



STATUTORY INSTRUMENTS.

S.I. No. 475 of 2007

TAXES CONSOLIDATION ACT 1997 (QUALIFYING URBAN
RENEWAL AREAS) (KILKENNY CITY) (AMENDMENT) ORDER 2007

(Prn. A7/1314)

TAXES CONSOLIDATION ACT 1997 (QUALIFYING URBAN RENEWAL AREAS) (KILKENNY CITY) (AMENDMENT) ORDER 2007

I, BRIAN COWEN, Minister for Finance, in exercise of the powers conferred on me by section 372B (as amended by section 30 of the Finance Act 2006 (No. 6 of 2006)) of the Taxes Consolidation Act 1997 (No. 39 of 1997), the Minister for the Environment, Heritage and Local Government having made a recommendation to me pursuant to that section, hereby order as follows:

1. This Order may be cited as the Taxes Consolidation Act 1997 (Qualifying Urban Renewal Areas) (Kilkenny City) (Amendment) Order 2007.

2. The Taxes Consolidation Act 1997 (Qualifying Urban Renewal Areas) (Kilkenny City) Order 2004 (S.I. No. 613 of 2004) is amended by substituting the following for Article 4 of that Order:

“4. (1) The qualifying period relating to the areas designated as qualifying areas by this Order shall, as respects sections 372C and 372D, be construed as a reference to the period commencing on 1 July 1999 and ending-

(a) on 31 December 2002, or

(b) where subsection (1A) of section 372A applies, on 31 December 2006, or

(c) where subsections (1A) and (3) of section 372A apply, on 31 July 2008.

(2) The qualifying period relating to the areas designated as qualifying areas by this Order shall, as respects section 372AR, be construed as a reference to the period commencing on 1 March 1999 and ending-

(a) on 31 December 2002, or

(b) where subsection (2) of section 372AL applies, on 31 December 2006, or

(c) where subsections (2) and (3) of section 372AL apply, on 31 July 2008.

(3) Subject to paragraphs (4) and (5), the qualifying period relating to the areas designated as qualifying areas by this Order shall, as respects section 372AP, be construed as a reference to the period commencing on 1 March 1999 and ending-

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 20th July, 2007.

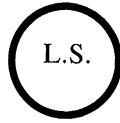
- (a) on 31 December 2002, or
- (b) where subsection (2) of section 372AL applies, on 31 December 2006, or
- (c) where subsections (2) and (3) of section 372AL apply, on 31 July 2008.

(4) Subject to paragraph (5), the qualifying period relating to the areas designated as qualifying areas by this Order shall, as respects section 372AP, and classifications of expenditure 9A and 9B, (which relate to that section) be construed as a reference to the period—

- (a) commencing on 5 December 2001 and ending-
 - (i) on 31 December 2002, or
 - (ii) where subsection (2) of section 372AL applies, on 31 December 2006, or
 - (iii) where subsections (2) and (3) of section 372AL apply, on 31 July 2008,
- or
- (b) where subsection (9) or (10) of section 372AP applies, commencing on 1 March 1999 and ending-
 - (i) on 31 December 2002, or
 - (ii) where subsection (2) of section 372AL applies, on 31 December 2006, or
 - (iii) where subsections (2) and (3) of section 372AL apply, on 31 July 2008.

(5) Paragraph (4)(b) shall not apply unless—

- (a) a contract for the purchase of the house had not been evidenced in writing by any person prior to 5 December 2001, but
- (b) a contract for the purchase of the house was evidenced in writing on or before 1 September 2002. ”.



GIVEN under my Official Seal,
30 May 2007

BRIAN COWEN
Minister for Finance.

EXPLANATORY NOTE

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

This Order amends the Taxes Consolidation Act 1997 (Qualifying Urban Renewal Areas) (Kilkenny City) Order 2004 (S.I. No. 613 of 2004) in order to extend the qualifying period set out in that Order in accordance with the provisions of paragraphs (a) and (b) of section 30(1) of the Finance Act 2006 (No. 6 of 2006).

Firstly, in the case of all types of qualifying buildings, the qualifying period is extended from 31 July 2006 to 31 December 2006 where the existing 15 per cent total project cost incurred by 30 June 2003 condition had been satisfied.

Secondly, the qualifying period is extended to 31 July 2008 where, in addition to satisfying the 15 per cent total project cost incurred by 30 June 2003 condition:

- in the case of residential buildings, work to the value of at least 15 per cent of the actual construction or refurbishment costs was carried out by 31 December 2006, and
- in the case of commercial and industrial buildings, a written binding contract in relation to the construction or refurbishment was in place by 31 July 2006 and work to the value of at least 15 per cent of the actual construction or refurbishment costs was carried out by 31 December 2006.

Where the extension to 31 July 2008 applies, then the amount of expenditure incurred on or after 1 January 2007 is subject to certain restrictions (also provided for in Finance Act 2006) when calculating the amount of relief allowable.

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