



STATUTORY INSTRUMENTS.

S.I. No. 92 of 2020



PLANNING AND DEVELOPMENT ACT 2000 (EXEMPTED
DEVELOPMENT) (NO. 2) REGULATIONS 2020

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WHEREAS I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, am of the opinion that development to which the following regulations apply would not offend against principles of proper planning and sustainable development by reason of the nature and limited effect of development belonging to that class on its surroundings; and

WHEREAS a draft of the following regulations has been laid before each House of the Oireachtas and a resolution approving that draft has been passed by each such House;

NOW I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by subsection (2) of section 4 and section 262 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order (S.I. No. 358 of 2017)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2020.

(2) These Regulations shall be included in the collective citation the Planning and Development Regulations 2001 to 2020.

2. In these Regulations “relevant period” means the period commencing on the making of these Regulations and ending on the day on which Part 3 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1 of 2020) ceases to have effect by virtue of subsection (3) of section 2 of that Act.

3. Part 1 of Schedule 2 to the Planning and Development Regulations 2001 shall have effect during the relevant period as if, in column (1) under the heading Class 14, the following paragraph were inserted after paragraph (a):

“(aa) from use for the sale of food for consumption on the premises to use for the sale of food for consumption off the premises.”.

4. Where a premises is used during the relevant period for the sale of food for consumption off the premises in accordance with Article 3, then, upon the expiration of the relevant period -

(a) the premises may be used for the sale of food for consumption on the premises in accordance with the permission that applied in respect of that premises immediately before the commencement of the relevant period, and

- (b) the use of the premises for the sale of food for consumption off the premises shall not be exempted development.



GIVEN under my Official Seal,
27 March, 2020.

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

EXPLANATORY NOTE

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

These Regulations are made under sections 4(2) and 262(4) of the Planning and Development Act 2000, as amended.

The Regulations amend the existing Planning and Development Regulations 2001 (the Principal Regulations), to provide exemptions for restaurants to operate a service to enable the temporary sale of food for consumption off premises (i.e. takeaway/ delivery) that previously did not provide this service, during a period specified in the Regulations..

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