



STATUTORY INSTRUMENTS.

S.I. No. 519 of 2022

HOUSING (DOMESTIC LEAD REMEDIATION GRANT) REGULATIONS
2022

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I, Darragh O'Brien, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by Section 5 of the Housing Act 1966 (S.I. No. 21 of 1966), as amended by Section 2 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992), Section 6 of the Housing (Miscellaneous Provisions) Act 1979 (No. 27 of 1979), and the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No.408 of 2020), hereby make the following Regulations:

1. Citation and commencement

- (1) These Regulations may be cited as the Housing (Domestic Lead Remediation Grant) Regulations 2022.
- (2) The Housing (Domestic Lead Remediation Grant) Regulations 2022 shall come into operation on 1st December 2022.

2. Revocation

The Domestic Lead Remediation (Financial Assistance) Regulations 2016 (S.I. No. 56 of 2016) are hereby revoked.

3. Interpretation

In these Regulations -

“approved cost”, in relation to the replacement of lead pipes and related fittings, means the cost estimated by the housing authority to be the reasonable cost of carrying out the replacement works or the actual cost of carrying out the works, whichever is the lesser;

“normal place of residence”, in relation to an individual who makes an application under these Regulations, means that the house is occupied by the applicant as their normal place of residence;

“data controller” and “personal data” have the meanings given to them by Section 1 of the Data Protection Act 1988;

“Department” means the Department of Housing, Local Government and Heritage;

“information” under these Regulations means any personal data or information extracted from that data, obtained by a housing authority from an application by a person, solely for the purpose of payment of a grant under these Regulations;

“internal distribution system” has the meaning assigned to it by Section 2 of the Water Services Act 2007 (No. 30 of 2007), as amended;

“registered building professional” under these Regulations means a person who is an Architect on the register maintained by the Royal Institute of Architects of Ireland under Part 3 of the Building Control Act 2007; or a Chartered Engineer on the register maintained by Engineers Ireland under Section 7 of the Institute of Civil Engineers of Ireland (Charter Amendment) Act 1969; or a Building Surveyor on the register maintained by Part 5 of the Building Control Act 2007;

“the Minister” means the Minister for Housing, Local Government and Heritage;

“water supplier” means any person supplying water intended for human consumption.

4. Grant towards the costs of reducing exposure to lead in drinking water

(1) A housing authority may pay a grant to a person for carrying out the replacement of lead pipes and related fittings located within the internal distribution system of a house.

(2) A grant under these regulations shall not exceed 100% of the approved cost of works, subject to a maximum grant of €5,000.

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

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

(5) The Minister may from time to time issue guidelines to housing authorities in relation to the operation of the grant scheme.

5. Further Conditions

A grant under Regulation 4 of these regulations shall not be paid unless -

(1) An application to a housing authority is accompanied by evidence of a requirement to replace lead pipes and related fittings, in the form of:

- (a) a notification from a water supplier advising that there is likely to be lead pipes and related fittings within the internal distribution system of the house concerned, or
- (b) a certificate dated within the six months immediately prior to the date of application by a laboratory accredited by the Irish National Accreditation Board confirming a parametric value for lead in the drinking water supply to the house concerned, which exceeds the statutory limit, of 10µg/l, or
- (c) a notification from a registered building professional advising that there are lead pipes and related fittings located within the internal distribution system of the house concerned.

(2) The house concerned is occupied by the applicant as their normal place of residence;

(3) 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;

(4) In respect of the contractor(s) carrying out the works, the housing authority is furnished with a Tax Clearance Access Number (TCAN) and Tax Reference Number or a Revenue On-Line Service (ROS) printout of an eTax Clearance, issued by the Revenue Commissioners to the contractor(s);

(5) In respect of the contractor carrying out the works or, where there is more than one such contractor, in respect of each element of the contracted works, certification that all materials and fittings, including pipes, or other accessories installed in the course of the replacement works are of an appropriate quality and standard and suitable for the circumstances in which they are used and that proper standards of workmanship has been applied in the course of the works;

(6) For the purposes of these Regulations, a material or fitting should be fit for the use for which it is intended and for the conditions in which it is to be used, including a material or fitting which:

- (a) bears an appropriate CE marking in accordance with Regulation (EU) No. 305/2011 of the European Parliament and the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC;
- (b) conforms to an appropriate harmonised standard or European technical approval;
- (c) conforms with an appropriate Irish Standard (I.S.), Irish Agrément Board Certificate, a British Standard (B.S.) or equivalent standard of a Member State of the European Economic Area (EEA), which provides an equivalent level of protection and performance.

6. Sharing of information

A Housing authority holding information, as defined under these Regulations, may share that information with the Department only for the purposes of determining entitlement to the grant in accordance with these Regulations.

7. Powers of housing authorities

A housing authority may, for any purpose connected with these Regulations –

- (1) require the production of, or inspect, relevant records or documents, and
- (2) examine any works carried out.



GIVEN under my Official Seal,
4 October, 2022.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

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 revisions to the existing Lead Remediation Grant Scheme, towards the cost of the replacement of lead pipes and related fittings within the internal distribution system of a house, which is necessary to protect human health through reducing exposure to lead in drinking water.

These regulations replace and amend those put in place in 2016 by altering the eligibility criteria to qualify for a grant under the scheme.

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

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

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