



STATUTORY INSTRUMENTS.

S.I. No. 185 of 2020



HOUSING (DOMESTIC WASTE WATER TREATMENT SYSTEMS
FINANCIAL ASSISTANCE FOR PRIORITISED AREAS FOR ACTION)
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 Section 6 of the Housing Miscellaneous Provisions Act 1979 (No. 27 of 1979) as amended, hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Housing (Domestic Waste Water Treatment Systems Financial Assistance for Prioritised Areas for Action) Regulations 2020.

Interpretation

2. In these Regulations—

“approved cost” in relation to remediation, repair or upgrading works to a domestic waste water treatment system, or the replacement of such system, means the cost estimated by the housing authority to be the reasonable cost of carrying out the works or the replacement, or the actual cost of carrying out the works or the replacement, whichever is the lesser;

“domestic waste water” means domestic waste water within the meaning of the Water Services Act;

“River Basin Management Plan for Ireland 2018-2021” means the plan made in 2018 under Regulation 13 of the European Communities (Water Policy) Regulations 2003, as amended by the European Union (Water Policy) Regulations 2014;

“Water Services Act” means the Water Services Act 2007 (No. 30 of 2007) as amended.

Financial assistance towards remediation, repair, upgrading or replacement of domestic waste water treatment systems

3. (1) A housing authority may pay a grant to a person for the carrying out of remediation, repair or upgrading works to, or replacement of, a domestic waste water treatment system where, in the opinion of the housing authority, the system:

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th May, 2020.*

- (a) is causing, or may cause, a threat to the environment,
- (b) is of need of remediation, repair, upgrading or replacement, and
- (c) serves a house, which is situated in a catchment area identified as a Prioritised Area for Action, in accordance with the River Basin Management Plan 2018-2021.

(2) A grant under these Regulations shall not exceed 85% of the approved cost subject a maximum grant of €5,000.

(3) A grant under these Regulations shall not be paid where the total cost is less than €750.

(4) A grant under these Regulations shall not be paid where-

- (a) the owner of the domestic waste water treatment system had not, by the prescribed date of 1 February 2013, applied to have the treatment system entered in the register of domestic waste water treatment systems maintained in accordance with Section 70B(2) of the Act, or
- (b) the owner of a domestic waste water treatment system, constructed or installed after 1 February 2013, has not applied to have the treatment system entered in the register of such systems maintained in accordance with Regulation 3 of the Domestic Waste Water Treatment Systems (Registration) (Amendment) Regulations 2013 (No. 180 of 2013).

(5) Where a grant is paid under these Regulations, the Minister shall make, to the housing authority, a contribution of 100% of the grant paid.

(6) The Minister may from time to time issue guidelines to housing authorities in relation to the operation of the grant scheme, including the identification of a house within a Prioritised Area for Action.

Non Qualifying Works

4. A grant under these Regulations shall not be paid towards the costs of maintaining, servicing or de-sludging a domestic waste water treatment system.

Further Conditions

5. A grant under Regulation 3 of these Regulations shall not be paid unless—

- (a) the house concerned is occupied by the applicant as his or her normal place of residence;
- (b) the application relates to a domestic waste water treatment system which serves a house;
- (c) an application for payment is accompanied by an original receipt for the total amount paid which shall include an itemised list of the works carried out and the costs associated with each item;

- (d) in respect of the contractor carrying out the works or, where there is more than one such contractor, in respect of each contractor, the housing authority is furnished with a copy of a current tax clearance certificate issued to the contractor by the Revenue Commissioners.



GIVEN under my Official Seal,
27 May, 2020.

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

EXPLANATORY NOTE

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

The purpose for which these Regulations are made is to provide for a scheme of financial assistance for the carrying out of remediation, repair or upgrading works to, or replacement of, a domestic waste water treatment system which serves a house, in a Prioritised Area for Action that requires remediation, repair, upgrading or replacement arising from the implementation of the River Basin Management Plan for Ireland 2018-2021.

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