

S.I. No. 141/2009 - Water Services Act 2007 (Waste Water Complaint Notice Form) Regulations 2009

S.I. No. 141 of 2009

WATER SERVICES ACT 2007 (WASTE WATER COMPLAINT NOTICE FORM)
REGULATIONS 2009

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 21st April, 2009.

I, JOHN GORMLEY, Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on me by section 18(1) of the Water Services Act 2007 (No. 30 of 2007), and for the purpose of giving effect to section 70(7) of the Water Services Act 2007, hereby make the following Regulations:

1. (a) These Regulations may be cited as the Water Services Act 2007 (Waste Water Complaint Notice Form) Regulations 2009.

(b) These Regulations come into operation on 30th April 2009.

2. A notice for the purpose of section 70(7) of the Water Services Act 2007 shall be in the form prescribed in the Schedule hereto, and shall contain the particulars specified therein.

SCHEDULE WATER SERVICES ACT 2007

NOTICE PURSUANT TO SECTION 70(7) OF THE WATER SERVICES ACT 2007
OF INTENTION TO MAKE A COMPLAINT TO THE DISTRICT COURT IN
RELATION TO THE FAILURE OF A THIRD PARTY TO COMPLY WITH A DUTY OF
CARE UNDER SECTION 70.

To:

1

Complainant:²

WHEREAS the above-named complainant alleges that the person to whom this notice is addressed is causing, or is responsible for, a failure to comply with a duty of care under section 70 of the Water Services Act 2007, namely,

3

at ⁴

in the District Court area of ⁵ District No.⁵,

NOTICE IS HEREBY GIVEN to that person that the complainant intends to make a complaint pursuant to section 70(6) of the above Act to a sitting of the District Court for the said court area and district to be held at

on the day of 20..... * at a.m./p.m.⁶,

and to seek an order pursuant to that section in relation to the said duty of care.

*being a date not earlier than 7 days from the date of this notice

Stamp of District Court Signed
.....7Dated thisday of
20.....8

NOTES FOR COMPLETING THIS FORM

1. Insert the name and address of the person to whom the notice is addressed.
2. Insert the name and address of the person or water services authority making the complaint.
3. Insert details of the alleged failure referred to.
4. Insert the address of location where the alleged failure is occurring.
5. Insert details of the District Court sitting hearing the complaint.
6. Insert the location, date and time of hearing.
7. Insert the signature of the complainant or authorised person.
8. Insert the date on which the notice is served.



GIVEN under my Official Seal,

9 April 2009

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 the form of notice to be served by a water services authority or any person intending to complain to the District Court concerning an alleged failure by a third party to comply with a duty of care under section 70 of the Water Services Act 2007 .

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