

19 December 2025

To: Mayor of Limerick  
Chief Executives and Director General, City and County Councils  
Chief Executive, Office of the Planning Regulator  
Chief Executive, An Coimisiún Pleanála  
Directors of Service - Planning, City and County Councils  
Directors, Regional Assemblies

CC: Senior Planners, City and County Councils  
Deputy Regulator, Office of the Planning Regulator  
Directors of Planning, An Coimisiún Pleanála  
Assistant Directors, Regional Assemblies  
Maritime Area Regulatory Authority  
National Transport Authority

## New statutory basis for the Office of the Planning Regulator

Commencement of Part 18 of the Planning and Development Act 2024

### Purpose of Circular

This circular notifies the Office of the Planning Regulator, local authorities and other key stakeholders of the upcoming commencement of Part 18 of the Planning and Development Act 2024 (Act of 2024)<sup>1</sup>.

By way of the Planning and Development Act 2024 (Commencement) (No. 5) Order 2025 (S.I. No. 633 of 2025), these provisions will come into operation on 31 December 2025. A copy of this circular and Commencement Order will be made available online at [www.gov.ie/planning](http://www.gov.ie/planning).

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<sup>1</sup> This document has been prepared for information purposes and ease of reference only, it is not a legal document. The Department assumes no responsibility for and gives no guarantees, undertakings or warranties concerning the accuracy or completeness of the information provided and does not accept any liability whatsoever arising from any errors or omissions.

## 1. Commencement of Part 18 of the Act of 2024

### 1.1. Key messages

- Part 18 (except for section 550) of the Planning and Development Act 2024 (Act of 2024) comes into effect on 31 December 2025 and provides the new statutory basis for the Office of the Planning Regulator ('the Office').
- Part 18 of the Act of 2024 replaces Part IIB of the Planning and Development Act 2000 (Act of 2000).
- Part 18 of the Act of 2024 also provides for the future establishment of an Advisory Board to oversee the strategy of the Office and to provide guidance and advices to the Planning Regulator as requested.
- It should be noted that section 550 of the Act of 2024, which provides for the Corporate Strategy of the Office, is not being commenced at this time. This is pending the establishment of the Advisory Board, noting that the guidance and advice of the Advisory Board is required as part of the preparation of that strategy under section 545(2) of that Act. Section 31T of the Act of 2000 is consequently not being repealed at this time and remains in effect.

### 1.2. Summary of legislation coming into effect

#### *1.2.1. Part 18 (Office of Planning Regulator)*

##### **I. Chapter 1 (Definitions)**

Section 536 sets out definitions for the purposes of Part 18.

##### **II. Chapter 2 (Office and Functions)**

This Chapter provides for the appointment of the Planning Regulator and Deputy Planning Regulator, the functions of the Office and other related matters. It includes:

- **Sections 542 to 545** relating to the establishment of an Advisory Board for the Office, setting out the Board's role and the processes for the appointment of Board members, holding of meetings and for consultation by the Planning Regulator with the Board. The Advisory Board will not have any decision-

making functions but will act in an advisory capacity to the Planning Regulator. When requested to do so by the Planning Regulator, the Advisory Board will consult with, guide and advise the Planning Regulator in relation to the performance of the functions of the Office. The Board must also advise or make recommendations to the Minister in relation to policies of the Government or a Minister of the Government affecting the functions of the Office. The Planning Regulator is required to request advice of the Advisory Board while preparing the Office's corporate strategy under section 550 of the Act of 2024 and the Advisory Board will monitor the implementation of that strategy. The Advisory Board shall consist of at least 5 and not more than 7 members (including the chairperson).

- **Section 546 (Functions of Office)** restates sections 31P and 31V of the Act of 2000 and reflects elements of sections 31AM and 31AQ of that Act, setting out the functions of the Office. Additional functions supplemental to those listed in section 31P of the Act of 2000 include:
  - a requirement to consult the Minister, regional assemblies, planning authorities and other persons or bodies as appropriate in relation to plans and strategies made under the Act of 2024;
  - a requirement to review existing regional spatial and economic strategies and development plans to ensure material consistency with new or amended National Planning Policies and Measures;
  - the ability to issue draft directions and to recommend that the Minister issues a direction, in relation to assessments of regional spatial and economic strategies, development plans and area plans, and variations or amendments to such strategies and plans.
- **Section 547 (Performance of functions generally)** largely restates sections 31R and 31S of the Act of 2000 and sets out matters to which the Office shall have regard to in performing its functions. Additional matters (supplemental to those matters listed in the Act of 2000) include having regard to the necessity of climate change adaptation and mitigation in support of achieving the national climate objective, and the Water Framework Directive.
- **Section 549 (Research, education and training)** restates section 31Q of the Act of 2000 and includes a new provision requiring the Office to conduct

programmes designed to enhance public awareness in relation to planning matters.

### **III. Chapter 3 (Review of Performance of Functions of Planning Authorities, Regional Assemblies and Commission)**

This Chapter brings together the provisions in the Act of 2000 relating to oversight of planning authorities by the Planning Regulator (Chapter IV of Part IIB) and by the Minister (section 255). In comparison to the three different review procedures set out in the Act of 2000, the provisions of Chapter 3 have combined these into a single review procedure for the Planning Regulator.

### **IV. Chapter 4 (Staffing and Administration of Office)**

This Chapter deals with matters relating to administration of the Office, including:

- **Section 561 (Prohibition on disclosure of information relation to functions of Office)** restates section 31AD of the Act of 2000 with some modifications. It prohibits the disclosure of certain information without the consent of the Planning Regulator. A person who discloses such information commits an offence and the requirement to obtain the consent of the Planning Regulator to disclose information does not apply where there is a legal requirement to disclose information.
- **Section 565 (Accounts, Audits and Annual Report of Office)** restates and combines sections 31AG and 31AH of the Act of 2000 with minor modifications, such as a new requirement to provide a statement containing the names of any consultants or advisers engaged for the performance of the functions of the Office in the Office's annual report.
- **Section 569 (Code of Conduct)** restates and supplements various requirements set out in section 31AL of the Act of 2000. It provides for the preparation of a code of conduct. New additions to the section require, among other things, that:
  - the code of conduct shall include measures to ensure the avoidance and management of any conflict of interest;
  - a person shall not take up a position or hold office except on condition that they comply with the code of conduct;

- the Office may review at any time and amend or adopt a new code of conduct;
- the Office shall cause a copy of the code of conduct to be laid before both Houses of the Oireachtas and published on a website maintained by or on behalf of the Office

#### 1.2.2 *Other relevant provisions coming into operation on 31 December 2025*

- **Section 390 (Consultants and advisors)** restates with modifications the power of the Commission under section 124 of the Act of 2000 to engage consultants or advisers, extending that power also to the Minister, the Office of the Planning Regulator and regional assemblies.
- **Section 391 (Power of examination, investigation and survey)** restates section 6 of the Act of 2000, setting out the powers of examination, investigation and survey of the planning authority and the Commission, extending that power also to the Minister, the Office of the Planning Regulator and the Maritime Area Regulatory Authority.
- **Section 401 (Recovery of moneys)** introduces a new standard provision for the recovery of moneys in court by an appropriate authority, the Office of the Planning Regulator or the Maritime Area Regulatory Authority.

#### 1.3. Transitional provisions

Table 1 lists the relevant transitional provisions in Parts 18 (excluding section 550(2)) of the Act of 2024 and the effect that those transitional provisions have.

Table 1: Transitional Provisions for Part 18 of the Act of 2024.

Provision	Section of Act of 2024	Section of Act of 2000	Effect
<b>Office of the Planning Regulator (Part 18)</b>			
Continuation of OPR	537(1)	31M	Notwithstanding the repeal of section 31M of the Act of 2000, the OPR continues in being and anything commenced, but not completed, by the OPR before such repeal may be carried on and completed by the OPR on and after the repeal as if that enactment had not been repealed.
Planning Regulator	538(2)	31N, 31W	Notwithstanding the repeal of sections 31N and 31W of the Act of 2000, the Planning Regulator standing appointed continues in office in accordance with the terms and conditions of his or her appointment.
OPR functions	556(1)-(5)	31AS, 31AT,	Notwithstanding the repeal of sections 31AS, 31AT and 31AU of the Act of 2000, those sections continues to

		31AU, 31AV, 31AW	<p>apply and have effect in relation to any review, request or examination commenced under those sections before that repeal.</p> <p>Notwithstanding the repeal of sections 31AV and 31AW of the Act of 2000, sections 31AV and 31AW continue to apply and have effect in relation to—</p> <ul style="list-style-type: none"> <li>• any review under section 31AS commenced before that repeal,</li> <li>• any review pursuant to a request under section 31AT made before that repeal,</li> <li>• any examination under section 31AU commenced before that repeal, and</li> <li>• any examination pursuant to a request under section 31AU made before that repeal.</li> </ul>
Existing staff OPR (Directors)	557(6)	31Z	A person who was a director of the Office before the repeal of section 31Z of the Act of 2000 continues to be a director of the Office.
Existing staff OPR	559	31AA	<p>Notwithstanding the repeal of section 31AA of the Act of 2000 a member of staff of the Office appointed under that section immediately before such repeal is deemed to be a member of the staff of the Office—</p> <p>(a) as if the Planning Regulator had appointed under section 558, for the remaining period of the person's appointment under section 31AA of the Act of 2000, and</p> <p>(b) on the same conditions (including those relating to termination of appointment) as those on which the person held office as such member of staff immediately before such repeal.</p>
Provision of services to Minister by OPR	567(5)	31AI	<p>Notwithstanding the repeal of section 31AI of the Act of 2000, services and resources provided to—</p> <ul style="list-style-type: none"> <li>• the Office by the Minister under that section and available to the Office immediately before such repeal, or</li> <li>• the Minister by the Office and available to the Minister immediately before such repeal, continue to be available to the Office or the Minister without the requirement for a new grant of such services or resources under section 567 of the Act of 2024.</li> </ul>
Fees payable to OPR	568(4)	31AK	Notwithstanding the repeal of section 31AK of the Act of 2000, fees determined to be payable under that section before such repeal remain the fees payable, pending the determination of new fees under the Act of 2024
Existing staff OPR	569(2)	31AL	Notwithstanding the repeal of section 31AL of the Act of 2000, the code of conduct prepared under that section remains in force pending the preparation of a code in accordance with the Act of 2024.

## 2. Partial repeals and revocations

Tables 2 lists the relevant provisions in Part IIB of the Act of 2000 that are repealed.

Table 2: Repealed Provisions in the Act of 2000 relating to Part 18 of the Act of 2024.

Act of 2000	Title
Chapter II of Part IIB (other than paragraph (a) and (b) of subsection (1) and subsection (3) of section 31P and 31T and 31AE)	Establishment, Organisation, Staffing etc.
Chapter IV of Part IIB	Review of Planning Functions

Paragraphs (a) and (b) of subsection (1) and subsection (3) of section 31P, section 31AE and Chapter III of Part IIB of the Act of 2000 are not repealed for the time being and are retained to allow for certain ongoing processes which were commenced under the Act of 2000 to be completed. Section 31T of the Act of 2000 is not being repealed, pending the future commencement of section 550 of the Act of 2024.

## 3. Consequential Amendments

No consequential amendments to other enactments arise in relation to the commencement of Part 18 of the Act of 2024.

## 4. Overview of Corresponding Regulations

No corresponding regulations arise in relation to the commencement of Part 18 of the Act of 2024.

## 5. Commencement schedule for remaining Parts of the Act of 2024

The following provisions of the Act of 2024 are being brought into effect on 31 December 2025 alongside the commencement of Parts 18–

- Chapter 5 (Development Plans) and Chapter 6 (Area Plans) of Part 3
- Chapter 1 of Part 7 (Housing Strategy)
- Section 397, 398, 399 and 400
- Sections 570, 576 and 577
- Sections 574, 575 and 578 (insofar as it is not already in operation)
- Sections 580, 581 and 582

- A range of consequential amendments to other enactments to take account of these commencements

For further information in relation to these commencements, please see 'Planning and Development Act 2024 Commencement Circular No. 2025/06'.

It is anticipated that the following elements of the Act of 2024 will be brought into operation in the next phase of commencements:

- Event Licensing (Part 16);
- Development Consents (Part 4) and associated provisions (such as Parts 2, 5, Chapters 3 and 4 of Part 6, Chapter 2 of Part 7, Part 8 and Part 10)
- Urban Development Zones (Chapters 3 to 6 of Part 22);

Details of the proposed phased commencement of the Act of 2024 are set out under Chapter 10 of the Implementation Plan available to view at [www.gov.ie/planning](http://www.gov.ie/planning)

## **6. 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 at [www.gov.ie/planning](http://www.gov.ie/planning) and includes a webpage summarising Commencements Orders and the provisions of the Act of 2024 that are already in operation (available to view [here](#)).

The Law Reform Commission has prepared a revised version of the Act of 2024 (as amended by the Planning and Development (Amendment) Act 2025) which is available to view [here](#). The Law Reform Commission also continues to maintain a revised Planning and Development Act 2000 which incorporates repeals made as part of the phased commencement of the Act of 2024 (available [here](#)).

Any queries regarding the commencement of the Act of 2024 can be emailed to the Department at [planningreform@housing.gov.ie](mailto:planningreform@housing.gov.ie).

Any queries regarding the governance and oversight of the Office of the Planning Regulator can be emailed to [planninggov@housing.gov.ie](mailto:planninggov@housing.gov.ie)

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