the derelict site, he may apply to a court of competent jurisdiction for an order directing that the whole, or such part as may be specified in the order, of the cost of the measures be borne by the other person interested therein; and the court shall make such order on the hearing of the application as it considers just having regard to all the circumstances of the case.

Saving for national or historic monuments.

33.—Nothing in this Act shall restrict, prejudice, or affect the powers or duties of the Minister for Finance, the Commissioners of Public Works in Ireland, or any local authority under the National Monuments Acts, 1930 to 1987, in relation to national monuments or historic monuments as defined by those Acts or any particular such monument.

Annotations

Amendments:

F5 Substituted (13.10.2023) by *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), s. 230, not commenced as of date of revision.

Modifications (not altering text):

C11 Prospective affecting provision: section substituted by *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), s. 230, not commenced as of date of revision.

F5**[33.**— Nothing in this Act shall restrict, prejudice or affect the functions of the Minister for Housing, Local Government and Heritage, the Commissioners of Public Works in Ireland or a local authority under the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023 in relation to a national monument within the meaning of section 74 of that Act.**]**

Number 14 *of* 1990

DERELICT SITES ACT 1990

REVISED

Updated to 11 December 2025

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Derelict Sites Acts 1990 and 2020: this Act is one of a group of Acts included in this collective citation (*Planning and Development, and Residential Tenancies, Act 2020*), s. 2(c)). The Acts in this group are:

• *Derelict Sites Act 1990* (14/1990)
• *Planning and Development, and Residential Tenancies, Act 2020* (27/2020), s. 5

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Planning and Development Act 2024* (34/2024)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024)
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023)
- *Planning and Development, and Residential Tenancies, Act 2020* (27/2020)
- *Emergency Measures in the Public Interest (Covid-19) Act 2020* (2/2020)
- *Planning and Development (Amendment) Act 2018* (16/2018)
- *Urban Regeneration and Housing Act 2015* (33/2015)
- *Water Services Act 2007* (30/2007)
- *Local Government Act 2001* (37/2001)
- *Planning and Development Act 2000* (30/2000)
- *Local Government (Planning and Development) Act 1999* (17/1999)
- *Waste Management Act 1996* (10/1996)

All Acts up to and including *Health Insurance (Amendment) Act 2025* (14/2025), enacted 10 December 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Derelict Sites Act 1990 (Urban Areas) Regulations 2025* (S.I. No. 603 of 2025)
- *Derelict Sites Act 1990 (Urban Areas) Regulations 2024* (S.I. No. 606 of 2024)
- *Derelict Sites Act 1990 (Urban Areas) Regulations 2023* (S.I. No. 676 of 2023)
- *Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2023* (S.I. No. 116 of 2023)
- *Derelict Sites Act 1990 (Urban Areas) Regulations 2022* (S.I. No. 289 of 2022)
- *Derelict Sites Act 1990 (Urban Areas) Regulations 2018* (S.I. No. 589 of 2018)
- *Derelict Sites (Urban Areas) (No. 2) Regulations 2016* (S.I. No. 564 of 2016)
- *Derelict Sites (Urban Areas) Regulations 2016* (S.I. No. 135 of 2016)
- *Derelict Sites (Urban Areas) Regulations 2015* (S.I. No. 54 of 2015)
- *Derelict Sites (Urban Areas) Regulations 2013* (S.I. No. 570 of 2013)
- *Derelict Sites (Urban Areas) (No. 2) Regulations 2012* (S.I. No. 578 of 2012)
- *Derelict Sites (Urban Areas) Regulations 2012* (S.I. No. 577 of 2012)
- *Derelict Sites (Urban Areas) Regulations 2011* (S.I. No. 688 of 2011)
- *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011)
- *Derelict Sites (Urban Areas) Regulations 2010* (S.I. No. 642 of 2010)
- *Derelict Sites (Urban Areas) Regulations 2009* (S.I. No. 561 of 2009)
- *Derelict Sites (Urban Areas) Regulations 2007* (S.I. No. 870 of 2007)
- *Derelict Sites (Urban Areas) Regulations 2006* (S.I. No. 662 of 2006)
- *Derelict Sites (Urban Areas) Regulations 2005* (S.I. No. 813 of 2005)
- *Derelict Sites (Urban Areas) Regulations 2004* (S.I. No. 659 of 2004)
- *Derelict Sites (Urban Areas) Regulations 2003* (S.I. No. 621 of 2003)
- *Derelict Sites (Urban Areas) Regulations 2001* (S.I. No. 578 of 2001)
- *Derelict Sites Regulations 2000* (S.I. No. 455 of 2000)
- *Derelict Sites (Urban Areas) Regulations 2000* (S.I. No. 440 of 2000)
- *Derelict Sites (Urban Areas) Regulations 1993* (S.I. No. 392 of 1993)
- *Local Government Act 1991 (Removal of Controls) Regulations 1993* (S.I. No. 172 of 1993)
- *Derelict Sites (Urban Areas) (No. 2) Regulations 1992* (S.I. No. 408 of 1992)
- *Derelict Sites (Urban Areas) Regulations 1992* (S.I. No. 364 of 1992)
- *Derelict Sites (Urban Areas) Regulations 1991* (S.I. No. 362 of 1991)
- *Derelict Sites (Commencement of Derelict Sites Levy) Regulations 1991* (S.I. No. 286 of 1991)
- *Derelict Sites (Appeal Fees) Regulations 1991* (S.I. No. 149 of 1991)
- *Derelict Sites (Case Stated For High Court) (Fee) Regulations 1991* (S.I. No. 148 of 1991)
- *Derelict Sites Regulations 1990* (S.I. No. 192 of 1990)

All statutory instruments up to and including *Derelict Sites Act 1990 (Urban Areas) Regulations 2025* (S.I. No. 603 of 2025), made 11 December 2025, were considered in the preparation of this revision.