

CHAPTER 5 Designated islands

Interpretation). FA96 s65 360.—(1) In this Chapter—

“certificate of reasonable cost” means a certificate granted by the Minister for the Environment and Local Government for the purposes of section 361 , 362 , 363 or 364, as the case may be, stating that the amount specified in the certificate in relation to the cost of construction of, conversion into, refurbishment of, or, as the case may be, construction or refurbishment of, the house to which the certificate relates appears to that Minister at the time of the granting of the certificate and on the basis of the information available to that Minister at that time to be reasonable, and section 18 of the Housing (Miscellaneous Provisions) Act, 1979 , shall, with any necessary modifications, apply to a certificate of reasonable cost as if it were a certificate of reasonable value within the meaning of that section;

“designated island” means any of the following islands—

(a) in the administrative county of Cork, the islands of Bere, Clear, Dursey, Hare, Long, Sherkin and Whiddy,

(b) in the administrative county of Donegal, the islands of Arranmore, Inishbofin, Inishfree and Tory,

(c) in the administrative county of Galway, the islands of Inisbofin, Inisheer, Inishmaan and Inishmore,

(d) in the administrative county of Limerick, the island of Foynes,

(e) in the administrative county of Mayo, the islands of Claggan, Clare, Inishbiggle, Inishcottle, Inishlyre and Inishturk, and

(f) in the administrative county of Sligo, the island of Coney;

“house” includes any building or part of a building used or suitable for use as a dwelling and any outoffice, yard, garden or other land appurtenant to or usually enjoyed with that building or part of a building;

“lease”, “lessee”, “lessor”, “premium” and “rent” have the same meanings respectively as in Chapter 8 of Part 4;

“market value”, in relation to a building or house, means the price which the unencumbered fee simple of the building or house would fetch if sold in the open market in such manner and subject to such conditions as might reasonably be calculated to obtain for the vendor the best price for the building or house, less the part of that price which would be attributable to the acquisition of, or of rights in or over, the land on which the building or house is constructed;

“qualifying period” means the period commencing on the 1st day of August, 1996, and ending on the 31st

day of July, 1999;

“total floor area” means the total floor area of a house measured in the manner referred to in section 4 (2)(b) of the Housing (Miscellaneous Provisions) Act, 1979 .

(2) References in this Chapter to the construction of, conversion into, refurbishment of, or, as the case may be, construction or refurbishment of, any premises shall be construed as including references to the development of the land on which the premises is situated or which is used in the provision of gardens, grounds, access or amenities in relation to the premises and, without prejudice to the generality of the foregoing, as including in particular—

(a) demolition or dismantling of any building on the land,

(b) site clearance, earth moving, excavation, tunnelling and boring, laying of foundations, erection of scaffolding, site restoration, landscaping and the provision of roadways and other access works,

(c) walls, power supply, drainage, sanitation and water supply, and

(d) the construction of any outhouses or other buildings or structures for use by the occupants of the premises or for use in the provision of amenities for the occupants.