

S.I. No. 527/2008 — Water Conservation Regulations 2008

S.I. No. 527 of 2008

WATER CONSERVATION REGULATIONS 2008

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 12th December, 2008.

I, JOHN GORMLEY, Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on me by sections 18(1) and 56(13) of the Water Services Act 2007 (No. 30 of 2007) hereby make the following Regulations:

Citation.

1. These Regulations may be cited as the Water Conservation Regulations 2008.

Interpretation.

2. In these Regulations—

(a) any reference in a Regulation to a paragraph which is not otherwise identified is a reference to a paragraph of that Regulation;

(b) any reference to the Schedule is a reference to the Schedule of these Regulations;

(c) any reference to a section or subsection is a reference to a section or subsection of the Water Services Act 2007 .

Forms

3. (1) (a) Form A in the Schedule is the prescribed form for the purposes of a notice to which section 56(1) refers.

(b) Form B in the Schedule is the prescribed form for the purposes of a notice to which section 56(2) refers.

(c) Form C in the Schedule is the prescribed form for the purposes of an emergency notice to which section 56(3) refers.

(d) Form D in the Schedule is the prescribed form for the purposes of a notice to which section 56(11)(a) refers.

(e) Form E in the Schedule is the prescribed form for the purposes of section 56(22).

(2) Form A, B, C, D or E may be served with such additional documentation or other details as the person that signs it considers appropriate, and such additional documentation and other details shall be regarded as part of the notice.

Emergency notice

4. (1) An authorised person shall determine the duration for which an emergency notice under section 56(3) shall apply, and shall specify such duration in the notice.

(2) An authorised person shall review an emergency notice under section 56(3) at the end of the period specified in the notice, but may review it at anytime prior to that where it considers that such action is necessary or appropriate.

(3) Following completion of a review under paragraph (2), an authorised person may issue a new notice to replace the reviewed notice, and such new notice shall constitute an emergency notice for the purposes of section 56(3).

Action to be carried out

5. For the purposes of a notice under section 56(2) or an emergency notice under section 56(3), an authorised person may—

(a) specify—

(i) actions to limit consumption of water to such rate or quantity as may be indicated, or

(ii) the times during which water supplies may be used, or

(b) prohibit specified uses of water.

Time limit for completion of action required by notice

6. When specifying the action to be taken under a notice or emergency notice, as the case may be, under sections 56(1), 56(2), 56(3) or 56(11)(a), an authorised person may set such time limit as he or she considers reasonable by which such action shall be completed.

Restriction or cut off of supply

7. Issue of a further notice by an authorised person under section 56(11)(a) is subject to the following:

(a) The date specified in the further notice for restricting or cutting off a water supply following non-compliance with a notice under section 56(1) or 56(2) shall be not less than 7 days from the date of the further notice.

(b) The date specified in the further notice for restricting or cutting off a water supply following non-compliance with a notice under section 56(3) shall be such date as an authorised person considers appropriate (which may include a specified time on the day on which the notice is dated) having regard to the related risk to human health, the environment or the integrity of a water service.

Quality of materials to be used in remedial action

8. (1) A person to whom a notice under section 56(1) is addressed shall ensure that—

(a) materials and fittings, including pipes, valves, meters or other accessories that are installed or replaced in the course of corrective action to comply with the notice are—

(i) of an appropriate quality and standard, and

(ii) suitable for the circumstances in which they are used,

and

(b) the quality of workmanship employed in the course of the installation, repair or replacement of such materials and fittings is sufficient to effect compliance with the notice.

(2) For the purposes of these Regulations, a material or fitting is of an appropriate quality or standard if

(a) it bears an appropriate CE marking in accordance with Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products;¹

(b) it conforms to an appropriate harmonised standard or European technical approval;

(c) it conforms with an appropriate Irish Standard (I.S.), Irish Agrément Board Certificate, a British Standard (B.S.) or an equivalent standard of a Member State of the European Economic Area (EEA), which provides an equivalent level of protection and performance.

(3) An authorised person may give such directions in relation to—

(a) workmanship or working practices generally

(b) technical specifications for materials and fittings, or

(c) completion of corrective action

as appear to him or her to be necessary to comply with relevant standards.

(4) A person who contravenes paragraph (1) or a direction under paragraph (3) commits an offence.

SCHEDULE

FORM A

WATER SERVICES ACT 2007 — SECTION 56(1)

NOTICE IN RELATION TO WASTAGE OR EXCESSIVE CONSUMPTION OF WATER

NAME OF WATER SERVICES AUTHORITY ¹

¹ Insert name of water services authority that appointed the authorised person.

TO: ²

² Insert name and address of person to whom the notice is addressed.

For the purposes of preventing water from ³

3 Place x in either box or both as appropriate to denote purpose.

- being wasted, or

- being consumed in excessive amounts

at the following premises: ⁴

4 Insert address of premises to which the notice refers.

you are hereby directed to take corrective action within ⁵ as follows: ⁶

5 Insert time period within which action must be completed.

6 Insert details of corrective action.

Failure to comply with this notice is an offence, and may result in a fine not exceeding €5,000. It may also result in the restriction or cutting off of water supply. You may appeal this notice, or any of its conditions, to the District Court within one month of the date of the notice.

Dated this day of 20

(Signed) Authorised Person

Water Services Authority: 1

FORM B

WATER SERVICES ACT 2007 — SECTION 56(2)

NOTICE IN RELATION TO LIMITING CONSUMPTION OF WATER

NAME OF WATER SERVICES AUTHORITY ¹

1 Insert name of water services authority that appointed the authorised person.

TO: ²

2 Insert name and address of person to whom the notice is addressed.

You are hereby directed to limit the consumption of water supplied by ³
..... to the following premises: ⁴

3 Insert name of water services provider.

4 Insert address of premises to which the notice refers.

within ⁵ as follows: ⁶

5 Insert time period within which direction must be complied with.

6 Insert details.

Failure to comply with this notice is an offence, and may result in a fine not exceeding €5,000. It may also result in the restriction or cutting off of water supply. You may appeal this notice, or any of its conditions, to the District Court within one month of the date of the notice.

Dated this day of 20

(Signed) Authorised Person

Water Services Authority: ¹

FORM C

WATER SERVICES ACT 2007 — SECTION 56(3)

EMERGENCY NOTICE TO REDUCE CONSUMPTION OF WATER

NAME OF WATER SERVICES AUTHORITY ¹

¹ Insert name of water services authority that appointed the authorised person.

TO: ²

² Insert name and address of person to whom the notice is addressed.

Whereas I am of the opinion that an immediate risk to human health, the environment or the integrity of a water service necessitates a reduction in consumption of water supplied by ³ to: ⁴

³ Insert name of water services provider.

⁴ Insert address of premises to which the notice refers.

I hereby direct you to limit consumption of that water at that premises to the following rate/quantity ⁵

⁵ Delete whichever is inapplicable and insert details.

with effect from ⁶ , for a duration of ⁷ days.

⁶ Insert date.

⁷ Insert number of days.

Failure to comply with this notice is an offence and may result in a fine not exceeding €5,000. It may also result in the restriction or cutting off of water supply. This notice is enforceable with effect from the date for compliance specified above.

Dated this day of 20

(Signed) Authorised Person

Water Services Authority: ¹

FORM D

WATER SERVICES ACT 2007 — SECTION 56(11)(a)

NOTICE OF INTENTION TO RESTRICT OR CUT OFF WATER SUPPLY

NAME OF WATER SERVICES AUTHORITY: ¹

¹ Insert name of water services authority that appointed the authorised person.

TO: ²

² Insert name and address of person to whom the notice is addressed.

As you have failed to comply with the requirements of a notice/ emergency notice ³

(copy attached) which issued to you on ⁴ of
.....20

3 Delete whichever is inapplicable.

4 Insert date.

you are hereby notified that the water supply to ⁵

5 Insert address of premises to which the notice refers, and if the notice is not applicable to all of the premises, indicate the part(s) to which it applies.

will be restricted/cut off ⁶ with effect from ⁷

6 Delete as appropriate.

7 Insert date (and time, if appropriate).

unless you have complied with the notice by then. The water supply will remain restricted/cut off ⁶ until I am satisfied that the abovementioned notice has been complied with.

Dated this day of 20

(Signed) Authorised Person

Water Services Authority: ¹

FORM E

WATER SERVICES ACT 2007 — SECTION 56(22)

NOTICE IN RELATION TO AN ALLEGED OFFENCE UNDERSECTION 56(18)

TO: ¹

1 Insert name and address of person to whom the notice is addressed.

It is alleged that you committed an offence under section 56 (18) of the [Water Services Act 2007](#) at ² on the day of 20 by contravening an order under section 56(16) of that Act prohibiting/ restricting the use of water — ³

2 Insert details as appropriate.

3 Place x in the appropriate box to denote the specified alleged contravention.

(a) drawn through a hosepipe or similar apparatus for the purpose of—

(i) watering a garden, [Section 56(16)(a)(i)]

(ii) watering recreational parks or sports grounds, either generally or any particular type of such park or ground, [Section 56(16)(a)(ii)]

(iii) irrigating or spraying crops, either generally or any particular type of crop, [Section 56(16)(a)(iii)] or

(iv) washing a mechanically propelled vehicle or a trailer, [Section 56(16)(a)(iv)]

(b) used for the provision of a commercial washing service for a vehicle or trailer, [Section 56(16)(b)]

or

(c) used for filling or replenishing a swimming pool, artificial pond, lake or similar application.

[Section 56(16)(c)]

A prosecution in respect of the alleged offence will not be instituted during the period of 21 days beginning on the date of this notice. If, during that period, you pay to ⁴ the sum of €125, accompanied by this notice, a prosecution in respect of the alleged offence will not subsequently be

instituted.

4 Insert name and address of the water services authority that made the related order.

Dated this ⁵ day of 20

5 Insert date.

(Signed) Authorised Person / Member of An
Garda Síochána ⁶

6 Delete as appropriate.



GIVEN under my Official Seal,

9 December 2008

JOHN GORMLEY

Minister for the Environment, Heritage and Local Government.

EXPLANATORY NOTE

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

These Regulations prescribe forms to be used for issuing notices under section 56 of the Water Services Act 2007 in relation to water conservation, and provide for related procedures and incidental requirements.

1 O.J. No. L40, 11.2.89, p.12.

1 Insert name of water services authority that appointed the authorised person.

2 Insert name and address of person to whom the notice is addressed.

3 Place x in either box or both as appropriate to denote purpose.

4 Insert address of premises to which the notice refers.

5 Insert time period within which action must be completed.

6 Insert details of corrective action.

1 Insert name of water services authority that appointed the authorised person.

2 Insert name and address of person to whom the notice is addressed.

3 Insert name of water services provider.

4 Insert address of premises to which the notice refers.

5 Insert time period within which direction must be complied with.

6 Insert details.

1 Insert name of water services authority that appointed the authorised person.

2 Insert name and address of person to whom the notice is addressed.

3 Insert name of water services provider.

4 Insert address of premises to which the notice refers.

5 Delete whichever is inapplicable and insert details.

6 Insert date.

7 Insert number of days.

1 Insert name of water services authority that appointed the authorised person.

2 Insert name and address of person to whom the notice is addressed.

3 Delete whichever is inapplicable.

4 Insert date.

5 Insert address of premises to which the notice refers, and if the notice is not applicable to all of the premises, indicate the part(s) to which it applies.

6 Delete as appropriate.

7 Insert date (and time, if appropriate).

1 Insert name and address of person to whom the notice is addressed.

2 Insert details as appropriate.

3 Place x in the appropriate box to denote the specified alleged contravention.

4 Insert name and address of the water services authority that made the related order.

5 Insert date.

6 Delete as appropriate.

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