



STATUTORY INSTRUMENTS.

S.I. No. 222 of 2013



DOMESTIC WASTE WATER TREATMENT SYSTEMS (FINANCIAL
ASSISTANCE) REGULATIONS 2013

DOMESTIC WASTE WATER TREATMENT SYSTEMS (FINANCIAL ASSISTANCE) REGULATIONS 2013

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by Section 17 of the Water Services Act 2007 (No. 30 of 2007) hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Domestic Waste Water Treatment Systems (Financial Assistance) Regulations 2013.

Interpretation

2. In these Regulations—

“Act” means the Water Services Act 2007 (No. 30 of 2007) as amended by the Water Services (Amendment) Act 2012 (No. 2 of 2012).

“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 water services 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.

“household income” means the combined annual taxable income in the previous tax year of the owner(s) of any property the subject of an application pursuant to these regulations, together with that of his or her spouse or partner, as appropriate.

“spouse or partner” means—

- (a) each person of a married couple who are living together, or
- (b) a civil partner or cohabitant as defined in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24 of 2010)

“The Minister” means the Minister for the Environment, Community and Local Government.

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

3. (1) A water services 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 such remediation, repair, upgrading or

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 28th June, 2013.

replacement arises directly from an inspection carried out and subsequent issue of an advisory notice by a water services authority under Section 70H of the Act.

(2) A grant under this regulation shall not exceed, where the household income falls within the bands specified in Column 1 of the Table, the percentage cost of remediation, repair, upgrade or replacement approved in Column 2 of the Table, up to a maximum contribution as specified in Column 3.

Table

Column 1 Household Income	Column 2 Percentage of approved cost of works available	Column 3 Maximum Grant
Up to €50,000	80%	€4,000
€50,001 to €75,000	50%	€2,500

(3) A grant under this regulation 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 the water services authority to have the treatment system entered in the register of domestic waste water treatment systems maintained by the water services authority 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 the water services authority to have the treatment system entered in the register of such systems maintained by the water services authority 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 water services authority a contribution of 100% of the grant paid.

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 water services authority has issued a notice under Section 70H(17) of the Act.
- (b) an application for payment is accompanied by evidence of household income, such evidence to consist of:

— in the case of an owner who is an employee subject to the Pay As You Earn (PAYE) system, a Balancing Statement issued by the Revenue Commissioners;

- in the case of an owner who is self-employed, a Notice of Income Tax Assessment issued by the Revenue Commissioners;
 - in cases of corporate ownership, a Notice of Corporation Tax Assessment issued by the Revenue Commissioners;
 - in the case of social welfare recipients who have no other income and are not within the PAYE or Income Tax Assessment systems, a statement of the owner's income from the Department of Social Protection.
- (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 water services 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,
25 June 2013.

PHIL HOGAN,
Minister for the Environment, Community 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 to owners of domestic waste water treatment systems which require remediation or upgrading arising from an inspection and the subsequent issue of an advisory notice under Part 4A of the Water Services Act 2007, as inserted by Section 4 of the Water Services (Amendment) Act 2012.

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