



STATUTORY INSTRUMENTS.

S.I. No. 322 of 2024



BATHING WATER QUALITY (AMENDMENT) REGULATIONS 2024

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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 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving effect to Directive 2000/60/EC of 23 October 2000¹ and Directive 2006/7/EC of 15 February 2006², hereby make the following regulations:

PART 1 PRELIMINARY

Citation, commencement and application

1. These Regulations may be cited as the Bathing Water Quality (Amendment) Regulations 2024.

Interpretation

2. In these Regulations:
- i. "The 2008 Regulations" means the Bathing Water Quality Regulations 2008 (S.I. No 79 of 2008).

Amendment of 2008 Regulations

3. Under Article 2 (2) in the 2008 Regulations the following definition is amended:

"Bathing season" in each year, means a period identified by the local authorities, having regard to the period when large numbers of bathers can be expected and, at a minimum, a period identified as running from 1 June to 15 September in that year.

4. Article 4(1) in the 2008 Regulations is substituted by the following:

"Identification of bathing waters and definition of the length of the bathing season"

A local authority shall, in accordance with this Regulation, identify all bathing waters and define the length of the bathing season for each bathing water annually, before the start of the bathing season and not later than the 24 March each year, and shall notify the EPA, in such form and in such manner as may be specified by the EPA, of the bathing waters so identified and bathing season so defined including the reason for any change compared to the previous year."

¹ O.J. No. L 327/1, 22 December 2000

² O.J. No. L64/1, 4 March 2006

5. Article 5(4) in the 2008 Regulations is substituted by the following:
- “Where it is necessary in accordance with Schedule 1 to review or update a bathing water profile in any year, a local authority shall, as far as is practicable, before the start of the bathing season and not later than 24 March in that year, in such form and in such manner as may be specified by the EPA —
- (a) carry out the review and update, and
 - (b) send a report of the review and, where appropriate, a copy of the updated profile to the EPA.”
6. Article 6(1) in the 2008 Regulations is substituted by the following:
- “A local authority shall, before the start of the bathing season and not later than 24 March, in each year, in relation to each bathing water identified by the authority in accordance with Regulation 4, establish a monitoring calendar in accordance with this Regulation and Schedule 2 and send a copy of the calendar to the EPA in such form and such manner as may be specified by the EPA.”
7. Article 10(1) in the 2008 Regulations is substituted by the following:
- “A local authority shall send to the EPA, not later than one month after the end of the bathing season in each year, the results of the monitoring, investigations and inspections carried out in relation to each bathing water by the authority during that year, in such form and such manner as may be specified by the EPA.”
8. Article 16(1) in the 2008 Regulations is substituted by the following:
- “A local authority shall send to the EPA, not later than one month after the end of the bathing season in each year, a report of the management measures taken in relation to each bathing water in accordance with Regulations 4 to 9, 13(2), 14, 15, 17, 18 and 22 and Schedule 6, in such form and such manner as may be specified by the EPA.”



GIVEN under my Official Seal,
26 June, 2024.

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 amend the Bathing Water Quality Regulations 2008. The purpose of the amendment is to provide for the local authorities to define the bathing season within their jurisdiction annually. The Regulations also change the definition of the “bathing season” to fully align with the definition specified in the Bathing Water Directive (2006/7/EC). The amendment also enables the EPA to specify pre- and post-season reporting deadlines for local authorities, depending on the period of the identified bathing season. This is to allow timely reporting to the EPA and to ensure that the reporting deadlines in the Directive are met.

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