



STATUTORY INSTRUMENTS.

S.I. No. 180 of 2020

PLANNING AND DEVELOPMENT ACT 2000 (SECTION 38)
REGULATIONS 2020

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I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by subsection (6) of section 38 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 2017 (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 (Section 38) Regulations 2020.

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

2. (1) Where a planning application is made to a planning authority, the planning authority shall –

- (a) not later than 5 working days after the day on which it receives the application, or
- (b) where exceptional circumstances exist, as soon as practicable after the expiration of the period of 5 working days referred to in paragraph (a),

publish the application and all documentation accompanying the application on its internet website.

(2) Where a planning authority receives a document relating to a planning application at any time after receipt by it of that application, the planning authority shall –

- (a) not later than 5 working days after the day on which it receives the document, or
- (b) where exceptional circumstances exist, as soon as practicable after the expiration of the period of 5 working days referred to in paragraph (a),

publish the document on its internet website.

(3) For the purposes of this Regulation exceptional circumstances exist if, by reason of –

- (a) an occurrence that was not reasonably foreseeable by the planning authority concerned,
- (b) an occurrence that, though reasonably foreseeable by the planning authority, could not reasonably have been prevented by the planning authority, or

(c) the size or number of documents concerned,

the planning authority could not, by the adoption of all reasonable measures, have complied with subparagraph (a) of paragraph (1) or subparagraph (a) of paragraph (2).

(4) In this Regulation “planning application” means a planning application in respect of which the planning authority to which the application was made is satisfied that the person who made the application complied with –

- (a) articles 18 and 22,
- (b) subparagraph (a) of paragraph (1) of article 19,
- (c) article 24, where applicable, and
- (d) article 25, where applicable,

of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001).



GIVEN under my Official Seal,
22 May, 2020.

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

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