



Planning and Development Act 2024 Commencement Circular

Number: 2025/02

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To: Directors of Planning in each local authority

CC: Chief Executives
Senior Planners
An Coimisiún Pleanála
Office of the Planning Regulator
Directors of Regional Assemblies
Mayor of Limerick

New legislation relating to the restructuring and renaming of An Bord Pleanála

Commencement of Part 17 of the Planning and Development Act 2024

Purpose of Circular

This circular notifies planning authorities and other key stakeholders of the commencement of Part 17 of the Planning and Development Act 2024 (Act of 2024) and other associated provisions. These provisions put in place a revised structure for An Bord Pleanála by separating its decision-making role from its corporate and organisational functions. An Bord Pleanála is re-named An Coimisiún Pleanála.

By way of the Planning and Development Act 2024 (Commencement) (No. 2) Order 2025, Part 17 of the Act of 2024 comes into operation from 18th June 2025. The Commencement Order and any associated Regulations will subsequently be made available by way of a supplemental email and an updated version of this circular will then be published online at www.gov.ie/planning.



1. Commencement of Part 17

1.1. Key messages

- An Coimisiún Pleanála is established from 18th June 2025 and is comprised of the Governing Board and the Planning Commissioners.
- The chairperson of An Bord Pleanála stands appointed as the chief executive officer of An Coimisiún Pleanála.
- The deputy chairperson of An Bord Pleanála continues in office as the Deputy Chief Planning Commissioner of An Coimisiún Pleanála and all other members of An Bord Pleanála continue in office as ordinary planning commissioners of An Coimisiún Pleanála.
- Part 17 concerns organisation restructuring only. All decision-making functions and associated responsibilities, including appeals, permissions, consents and approvals, will continue under the Planning and Development Act 2000 until such time as Part 4 of the Act of 2024 is commenced.

1.2. Summary of new legislation

1.2.1. *An Coimisiún Pleanála (Part 17)*

- Chapter 1 provides definitions for the purpose of Part 17.
- Chapter 2 provides that An Bord Pleanála (the Board) continues in being and is re-named An Coimisiún Pleanála (the Commission). Various roles within the Board are continued and re-established. A new Governing Board and chief executive officer role are formed.
- Chapters 3 contains provisions relating to the Governing Board and the chief executive officer of the Commission –
 - The Governing Board will be led by a chairperson and has responsibility for the Commission's governance and strategic direction, as well as appointing the chief executive officer and the Planning Commissioners. Functions relating to the consideration or determination of appeals, applications, referrals or requests cannot be assigned to the Governing



Board. The term of office for a member of the Governing Board will be 5 years and while reappointment to the Governing Board is permitted, no member shall hold office for periods exceeding 10 years.

- The chief executive officer will have responsibility for the administration and business of the Commission, in consultation with the Governing Board. The chief executive officer must also ensure that there are sufficient staff and resources available to support the Commission's work, and, in particular, to support the Planning Commissioners in determining appeals, applications, referrals and requests efficiently and expeditiously. The term of office for the chief executive officer will not exceed 5 years and an outgoing chief executive officers can be reappointed where the term of office does not exceed a period of 10 years.
- Within 6 months of the commencement of Part 17, the Governing Board will adopt a new code of conduct for the Commission and the chief executive officer will publish decision-making procedures for the Planning Commissioners.
- Chapter 4 provides for the establishment of the Planning Commissioners, to be composed of a Chief Planning Commissioner, Deputy Chief Planning Commissioner and 13 ordinary planning commissioners, and who will be responsible for determining appeals, applications, referrals and requests. Where the office of Chief Planning Commissioner is vacant, the Deputy Chief Planning Commissioner shall be responsible for the efficient performance of Planning Commissioners' functions. The term of office for a Planning Commissioner will not exceed 5 years and reappointment is permitted where the term of office does not exceed a period of 10 years.
- Chapter 5 provides for organisational matters related to the Commission. These include matters relating to grants, accounts, audits and accountability to the Committee of Public Accounts and other Oireachtas committees. Provisions concerning the Commission's Statement of Strategy and annual reports are



also found under this Chapter, as well as provisions relating to superannuation schemes and declaration of interests requirements.

1.2.2. Saving for national monuments (*section 15*)

- This section largely replicates section 260 of the Planning and Development Act 2000 (Act of 2000) and provides that the Act of 2024 doesn't restrict the functions of the Minister or the Office of Public Works in specified legislation relating to monuments and historic heritage.

1.2.3. Judicial Review and Decision Making (*Chapter 3 of Part 9*)

- Section 303 (Continued application of sections 50, 50A and 50B of Act of 2000 for limited period) is a transitional provision which applies the judicial review provisions of the Act of 2000, i.e. sections 50 and 50A, to decisions made or acts done under the Act of 2024 for an interim period. This transitional provisions will cease to apply when Chapter 1 of Part 9 of the Act of 2024 is commenced. It is intended that section 50B of the Act of 2000 will continue to apply until such time as Chapter 2 of Part 9 is brought into operation.
- Section 304 (Amendment of sections 50 and 50B of Act of 2000) provides for minor amendments to sections 50 and 50B of Act of 2000 to help facilitate comprehension and to update relevant citations.

1.2.4. Enforcement (*Part 11*)

- Section 346 (Definitions) contains definitions for the purposes of Part 11.
- Subsections (2) and (8) of section 353 (Time limits) provide that proceedings for an offence under the Act of 2024 shall not be commenced later than 7 years from the date on which the offence concerned is alleged to have been committed. In any proceedings for an offence under the Act of 2024 (other than Part 11) it shall be presumed unless the contrary is proved on the balance of probabilities that those proceedings were commenced before the expiration of the 7 year period.



- Subsection (4) of section 354 (Penalties for offences) provides that a person who is guilty of an offence under the Act of 2024, other than an offence referred to in subsection (1) or (2) of that section, shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 12 months, or both.
- Subsections (1), (2), (3) and (4) of section 355 (Prosecution of offences) provide that –
 - summary proceedings for an offence under the Act of 2024 may be brought and prosecuted by an enforcement authority or the Planning Regulator and may be commenced within 6 months from the date on which the offence is alleged to have been committed,
 - a certificate certifying the date on which evidence described in the certificate came to the knowledge of the person who brought proceedings for an offence shall be evidence of that date, unless the contrary is shown,
 - where an offence is committed by a body corporate with the consent of a director, manager or other specified officers of the body corporate, that person will be guilty of an offence and be liable to be proceeded against.

1.2.5. Appeal Procedures, Planning Register and Records, and Miscellaneous Powers (Part 12)

- Section 358 (Definitions) contains definitions for the purpose of Part 12.
- Section 376 (Reports to Commission) enables the Commission to assign a person – an “inspector” – to report on any matter in connection with the performance of any of its functions under the Act of 2024 or any other enactment. An inspector may be assigned to report on appeals, applications, referrals or requests and may conduct such technical assessments as he or she considers necessary. Inspectors must make a written report on the matter to the Commission, including a recommendation in relation to the matter, and the



Commission shall consider the report and recommendation before determining the matter.

- Section 388 (Information sharing) provides for the disclosure of information, including personal data, by planning authorities, the Commission or the Office of the Planning Regulator in so far as necessary and proportionate for the performance of their statutory functions.
- Section 389 (Interpretation) contains definitions for the purposes of Chapter 4.
- Section 390 (Consultants and advisers) is commenced only in so far as it applies to the Commission or the Minister. This section restates with modifications the power of the Commission under section 124 of the Act of 2000 to engage consultants or advisers, extending that power to the Minister, the Office of the Planning Regulator and regional assemblies.
- Section 402 (Running of time) restates with modifications sections 141 and 251 of the Act of 2000 concerning the calculation of periods or time limits, such as the taking into account of the Christmas period.
- Section 403 (Government order for disregard of time limits in certain circumstances) provides that the Government may, where it is satisfied that the spread of infectious disease or another matter or event makes it impossible to comply with periods or time limits specified under the Act of 2024, specify a period which shall be disregarded when calculating any such period or time limit.

1.2.6. Further provisions relating to planning bodies (Part 19)

- Section 571 (Duty to be independent and impartial) creates a general obligation to act independently and impartially in the exercise of functions under the Act of 2024 by a regional assembly, a planning authority, the Commission or a State authority.



- Section 573 (Prohibition on disclosure of information relating to functions of Commission) restates section 113 of the Act of 2000. It prohibits the unauthorised disclosure of information relating to the work of the Commission by members or employees etc. of the Commission and provides that any such unauthorised disclosure is an offence.
- Section 574 (Requirements as to beneficial interests) largely restates section 148 of the Act of 2000 and is commenced only in so far as it applies to a person referred to in subsections (5) or (6) of section 574 i.e. Planning Commissioners, member of the staff of the Commission, a consultant or adviser engaged by the Commission or any other person whose services are availed of by the Commission. It sets out the requirements for members and employees of the Commission who have a beneficial interest in a planning matter. Where a member or employee has a relevant interest, he or she may not participate in the consideration of the matter and it is an offence for that person to do so.
- Section 575 (Prohibition on certain communications concerning Commission and planning authorities) is commenced only in so far as it applies to the Commission. Where a person communicates with members or employees etc. of the Commission for the purpose of improperly influencing the exercise of functions under the Act of 2024, that person commits an offence. Subsection (2) requires a relevant person, where he or she forms the opinion that a communication contravenes subsection (1), to not entertain the communication further and to notify the relevant planning body.
- Subsections (1) and (2) of section 578 (Provisions relating to offences) is commenced only in so far as it applies to the Commission. It provides that a person who is guilty of an offence under Part 19 (other than an offence under subsection (8) of section 577) shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months, or both. Proceedings for an offence under section 574 shall not be instituted except by or with the consent of the Director of Public Prosecutions.



1.2.7. Financial and Miscellaneous Provisions (Part 20)

- Subsections (2) and (3) of section 586 (Limitation on power of Minister) provide that the Minister shall not influence or attempt to influence a planning authority or the Commission in relation to the performance by it of functions under Part 11. Subject to the Act of 2024, the Minister shall not influence or attempt to influence a planning authority or the Commission in relation to the performance of their functions under the Act (other than Parts 4 and 11).

1.2.8. Additional Transitional and Related Provisions (Part 23)

- Sections 624, 625, 627 and 630 are set out in detail under the following heading “1.3. Transitional arrangements”.

1.2.9. Consequential Amendments (Part 24)

- Section 631 (Consequential amendment of Acts of Oireachtas) and the corresponding Schedule 7 set out consequential amendments to numerous Acts of Oireachtas in order to update references to provisions of the Act of 2000, or regulations made under that Act, with references to the corresponding provisions of the Act of 2024. Importantly, the amendments set out in Schedule 7 are only being brought into effect in so far as they are required following the repeal of the relevant provisions in the Act of 2000. For the purposes of the commencement of Part 17 and the corresponding repeal of Part II of the Act of 2000, the following Acts are being amended -

- Transport (Railway Infrastructure) Act 2001 (No. 55 of 2001);
- Urban Regeneration and Housing Act 2015 (No. 33 of 2015);
- Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016);
- Criminal Justice (Corruption of Offences) Act 2018 (No. 9 of 2018);
- Planning and Development, Heritage and Broadcasting (Amendment) Act 2021 (No. 11 of 2021);
- Land Development Agency Act 2021;
- Planning and Development and Foreshore (Amendment) Act 2022 (No. 47 of 2022);



- Water Environment (Abstractions and Associated Impoundments) Act 2022 (No. 48 of 2022); and
 - Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024 (No. 7 of 2024).
- Section 632 (Amendment of statutory instruments consequent on repeal of Act of 2000) gives the Minister the power to make regulations to amend any statutory instrument in order to update references to the Act of 2000 with references to the Act of 2024 or regulations made under the Act of 2024, where this will ensure the effective operation of the statutory instrument. Any regulations made under this section cannot confer or remove a function or power not already provided for in that statutory instrument.
 - Section 633 (References to chief executive as regards Limerick City and County Council) relates to references to a chief executive of a local authority in the Act of 2024 and sets out whether, in the case of Limerick City and County Council, such references are to be read as references to the Mayor of Limerick or as references to the director general of Limerick City and County Council.

1.3. Transitional provisions

The following table lists the transitional provisions that are brought into operation following the commencement of Part 17 and Part 23 and the effect that those transitional provisions have.

Provision	Section of Act of 2024	Section of Act of 2000	Effect
An Coimisiún Pleanála (Part 17)			
Continuation of Board as An Coimisiún Pleanála	495(1)	102	Provides for the continuation in existence of the body known as An Bord Pleanála and for that body to be renamed as An Coimisiún Pleanála.
Chairperson of Board appointed as the chief executive officer of the Commission	495(4)	105	The chairperson of the Board who is in office under the Act of 2000 before this section comes into effect will become the chief executive officer of the Commission.



Deputy Chairperson and members of Board continue in office as Deputy Chief Planning Commissioner and an ordinary planning commissioner.	495(5)	107	The deputy chairperson of the Board who is in office under the Act of 2000 before this section comes into effect will become the Deputy Chief Planning Commissioner and ordinary board members will become planning commissioners.
Direction relating to the performance of Board.	504(7)	109(2)	Any Ministerial direction issued under section 109 of the Act of 2000 but not yet complied with before the repeal of that Act is deemed to have been a direction given under the Act of 2024.
Panels for appointment to Board	508(3)	106	A panel created under the Act of 2000 before the repeal of that Act will be considered to be a panel under the Act of 2024.
Declarations of interest	523(11)	147	Where a person complied with section 147 of the Act of 2000, (relating to declaration of interests) in respect of the year that section is repealed, he or she is deemed to have complied with this section for that year.
Superannuation of employees of Board	528(9)	121	A scheme under section 121 of the Act of 2000 in force before the repeal of that Act continues in force as it was a scheme under the Act of 2024.
Employees of Board	529	120	The repeal of the Act of 2000 does not affect the terms and conditions of employment of a person who was employed by the Board in accordance with section 120 of that Act.
Provision of services by Minister and by Board	530(5)	122	The repeal of the Act of 2000 will not affect any arrangements for the provision of services made under section 122 of that Act.
Duties of Chairperson of Board	532	110	Section 110 of the Act of 2000 continues to apply and have effect in relation to any requirement imposed on a Board member to attend an interview, or any investigation commenced by the chairperson or the Minister, before the repeal of that Act.
Indemnification of members and employees of Board and other	533	115	The repeal of section 115 of the Act of 2000 shall not affect the obligation of the Commission under that section in relation to a duty discharged



persons			before the repeal of that section.
Superannuation of members of Board.	534	119	A scheme for Board members under section 119 of the Act of 2000 in force before the repeal will continue in force and have effect as if it was made under the equivalent section of the Act of 2024.
Appeal procedures	535	Chapter III of Part VI	Following the repeal of the Act of 2000, Chapter III of Part VI of that Act will continue to apply to applications and appeals pending before that repeal, or to any requests made but not yet complied with before that repeal. Planning regulations made under section 142 of the Act of 2000 will continue in force and have effect but only to such extent as is necessary for the concluding of pending applications, appeals, referrals or requests.
Additional Transitional and Related Provisions (Part 23)			
Application of sections 26 and 27 of Interpretation Act 2005	624	n/a	Part 23 of the Act of 2024 shall not affect the application and operation of sections 26 and 27 of the Interpretation Act 2005, which set out the general rules that apply where an enactment is repealed.
Validity of acts done under Act of 2000	625	n/a	The Act of 2024 does not affect the validity of anything done under the Act of 2000 before its repeal.
Continuance in operation of statutory instruments made under Act of 2000	627	n/a	<p>This section applies to a statutory instrument (e.g. regulations or orders) made under the Act of 2000 that is in force before the repeal of the enabling provision under which that instrument was made.</p> <p>Such statutory instruments will continue in force as if made under the corresponding enabling provision of the Act of 2024 that allows for the making of an instrument in the same or similar terms. A statutory instrument continued in force in accordance with this section may be amended or revoked accordingly.</p>
Amendments effected by Act of 2000	630	n/a	The repeal of the Act of 2000 will not affect any amendment that was made to another enactment by way of the Act of 2000.



2. Partial repeal of the Planning and Development Act 2000

The following table lists the provisions of the Act of 2000 that are repealed with effect from 18 June 2025.

Section of the Act of 2000	Topic
103	Board to be body corporate, etc.
104	Board to consist of chairperson and 7 other members.
105	Appointment of chairperson.
105A	Appointment of chairperson on interim basis.
106	Appointment of ordinary members.
107	Appointment of deputy chairperson.
107A	General power of deputy chairperson to perform functions of chairperson where office is vacant.
108	Board's quorum, vacancies, etc.
109	Performance of Board.
110 (1),(1A), (1B) & (1C)	Chairperson to ensure efficient discharge of business of Board, etc.
111	Meetings and procedure of Board.
112	Divisions of Board.
112A	Strategic Infrastructure Division.
116	Grants to Board.
117	Accounts and audits of Board.
118	Annual report and information to Minister.
119	Superannuation of members of Board.
120	Employees of Board.
121	Superannuation of employees of Board.
122	Provision of services by Minister to Board.
123	Membership of either House of the Oireachtas, etc.
124	Consultants and advisers to Board.
146(1) & (2)	Reports and documents of the Board.
146A	Amendments of permissions, etc. of clerical or technical nature. Repealed in so far only as it applies to the Commission.
147	Declaration by members, etc. of certain interests. Repealed in so far only as it applies to a member of the Board or an employee of the Board or any other person whose services are availed of by the Board, and who is of a prescribed class, description or grade.
148(1) & (5)(a)	Requirements affecting members, etc. who have certain beneficial interests.



3. Corresponding regulations

Three statutory instruments are being introduced to supplement the commencement of Part 17 of the Act of 2024 -

- Planning and Development (An Coimisiún Pleanála) (Declaration of Interests) Regulations 2025: to prescribe relevant persons for the purposes of section 523 of the Act of 2024 and set out the declaration of interests form to be completed by relevant persons of An Coimisiún Pleanála.
- Planning and Development Regulations (Amendment) Regulations 2025: to revoke articles 56 to 65 and amend articles 180 and 181 of the Planning and Development Regulations 2001.
- Occupational Pension Schemes (Funding Standard) (Amendment) Regulations 2025: to provide consequential amendments to Schedule C of the Occupational Pension Schemes (Funding Standard) Regulations 1993 (S.I. No. 419 of 1993) that are required following the repeal of sections 119 and 121 of the Act of 2000.

The Regulations will subsequently be made available by way of a supplemental email and an updated version of this circular will then be published online at

www.gov.ie/planning.

In addition to the above, regulations have also been introduced to provide for 'prescribed newspapers' (see the definitions of "national newspaper" and "approved local newspaper" in section 2 of the Act of 2024). The Prescribed Newspapers Regulations do not relate to Part 17 and have been introduced in preparation for the forthcoming commencement of Part 16.

4. Commencement schedule for remaining Parts of the Act of 2024

- Details of the proposed phased commencement of the Act of 2024 is available to view under Chapter 10 of the Implementation Plan published online at www.gov.ie/planning.



- The remaining elements of the first phase of commencements for the Act of 2024 to be brought into operation are:
 - Funfairs (Part 16) and supplemental provisions.
 - Event Licensing (Part 16) and supplemental provisions.
 - Judicial Review (Chapter 1 of Part 9).
 - Consequential amendments (Part 24 – as required).
- Following the completion of the first phase of commencements it is anticipated that the following provision of the Act of 2024 will be brought into operation in mid-2025:
 - Plans, Policies and Related Matters (Part 3)
 - Environmental Assessments (Chapters 1 & 2 of Part 6)
 - Housing Strategy and Supply (Chapter 1 of Part 7)
 - Office of the Planning Regulator (Part 18)
 - Urban Development Zones (Chapters 3 to 6 of Part 22)
 - Consequential amendments (Part 24 – as required).
- It is anticipated that the remaining provisions of the Act of 2024 will be brought into effect before the end of 2025.

5. Further information

A dedicated website for the Act of 2024 has been launched to provide updates, further information and useful resources. The website can be accessed [here](#). Any enquiries regarding this circular or the commencement of the Act of 2024 can be emailed to the Department at planningreform@housing.gov.ie

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