



STATUTORY INSTRUMENTS.

S.I. No. 184 of 2020

HOUSING (DOMESTIC WASTE WATER TREATMENT SYSTEMS
FINANCIAL ASSISTANCE) 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) 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;

“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 which serves a house, where such remediation, repair, upgrading or replacement arises directly from an inspection carried out and subsequent issue of an advisory notice under Section 70H of the Water Services Act.

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

(3) 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 Water Services 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).
- (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.

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) a notice has been issued under Section 70H(17) of the Water Services Act;
 - (b) the house concerned is occupied by the applicant as his or her normal place of residence;
 - (c) the application relates to a domestic waste water treatment system which serves a house;
 - (d) 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; and,

- (e) 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.

The official seal of the Minister for Housing, Planning and Local Government, featuring a circular design with the letters "L.S." in the center.

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, where such remediation, repair, upgrading or replacement arises directly from an inspection carried out and subsequent issue of an advisory notice under Section 70H of the Water Services Act 2007.

These Regulations replace and amend those put in place in 2013 by altering the eligibility criteria to qualify for financial assistance under the scheme

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2,
D02 DR67.

Tel: 076 110 6834
r-post: publications@opw.ie

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