



STATUTORY INSTRUMENTS.

S.I. No. 562 of 2023



HOUSING (DOMESTIC WASTE WATER TREATMENT SYSTEMS
GRANT UNDER THE NATIONAL INSPECTION PLAN) REGULATIONS
2023

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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, 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:

Citation

1. These Regulations may be cited as the Housing (Domestic Waste Water Treatment Systems Grant under the National Inspection Plan) Regulations 2023.

Commencement

2. These Regulations will come into operation on 1 January 2024.

Interpretation

3. In these Regulations—

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

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

“domestic waste water” has the same meaning as given to it under Part 1, Section 2 of the Water Services Act;

“domestic waste water treatment system” has the same meaning as given to it under Part 4A, Section 70A of the Water Services Act;

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

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

“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;

“personal data” has the same meaning as it has in the General Data Protection Regulation;

“Water Services Act” means the Water Services Act 2007, as amended.

Grant towards works for the remediation, repair, upgrade or replacement of domestic waste water treatment systems

4. (1) A housing authority may pay a grant to a person for carrying out works for the remediation, repair, upgrade or replacement of a domestic waste water treatment system serving a house, where such works arise 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 will not exceed 85 per cent of the approved cost, subject to a maximum grant of €12,000.

(3) Where a grant is paid under these Regulations, the Minister will pay the housing authority 100 per cent of the grant paid.

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

Non Qualifying Works

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

Further Conditions

6. (1) A grant under these Regulations will 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 their normal place of residence;
 - (c) the application relates to a domestic waste water treatment system serving a house;
 - (d) an application for payment is accompanied by an original receipt for the total amount paid, which includes 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, the housing authority is furnished with a Tax Clearance Access Number (TCAN) and Tax Reference Number issued by the Revenue Commissioners to the contractor, or proof of Tax Clearance status from the Revenue On-Line Service (ROS).

Sharing of Information

7. 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.

Revocation

8. The Housing (Domestic Waste Water Treatment Systems Financial Assistance) Regulations 2020 (S.I. No. 184 of 2020) and the Domestic Waste Water Treatment Systems (Financial Assistance) Regulations 2013 (S.I. No. 222/2013) are revoked.



GIVEN under my Official Seal,
20 November, 2023.

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.)

These Regulations provide for changes to an existing grant scheme, available to householders to carry out works to defective Domestic Waste Water Treatment Systems, which have failed a local authority inspection under the National Inspection Plan. The changes will be effective from 1 January 2024.

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