STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (AN COIMISIÚN PLEANÁLA – APPEALS, REFERRALS AND ADMINISTRATION) REGULATIONS 2026

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PLANNING AND DEVELOPMENT (AN COIMISIÚN PLEANÁLA – APPEALS, REFERRALS AND ADMINISTRATION) REGULATIONS 2026

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 103(7), 107(1), 111(1), 113(2), 126(4), 183(2), 377(1) and (2) and 588(1) and (2) of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (An Coimisiún Pleanála – Appeals, Referrals and Administration) Regulations 2026.

Definitions

2. In these Regulations—

"Act" means Planning and Development Act 2024 (No. 34 of 2024);

"Chapter 4 development" has the meaning assigned to it in section 82(1) of the Act;

"LRD" means large-scale residential development;

"LRD appeal" has its meaning as assigned by section 82 of the Act;

"oral hearing" means an oral hearing within the meaning of section 369 of the Act;

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

Additional documentation required to be submitted with an appeal to the Commission

1. Upon lodging an appeal to the Commission, in addition to the requirements set out in section 360(1) of the Act, the appellant shall:

(a) state whether their status as an eligible appellant in accordance with either section 102(1) or (2) of the Act,

(b) submit a declaration in accordance with section 588(2) of the Act in the form as set out in Form No. 1 of the Schedule, and

(c) where an appeal is made in electronic form with the consent of the Commission, valid login credentials shall replace the need for a signature and satisfy the declaration.

Submitting of appeals or referrals in electronic form

2. (1) Where the Commission has consented, an appeal or referral may be submitted in electronic form and in accordance with particular information

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technology and procedural requirements and include such information as may be specified by the Commission. In any event, hyper-links, videos, USB/CD or SD cards or similar additional formats shall not be included with any submission.

(2) Where an appeal or referral has been submitted in electronic form, any required documents or information shall be provided to the Commission electronically.

(3) Documents or information provided to the Commission in electronic form shall be in a searchable form and of sufficient quality to produce a legible hard copy if required.

(4) Where an appeal or referral is submitted in electronic form, any documents, information or correspondence may be issued by the Commission electronically.

(5) Where the Commission's information technology and procedural requirements for submitting appeals or referrals referred to in paragraph (1) is unavailable on the last day for submitting an appeal or referral, the appeal or referral shall be valid if received on the next following day on which the Commission's information technology and procedural requirements for receiving such appeals or referrals is available.

(6) A submission made under section 365 of the Act shall be accompanied by a declaration in accordance with section 588(1) of the Act in the form as set out in Form No. 2 of the Schedule.

(7) Where the Commission so consents, a submission referred to in paragraph (6) may be made in electronic form in a manner specified by the Commission and in that case the person making the submission is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the appeal or referral, in electronic form.

Validity

3. (1) Where the Commission determines that an environmental impact assessment report or a Natura impact statement is required the Commission may request the developer to submit the relevant environmental impact assessment report or Natura impact statement as further information and it shall not affect the validity of the original application to the planning authority.

(2) Issues which are only minor in nature in the original application to the relevant planning authority and do not impede the Commission in its ability to make a decision on an appeal shall not affect the validity of the original application to the planning authority.

Availability of documents

4. (1) Where a copy of an appeal or referral is sent to a planning authority by the Commission under section 362 of the Act, which may be by way of an electronic link to the appeal or referral on the Commission website, the planning authority shall, within 3 working days of receipt of the copy of the appeal or referral, make a copy of the appeal or referral available on its website or for

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inspection or purchase, at a fee not exceeding the reasonable cost of making a copy, during office hours at the offices of the authority until the appeal or referral is withdrawn or is dismissed or determined by the Commission or, in the case of an appeal referred to in section 112 of the Act, a direction is given to the authority in relation to that appeal.

(2) Where a copy of an appeal, accompanied by an environmental impact assessment Report, is sent to a planning authority by the Commission under section 362 of the Act, the planning authority shall, as soon as may be after receipt of that copy, include the URL to the appeal on the Commission's website with the documents referred to in section 383(4) of the Act.

(3) The Commission shall provide access to the planning authority file as published on the planning authority website.

(4) The Commission may rely on the planning authority file as published on the planning authority website when considering an appeal.

Notification of persons who made submissions or observations

5. (1) Subject to paragraph (2), where a copy of an appeal is sent to a planning authority by the Commission in accordance with section 362 of the Act, the planning authority, as soon as may be after receipt of the copy of the appeal, shall notify in writing any person who made a submission or observation in relation to the planning application in respect of which an appeal has been made.

(2) A notice under paragraph (1) shall –

(a) specify the reference number of the Commission in respect of the appeal,

(b) in the case of an appeal accompanied by an environmental impact assessment Report, specify the URL to the appeal on the Commission's website,

(c) specify the date on which the appeal was received by the Commission,

(d) state that a copy of the appeal is available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the planning authority, and

(e) state that submissions or observations in relation to the appeal may be made in writing (including by electronic means) to the Commission within the appropriate period and on payment of the appropriate fee.

Inclusion of appeals in weekly list of planning authority

6. The relevant planning authority shall, in its list of weekly planning decisions, indicate any planning application in respect of the decision on which an appeal has been made and sent to a planning authority by the Commission in accordance with section 362 of the Act during that week.

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Notification of application for leave to appeal.

7. (1) Where a planning authority is notified by the Commission in accordance with section 105(1) of the Act, the authority shall, as soon as may be, notify the applicant for permission that the Commission has received an application for leave to appeal the decision of the planning authority.

(2) A notice under paragraph (1) shall –

(a) specify the reference number of the Commission in respect of the application for leave to appeal,

(b) specify the name and address of the applicant for leave, and

(c) state that the planning authority will not make a grant of permission unless the application for leave to appeal is refused.

Revised plans, etc.

8. The Commission may, when considering an appeal under section 103 of the Act, invite the applicant for the permission concerned to submit to the Commission revised plans or other drawings modifying, or other particulars providing for the modification of, the development to which the appeal relates and an applicant so invited may submit to the Commission such number of plans, drawings or particulars as the Commission may specify.

LRD appeal - further information

9. (1) Subject to paragraph (2), where the Commission is in receipt of an LRD appeal it may, by notice in writing, within 18 weeks of receipt of the LRD appeal, require the applicant—

(a) to submit any further information (including any plans, maps or drawings, or any information as to any estate or interest in or right over land), which the Commission considers necessary to enable it to deal with the application, or

(b) to produce any evidence which the Commission may reasonably require to verify any particulars or information given in, or in relation to, the appeal.

(2) Notwithstanding paragraph (a) and (b) of paragraph (1), the Commission may only request further information in relation to matters of technical or environmental detail, or both, that were unforeseen at the time of the LRD opinion and the time of lodging the LRD planning application, or new matters raised through the appeal public participation process, and such requests for further information with regard to an application for LRD may only be requested once by the Commission.

(3) The Commission shall not require an LRD applicant who has complied with a requirement under paragraph (1) to submit any further information or evidence.

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(4) Where a requirement under paragraph (1) is not complied with within the period of 2 months from the date of the request for further information under paragraph (1), or where the request relates to an environmental impact assessment or appropriate assessment or both, such additional period, not exceeding 6 months, as may be agreed by the Commission, the Commission shall, as soon as may be, notify the applicant of its decision on the appeal in accordance with regulation 12.

Notification by Commission of decisions on appeals or referrals

10. (1) The Commission shall, as soon as may be following the making of a decision on an appeal or referral, notify any party to the appeal or referral and any person who made submissions or observations in relation to the appeal or referral in accordance with section 365 of the Act.

(2) A notice referred to in paragraph (1) of a decision on an appeal under section 103 of the Act shall specify —

(a) the reference number of the appeal,

(b) the reference number of the planning application concerned in the register of the planning authority,

(c) the date of the order of the Commission in relation to the appeal,

(d) the development to which the decision relates,

(e) the nature of the decision and the main reasons and considerations on which the decision is based,

(f) in the case of a decision to grant a permission subject to conditions — any conditions to which the permission is subject and the main reasons for the imposition of any such conditions, provided that where a condition imposed is a condition described in section 87(3) of the Act, a reference to the paragraph of that subsection in which the condition is described shall be sufficient,

(g) in the case of a decision to grant a permission for a structure — any purpose for which the structure may or may not be used,

(h) in the case of a decision to grant a permission — any condition specifying points of detail relating to a grant of permission to be agreed by the planning authority and the person to whom the permission is granted,

(i) in the case of a decision to grant permission for a proposed development where the screening determination for environmental impact assessment is that the proposed development would not be likely to have significant effects on the environment — a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset the significant adverse effects on the environment of the proposed development

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and such conditions, if any, as are necessary to ensure their implementation,

(j) in the case of a decision to grant or refuse a permission where the decision by the Commission is different, in relation to the granting or refusal of permission, from the recommendation of the report of a person assigned to report on an appeal on behalf of the Commission — the main reasons for not accepting such recommendation,

(k) that in making a decision on an appeal the Commission, in accordance with section 86(3)(c) of the Act, has regard to submissions or observations received in accordance with these Regulations,

(l) in the case of a decision to grant a permission — any period specified by the Commission under section 177 of the Act as the period during which the permission is to have effect, and

(m) in the case of a decision to grant a permission for a development which materially contravenes the development plan where the planning authority had refused a permission on that ground — the main reasons and considerations for materially contravening the development plan.

(3) A notice referred to in paragraph (1) of a decision on an appeal (other than an appeal under section 103 of the Act) or referral shall, in addition to any other requirement of the Act, specify —

(a) the reference number of the Commission in respect of the appeal,

(b) the nature of appeal or referral to which the decision relates,

(c) the nature of the decision,

(d) the date of the order of the Commission in relation to the appeal or referral, and

(e) any other information which the Commission considers appropriate.

Inspections in relation to appeals and referrals by Commission

11. The Commission may arrange for the carrying out of inspections on its behalf in relation to appeals or referrals determined by the Commission under the Act at any time prior to making its decision on such an appeal or referral by persons appointed for that purpose by the Commission either generally or for a particular appeal, referral or matter or for appeals, referrals or matters of a particular class (including appeals, referrals or matters relating to land in the area of a particular planning authority).

Notice etc. of oral hearing

12. (1) Where the Commission decides to hold an oral hearing, the Commission —

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(a) shall inform relevant persons and any other person or body which it considers appropriate and give such persons and bodies not less than 7 working days' notice of the time and place of the opening of the oral hearing or such shorter notice as may be accepted by all such persons or bodies,

(b) shall make available for inspection at its offices and at the offices of the local authority or planning authority, as appropriate, a copy of any correspondence, documents, particulars or other information received from any relevant persons in accordance with the Act or these Regulations for a period commencing not later than 7 days before the commencement of the oral hearing and ending on the last day of the oral hearing, and this information may be in electronic form, and

(c) shall make available for inspection at the place the oral hearing is held, and at the offices of the Commission, a copy of any correspondence and other information referred to in paragraph (b) for the duration of the oral hearing, and this information may be in electronic form.

(2) Paragraphs (b) and (c) of paragraph (1) shall not require the Commission to make available models or such other information or particulars as may be determined by the Commission at the offices of the local authority or planning authority or at the place of the holding of the oral hearing where the making available of models or other information or particulars would lead to undue administrative or technical difficulties.

(3) The Commission may, where it considers appropriate, give any person or body informed of the holding of an oral hearing under paragraph (1)(a) a copy of any correspondence, documents, particulars or other information received from relevant persons in accordance with the Act or these Regulations.

(4) The Commission may, at any time before the opening of an oral hearing, alter the time or place of the opening of the hearing and, in the event of such alteration, the Commission shall give relevant persons and any other person or body informed of the holding of an oral hearing under paragraph (1) notice of not less than 3 working days of the new time and place or such shorter notice as may be accepted by all such persons or bodies.

(5) Any correspondence, documents, particulars or other information received from any relevant persons in accordance with the Act or these Regulations for a period commencing not later than 7 days before the commencement of the oral hearing and ending on the last day of the oral hearing, and this information may be in electronic form.

Adjournment or re-opening of oral hearing

13. (1) Subject to paragraphs (2) and (3), the Commission or other person conducting an oral hearing may adjourn or re-open any hearing or, notwithstanding that any relevant person has failed to attend a hearing, proceed with the hearing.

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(2) Notice of the time and place of the re-opening of an oral hearing or resumption of an oral hearing that has been adjourned indefinitely shall be given by the Commission to each relevant person and to any other person or body who was informed of the holding of an oral hearing under Regulation 14(1)(a) or who has been heard at the hearing not less than one week before the said time unless all such persons accept shorter notice.

(3) An oral hearing under section 416 of the Act, or on which the report has been submitted to the Commission, shall not be re-opened unless the Commission considers it expedient to do so and so directs.

Replacement of person appointed to conduct oral hearing

14. (1) If, for any reason, the person appointed to conduct an oral hearing is unable or fails to conduct the oral hearing, the Commission may appoint another person to conduct the oral hearing.

(2) If, for any reason, the person appointed to conduct an oral hearing is unable to complete the conduct of the oral hearing or is unable to or fails to furnish a report on an oral hearing to the Commission, the Commission may appoint another person to conduct a new oral hearing.

Period for making a decision on LRD appeals where oral hearing is held

15. Where the Commission holds an oral hearing of an LRD appeal, the Commission shall make its decision on the LRD appeal within 12 weeks of the end of the oral hearing.

Commission's weekly list

16. (1) The Commission shall, not later than the third working day following a particular week, make available, and display for inspection on its website, a list of –

(a) the appeals and referrals received by the Commission,

(b) the appeals and referrals determined, dismissed or withdrawn or in relation to which a direction is given by the Commission under section 112 of the Act,

(c) screening determinations made under section 229 of the Act,

(d) the applications for Chapter 4 development received by the Commission,

(e) the applications for approval under Chapter 4 development determined or otherwise disposed of by the Commission during that week, and

(f) the applications for retrospective consent received by the Commission, and

(g) the applications for retrospective consent decided or withdrawn.

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(2) A list referred to in paragraph (1) shall indicate in respect of appeals under section 103 of the Act received by the Commission during the week to which the list relates that, under section 109 of the Act, the applications may be granted permission, subject to or without conditions, or refused and shall also indicate in respect of each appeal —

(a) the name of the appellant,

(b) the date on which the appeal was received by the Commission,

(c) the reference number of the appeal,

(d) the nature and location of the development to which the appeal relates,

(e) the name of the planning authority and the reference number of the planning application concerned in the register of the authority,

(f) the name of the person by or on behalf of whom the planning application was made, and

(g) where the appeal relates to an LRD, an indication of that fact.

(3) A list referred to in paragraph (1) shall indicate, in respect of appeals under section 103 of the Act determined, dismissed or withdrawn or in relation to which a direction is given by the Commission under section 112 of the Act during the week to which the list relates, that in accordance with section 86(3) of the Act, the Commission in making decisions on appeals under section 109 of the Act has regard to submissions or observations received and shall also indicate in respect of each appeal-

(a) the reference number of the appeal,

(b) the nature and location of the development to which the appeal relates,

(c) the name of the planning authority and the reference number of the planning application concerned in the register of the planning authority,

(d) the name of the person by or on behalf of whom the planning application was made,

(e) in the case of an appeal determined by the Commission, the nature of the decision of the Commission and the date of the order of the Commission in relation to the appeal,

(f) in the case of an appeal dismissed by the Commission, an indication of that fact and the date of the order of the Commission in relation to the appeal,

(g) in the case of an appeal which has been withdrawn, an indication of that fact and the date on which it was withdrawn,

(h) in the case of an appeal in relation to which a direction has been given by the Commission under section 112 of the Act, an indication of that fact and the date of the order of the Commission in relation to the appeal, or

(i) where the appeal relates to an LRD, an indication of that fact.

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(4) A list referred to in paragraph (1) shall indicate in respect of each of the appeals (other than appeals under section 103 of the Act) and referrals received by the Commission during the week to which the list relates—

(a) the name of the appellant or person making the referral, as appropriate,

(b) the reference number of the appeal or referral,

(c) the nature of the appeal or referral, and

(d) the date on which the appeal or referral was received by the Commission.

(5) A list referred to in paragraph (1) shall indicate, in respect of each appeal (other than an appeal under section 103 of the Act) or referral determined, dismissed or withdrawn during the week to which the list relates, —

(a) the nature of the appeal or referral,

(b) in the case of an appeal or referral determined by the Commission, the nature of the decision of the Commission and the date of the order of the Commission in relation to the appeal or referral,

(c) in the case of an appeal or referral dismissed by the Commission, an indication of that fact and the date of the order of the Commission in relation to the appeal or referral, or

(d) in the case of an appeal or referral which has been withdrawn, an indication of that fact and the date on which it was withdrawn.

(6) A list referred to in paragraph (1)(c) shall indicate, in respect of applications for Chapter 4 development received by the Commission during the week to which the list relates that the Commission may approve the applications subject to or without conditions, or refuse the applications and shall also indicate in respect of each application –

(a) the reference number of the application for approval,

(b) the name of the local authority or road authority,

(c) the nature and location of the development,

(d) that the application for approval is accompanied by an environmental impact assessment report or Natura impact statement, or both, where appropriate, and

(e) where the appeal relates to an LRD, an indication of that fact.

(7) A list referred to in paragraph (1) shall indicate, in respect of applications for Chapter 4 development determined by the Commission during the week to which the list relates that the Commission in determining applications for approval has regard to submissions or observations received and shall also indicate in respect of each application for approval –

(a) the reference number of the application for approval,

(b) the name of the local authority or road authority,

(c) the nature and location of the development,

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(d) the nature of the decision of the Commission and the date of the order of the Commission in relation to the application for approval, and

(e) where the appeal relates to an LRD, an indication of that fact.

(8) A list referred to in paragraph (1) shall indicate, in respect of applications for retrospective consent, under section 129 of the Act, received by the Commission during the week to which the list relates, that the Commission may grant the retrospective consent subject to or without conditions, and shall also indicate in respect of each application —

(a) the name of the applicant,

(b) the date on which the application was received by the Commission,

(c) the nature and location of the development to which the application relates,

(d) that the application is accompanied by a remedial environmental impact assessment report or remedial Natura impact statement or both where appropriate,

(e) the name of the planning authority, and

(f) where the appeal relates to an LRD, an indication of that fact.

(9) A list referred to in paragraph (1) shall indicate, in respect of applications for retrospective consent, under 129 of the Act, decided by the Commission during the week to which the list relates, that the Commission in deciding the applications has had regard to submissions or observations received and shall also indicate in respect of each application for approval—

(a) the name of the applicant,

(b) the name of the planning authority,

(c) the nature and location of the development,

(d) the nature of the decision of the Commission and the date of the decision, and

(e) where the appeal relates to an LRD, an indication of that fact.

(10) The Commission may include in a list referred to in paragraph (1) any information which the Commission considers appropriate in relation to matters before, or to be determined by, the Commission under the Act or any other enactment.

(11) A list referred to in paragraph (1) shall, for a period of not less than 4 weeks beginning on the day on which it is made available, be displayed in or at the offices of the Commission in a position convenient for inspection during office hours or by any other means, including in electronic form, that the Commission considers appropriate.

(12) (a) Copies of a list referred to in paragraph (1) shall, during the period of 4 weeks referred to in paragraph (11), be made available at the offices of the Commission during office hours, free of charge or

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for such fee as the Commission may fix not exceeding the reasonable cost of making a copy.

(b) A copy of a list referred to in paragraph (1) shall, during the period of 4 weeks as aforesaid, be sent (including by electronic means), on request, to any person or body, free of charge or for such fee, not exceeding the reasonable cost of making a copy and the cost of postage, as the Commission may fix.

Running of time

17. (1) Where the Commission refers any matter regarding an appeal or referral to the High Court in accordance with section 379 of the Act, the period from the date the referral was issued to the date the judgment of the High Court is issued shall be disregarded for the purposes of reckoning any relevant period.

(2) Where the Commission refers a matter regarding an application for Chapter 4 development to the High Court in accordance with section 379 of the Act, the period from the date the referral was issued to the date the judgment of the High Court is issued shall be disregarded for the purposes of reckoning any relevant period.

(3) Where the Commission issues a request for submissions under section 366 of the Act in relation to any appeal, application, referral or request, the period from the date the request was issued by the Commission to the date the response is received shall be disregarded for the purposes of reckoning any relevant period subject to the maximum amount of time to be disregarded being the period as permissible in subsection (2) of section 366 of the Act.

(4) Where the Commission takes any action referred to in paragraphs (1) to (3), the Commission shall notify the appellant, person who made the referral or the applicant as appropriate that the running of time is paused until the Commission receives notification of a decision of the High Court under paragraphs (1) and (2) or receives the submission requested in paragraph (3).

Transitional

18. Any application or referral lodged prior to the signing of these regulations, and any appeal or referral appeal or application direct to the Commission made before the commencement of these Regulations, shall follow any procedures as set out in the Planning and Development Act 2000 (No. 30 of 2000) and the Regulations of 2001.

Revocation

19. Chapter 2 of Part 7 of the Regulations of 2001 is revoked.

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SCHEDULE

Regulation 3(b)

Form No. 1 - Declaration to accompany appeal under section 588(2) of the Act.

Insert Logo and Letterhead

Planning and Development Act 2024

Declaration under section 588(2)

Appeals

Any appeal cannot be accepted where not accompanied by this declaration.

I/We:	
Residing at:	
Email:	
Telephone:	

do solemnly and sincerely declare that the making of the appeal in relation to application:

Planning Reference:	

is not made for the purpose of

(a) delaying the carrying out of any development or proposed development, or

(b) securing the payment of any consideration to, or the doing of any other thing for the benefit of, any person.

Signed: _____ Date: _____

Only individuals over 18 years of age may make this declaration.

This form shall not be published to the public in any manner, a copy of this declaration shall be provided to An Coimisiún Pleanála when required for the undertaking of their statutory functions under the Planning and Development Act 2024.

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Warning: A person who fails to comply with section 588 of the Planning and Development Act 2024 or in purported compliance with section 588, makes a declaration that is false or misleading in any material respect, knowing it to be so false or misleading, shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or to both.

Regulation 4(6)

Form No. 2 – Declaration to accompany submission under section 588(1) of the Act

Insert Logo and Letterhead

Planning and Development Act 2024

Declaration under section 588(1)

Submissions and Observations

Any submission or observation cannot be accepted where not accompanied by this declaration.

I/We:	
Residing at:	
Email:	
Telephone:	

do solemnly and sincerely declare that the making of the submission or observation in relation to application:

Planning Reference:	

is not made for the purpose of
(a) delaying the carrying out of any development or proposed development, or

(b) securing the payment of any consideration to, or the doing of any other thing for the benefit of, any person.

Signed: _____ Date: _____

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Only individuals over 18 years of age may make this declaration.

This form shall not be published to the public in any manner, a copy of this declaration shall be provided to Planning Authorities, An Coimisiún Pleanála or the Courts when required for the undertaking of their statutory functions under the Planning and Development Act 2024.

Warning: A person who fails to comply with section 588 of the Planning and Development Act 2024 or in purported compliance with section 588, makes a declaration that is false or misleading in any material respect, knowing it to be so false or misleading, shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or to both.

GIVEN under my Official Seal,

_____ _____ 2026.

_____,

Minister for Housing, Local Government and Heritage

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EXPLANATORY NOTE

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

These Regulations enable An Coimisiún Pleanála to accept and process appeals and referrals and set out some administrative functions generally for the Commission in accordance with the Planning and Development Act 2024.

DRAFT

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Teil: 046 942 3100
r-phost: publications@opw.ie
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