

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5326 GIBRALTAR Tuesday 14th July 2026

LEGAL NOTICE NO. 184 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

WATER QUALITY REGULATIONS 2026

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In exercise of the powers conferred on the Government by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, the Government has made the following Regulations—

PART 1 PRELIMINARY AND GENERAL

Title.

1. These Regulations may be cited as the Water Quality Regulations 2026.

Commencement.

2. These Regulations come into operation on the day of publication.

Interpretation.

3. In these Regulations, unless the context otherwise requires-

“competent authority” means the Environmental Agency;

“composition” means the chemical composition of a metal, enamel, ceramic or other inorganic material;

“domestic distribution system” means the pipework, fittings and appliances, which are installed between the taps that are normally used for water intended for human consumption in both public and private premises and the distribution network, but only if they are not the responsibility of the water supplier;

“food business” means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, processing and distribution of food;

“food business operator” means the person responsible for ensuring that the requirements of food law are met within the food business under their control;

“hazard” means a biological, chemical, physical or radiological agent in water, or another aspect of the condition of water, with the potential to cause harm to human health;

“hazardous event” means an event that introduces hazards into, or fails to remove them from, the supply system of water intended for human consumption;

“indicative dose” means the committed effective dose for one year of ingestion resulting from all the radionuclides whose presence has been detected in a supply of water intended for human consumption, of natural and artificial origin, but excluding tritium, potassium-40, radon and short-lived radon decay products;

“medicinal product” means-

- (a) any substance or combination of substances presented as having properties for treating or preventing disease in human beings; or
- (b) any substance or combination of substances which may be used in or administered to human beings either with a view to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action, or to making a medical diagnosis;

“priority premises” means large non-household premises with many users potentially exposed to water-related risks, in particular large premises for public use as identified by the water suppliers, in consultation with the competent authority, from time to time;

“radioactive substance” means any substance that contains one or more radionuclides the activity or concentration of which cannot be disregarded as far as radiation protection is concerned;

“risk” means a combination of the likelihood of a hazardous event and the severity of the consequences if the hazardous event occurs in the supply system of water intended for human consumption;

“starting substance” means a substance that has been intentionally added in the production of organic materials or of admixtures for cementitious materials;

“supply system” means the infrastructure required for the abstraction, treatment, storage and distribution of water intended for human consumption to the point of supply as provided, and maintained, by the water supplier;

“the 2004 Rules” means the Public Health (Water Framework) Rules 2004;

“watch list” means the watch list maintained by the competent authority addressing substances or compounds of concern to the public or the scientific community on health grounds;

“water intended for human consumption” means

- (a) all water, either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes in both public and private premises, regardless of its origin and whether it is supplied from a distribution network, supplied from a tanker or put into bottles or containers, including spring waters;
- (b) all water used in any food business for the manufacture, processing, preservation or marketing of products or substances intended for human consumption;

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

Exemptions.

4.(1) These regulations shall not apply to-

- (a) natural mineral waters recognised as such by the competent authority of the United Kingdom or a Member State of the European Union; or
- (b) waters which are medicinal products.

(2) Maritime vessels that desalinate water, carry passengers and act as water suppliers shall only be subject to-

- (a) this regulation, regulations 5 to 8, 13 to 16 and 22; and
- (b) the relevant Schedules.

(3) The competent authority may exempt from the application of these regulations a supply of water-

- (a) intended exclusively for those purposes for which the competent authority are satisfied that the quality of the water has no influence, either directly or indirectly, on the health of the consumers concerned; or
- (b) water intended for human consumption from an individual supply-
 - (i) providing less than 10m³ a day as an average or serving fewer than 50 persons; and
 - (ii) not supplied as part of a commercial or public activity.

(4) The competent authority may exempt from the application of these regulations a food business operator in respect of the water used for the specific purposes of the food business if the competent authority is satisfied that-

- (a) the quality of such water cannot affect the safety of the foodstuff in its finished form; and

- (b) the water supply of the food business complies with relevant obligations, in particular under the procedures on hazard analysis and critical control point principles and remedial action under relevant legislation on food.

(5) A water supplier supplying less than 10m³ a day as an average or less than 50 persons as part of a commercial or public activity shall only be subject to-

- (a) regulations 3 to 9;
- (b) regulations 15, 16, 22 and 23; and
- (c) the relevant Schedules.

(6) Producers of water intended for human consumption that is put into bottles or containers shall comply with-

- (a) Regulations 3 to 6; and
- (b) Parts A and B of Schedule 1,

but the minimum requirements set out in Part A of Schedule 1 shall not apply to spring water.

(7) A water supplier shall take such measures, in consultation with the competent authority, to notify the population served by an exempted supply of-

- (a) the fact that these regulations do not apply to such supply; and
- (b) action that can be taken to protect human health from the adverse effects resulting from any contamination of water intended for human consumption.

(8) Where it is apparent to a water supplier that a potential danger to human health arises from the quality of an exempted supply, it shall, in consultation with the competent authority, ensure that the consumers of that supply are given appropriate advice promptly.

(9) A person who fails to comply with subregulation (7) or (8) commits an offence.

PART 2

OBLIGATIONS IN RELATION TO WATER QUALITY

General obligations.

5.(1) Subject to any departure granted under regulation 23, a water supplier shall ensure that water intended for human consumption is wholesome and clean.

(2) Water intended for human consumption shall be regarded as wholesome and clean if-

- (a) the water does not contain any micro-organisms and parasites or any substances which, in numbers or concentrations, constitute a potential danger to human health;

- (b) the water does not contain concentrations or values of the parameters listed in Tables A, B, and D in Schedule 1 in excess of (unless otherwise indicated) the concentrations or values contained in Schedule 1; and
- (c) the water supplier concerned has taken all measures necessary to comply with
 - (i) regulations 7 to 16; and
 - (ii) regulations 19, 20 and 22.

(3) Measures taken by the competent authority or a water supplier to apply the provisions of these Regulations are based on the precautionary principle and shall not allow, directly or indirectly-

- (a) any deterioration in the existing quality of water intended for human consumption, so far as that is relevant for the protection of human health; or
- (b) any deterioration in the existing quality of waters used for the production of water intended for human consumption.

(4) A water supplier who supplies water that does not meet the requirements of subregulation (1) commits an offence.

Assessment of water leakage.

6.(1) This regulation applies in respect of a water supplier-

- (a) supplying not less than 10,000 cubic metres of water per day; or
- (b) serving not less than 50,000 people.

(2) A water supplier to which these Regulations apply shall-

- (a) undertake an assessment of water leakage levels within their distribution network; and
- (b) evaluate the potential for improvements in water leakage reduction within their distribution network,

using the infrastructural leakage index (ILI) rating method or another appropriate method approved by the competent authority.

(3) That assessment shall take into account relevant public health, environmental, technical and economic aspects.

(4) The assessment shall be subject to the approval of the competent authority who shall evaluate the preparation and implementation of action plans for the purposes of reducing the water leakage rate.

(5) A water supplier that fails to undertake an assessment of water leakage required under this Regulation commits an offence.

Quality standards.

7.(1) The parametric values applicable to water intended for human consumption are set out in Schedule 1.

(2) As regards the parameters set out in Table C in Schedule 1, the values are solely for monitoring purposes and to ensure that the requirements set out in Regulation 22 are met.

(3) The Minister may, following consultation with-

- (a) the competent authority;
- (b) the water supplier concerned;
- (c) the Director of Public Health; and
- (d) any organisation or person that the Minister considers appropriate having regard to all the circumstances,

set values for additional parameters not set out in Schedule 1 where the protection of human health so requires and these values set shall, at a minimum, satisfy the requirements of Regulation 5(2)(a).

Point of compliance.

8. The point at which the requirements of regulations 5 and 7, in so far as they relate to the parameters listed in Tables A and B in Schedule 1, are to be complied with is-

- (a) in the case of water intended for human consumption supplied from a distribution network, at the point, within premises or an establishment, at which the water emerges from the taps normally used for water intended for human consumption;
- (b) in the case of water intended for human consumption supplied from a tanker, at the point at which the water emerges from the tanker;
- (c) in the case of water intended for human consumption put into bottles or containers, at the point at which the water is put into the bottle or container;
- (d) in the case of water intended for human consumption used in a food business, at the point at which the water is used in that business.

Duties in relation to water on premises.

9.(1) In respect of water intended for human consumption supplied from a distribution network, a water supplier shall not be in breach of its obligations in accordance with regulation 5, 6, 8 and 22(3) where non-compliance with the parametric values in accordance with regulation 7 is due to-

- (a) the domestic distribution system; or
- (b) the maintenance thereof.

(2) In a case of non-compliance referred to in subregulation (1), where there is a risk that water intended for human consumption would not comply with the parametric values in accordance with regulation 7, the water supplier concerned shall-

- (a) take appropriate measures to reduce or eliminate the risk of non-compliance with the parametric values, including advising the property owners concerned of any possible remedial action which could be taken by them;
- (b) if necessary, take other measures such as appropriate treatment techniques to change the nature of the properties of the water before it is supplied to reduce or eliminate the risk of the water not complying with the parametric values after supply; and
- (c) inform the consumers concerned and advise of any possible remedial action that should be taken by them.

(3) Nothing in subregulation (1) limits or affects the provisions in regulation 14 as regards priority premises.

PART 3
RISK BASED APPROACH

Risk based approach to water safety.

10.(1) The supply, treatment and distribution of water intended for human consumption shall be subject to the application of a risk based approach that covers the whole supply chain from the catchment area, abstraction, treatment, storage and distribution of water to the point of compliance specified in regulation 8.

(2) The risk-based approach shall consist of-

- (a) risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption in accordance with regulation 11;
- (b) risk assessment and risk management for each supply system that includes the abstraction, treatment, storage and distribution of water intended for human

consumption to the point of supply carried out by the water supplier in accordance with regulation 13;

- (c) risk assessment of the domestic distribution systems in accordance with regulation 14.

(3) The implementation of the risk-based approach may be adapted without compromising the objective of these Regulations concerning the quality of water intended for human consumption and the health of consumers, when there are particular constraints due to the geographical circumstances such as remoteness or limited accessibility of the water supply zone.

(4) The risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption shall be carried out by the water supplier in conjunction with the competent authority and the Department of the Environment for the first time not later than 12 July 2027.

(5) The risk assessment and risk management referred to in subregulation (4) shall be reviewed at regular intervals of no longer than 6 years, taking into account the necessary requirements provided for in Regulation 7 of the 2004 Rules, and updated where necessary.

(6) The risk assessment and risk management of the supply system shall be carried out by the water supplier for the first time by 12 January 2029 and shall be reviewed at regular intervals of not more than 6 years and updated where necessary.

(7) The risk assessment of the domestic distribution system shall be carried out by the water supplier for the first time by 12 January 2029 and shall be reviewed every 6 years and updated where necessary.

(8) The competent authority shall review and assess the risk assessment and risk management carried out under subregulations (6) and (7).

(9) A water supplier shall ensure that the corrective actions recommended in the risk assessment and risk management, including any feedback received under subregulation (8), are undertaken.

Risk assessment and risk management of catchment areas for abstraction points of water intended for human consumption.

11.(1) Without prejudice to the 2004 Rules, the water supplier in conjunction with the competent authority and the Department of the Environment, shall carry out a risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption.

(2) The risk assessment referred to in subregulation (1) must include the following-

- (a) characterisation of the catchment areas for abstraction points including the following-

- (i) identification and mapping of the catchment areas for abstraction points;
 - (ii) mapping of the safeguard zones, where those zones have been established in accordance with regulation 8 of the 2004 Rules;
 - (ii) geo-references for all abstraction points in the catchment areas; given that those data are potentially sensitive, in particular in the context of public health and public security, the Department of the Environment and the competent authority shall ensure that such data is protected and communicated only to the relevant authorities and water suppliers;
 - (iv) description of land-use, run-off and recharge processes in the catchment areas for abstraction points;
- (b) identification of hazards and hazardous events in the catchment areas for abstraction points and an assessment of the risk they could pose to the quality of water intended for human consumption; that assessment shall assess potential risks that might cause deterioration of the water quality to the extent that it could constitute a risk to human health;
- (c) appropriate monitoring in surface water or groundwater, or both, in the catchment areas for abstraction points, or in raw water, of relevant parameters, substances or pollutants selected from the following:
 - (i) parameters set out in Tables A and B in Schedule 1 or set in accordance with regulation 7(3);
 - (ii) groundwater pollutants in Schedule 2 to the Environment (Protection of Groundwater) Regulations 2009 and pollutants and indicators of pollution for which threshold values have been established in accordance with Schedule 1 to those Regulations;
 - (iii) priority substances and certain other pollutants in Schedule 9 to the 2004 Rules ;
 - (iv) river basin specific pollutants contained in the 2004 Rules;
 - (v) other pollutants relevant for water intended for human consumption established in accordance with information collected in accordance with subregulation (2)(b);
 - (vi) naturally occurring substances that could constitute a potential danger for human health through use of water intended for human consumption;
 - (vii) substances and compounds included in the watch list.

(3) For the purposes of subregulation (2)(a), reliance may be placed on information collected in accordance with this Regulation and rules 5, 6, 7 and 8 of the 2004 Rules .

(4) For the purposes of subregulation (2)(b), reliance may be placed on the review of the impact of human activity undertaken in accordance with rules 5 and 6 of the 2004 Rules and information on significant pressures collected in accordance with rule 5 and Schedule 3 to those Rules.

(5) The water supplier in conjunction with the competent authority and the Department of the Environment shall select from subregulation (2)(c)(i) to (vii) the parameters, substances or pollutants that are considered relevant for monitoring in light of the hazards and hazardous events identified under subregulation (2)(b) or in light of the information provided in accordance with subregulation (7).

(6) For the purpose of appropriate monitoring as referred to in subregulation (2)(c), including to detect new substances that are harmful to human health through use of water intended for human consumption, use may be made of the monitoring performed in accordance with rule 9 of the 2004 Rules or other legislation relevant to the catchment areas for abstraction points.

(7) A water supplier that performs monitoring in the catchment areas for abstraction points or in raw water shall inform the competent authority and the Department of the Environment of trends in, and of unusual numbers or concentrations of, monitored parameters, substances or pollutants.

(8) The Department of the Environment shall ensure a water supplier has access to the information referred to in subregulation (2) and, in particular, to the monitoring results obtained under subregulation (2)(c) where this information is obtained by that Department.

Action to be taken on the outcome of the risk assessment undertaken in accordance with regulation 11.

12.(1) On the basis of the outcome of the risk assessment carried out in accordance with regulation 11, the water supplier in conjunction with the competent authority and the Department of the Environment, shall ensure that the following risk management measures to prevent or control the risks identified are taken as relevant, beginning with the preventive measures-

- (a) defining and implementing preventive measures in the catchment areas for abstraction points in addition to measures foreseen or taken in accordance with rule 10 of the 2004 Rules , where required to safeguard the quality of the water intended for human consumption;
- (b) defining and implementing mitigation measures in the catchment areas for abstraction points in addition to the measures foreseen or taken in accordance with rule 10 of the 2004 Rules , where required to safeguard the quality of the water intended for human consumption;

- (c) ensuring appropriate monitoring of parameters, substances or pollutants in surface water or groundwater, or both, in the catchment areas for abstraction points, or in raw water, that constitute a risk to human health through water consumption or lead to unacceptable deterioration of the quality of water intended for human consumption and that have not been taken into consideration in the monitoring performed in accordance with the 2004 Rules, and, where appropriate, this monitoring shall be included in the monitoring programmes referred to in rule 9 of those Rules;
 - (d) evaluation of the need to establish or adapt safeguard zones for groundwater and surface water, in accordance with the 2004 Rules, and any other relevant zones.
- (2) Where appropriate the preventive and mitigation measures referred to in subregulation (1)(a) and (b)-
- (a) shall be included by the Department of the Environment in the programme of measures referred to in rule 10 of the 2004 Rules; and
 - (b) the competent authority shall ensure that polluters, in co-operation with the water supplier and other relevant stakeholders, take such preventive and mitigation measures in accordance with those Rules.
- (3) The water supplier and the competent authority shall ensure that the effectiveness of any measures referred to in this regulation are reviewed at appropriate intervals.
- (4) On the basis of the information referred to in regulation 11, the competent authority may-
- (a) require a water supplier to perform additional monitoring or treatment of certain parameters; and
 - (b) allow a water supplier to decrease the monitoring frequency of a parameter, or to remove a parameter from the list of parameters to be monitored by the water supplier in accordance with regulation 15(3)(a) without being required to carry out a risk assessment of the supply system, provided that-
 - (i) the parameter is not a core parameter within the meaning of paragraph 1 of Part B of Schedule 2; and
 - (ii) no factor that can be reasonably anticipated is likely to cause deterioration of the quality of water intended for human consumption.
- (5) Where the water supplier is allowed to decrease the monitoring frequency of a parameter or remove a parameter from the list of parameters to be monitored, as referred to in subregulation (4)(b), the competent authority shall ensure that appropriate monitoring of those parameters is performed when reviewing the risk assessment and risk management of the catchment areas for abstraction points.

Risk assessment and risk management of the supply system.

13.(1) The water supplier shall carry out a risk assessment and risk management of the supply system.

(2) The risk assessment shall-

- (a) take into account the results of the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with regulations 11 and 12;
- (b) include a description of the supply system from the abstraction point, treatment, storage and distribution of water to the point of supply; and
- (c) identify the hazards and hazardous events in the supply system and include an assessment of the risks they could pose to human health through use of water intended for human consumption, taking into consideration risks stemming from climate change, leakages and leaking pipes.

(3) On the basis of the outcome of the risk assessment carried out in accordance with subregulation (2), the water supplier shall ensure that the following risk management measures are taken-

- (a) defining and implementing control measures for the prevention and mitigation of the risks identified in the supply system that could compromise the quality of water intended for human consumption;
- (b) defining and implementing control measures in the supply system in addition to the measures foreseen or taken in accordance with regulation 12(1) or rule 10 of the 2004 Rules for the mitigation of risks coming from the catchment areas for abstraction points that could compromise the quality of water intended for human consumption;
- (c) implementing a supply-specific operational monitoring programme in accordance with regulations 15 and 16;
- (d) ensuring that, where disinfection forms part of the preparation or distribution of water intended for human consumption-
 - (i) the efficiency of the disinfection applied is validated;
 - (ii) that any contamination from disinfection by-products is kept as low as possible without compromising the disinfection;
 - (iii) that any contamination from treatment chemicals is kept as low as possible; and

- (iv) that any substances remaining in the water do not compromise the fulfilment of the general obligations in regulations 5 and 6;
 - (e) verifying that materials, treatment chemicals and filter media that come into contact with water intended for human consumption used in the supply system comply with regulations 19 and 20.
- (4) On the basis of the outcome of the risk assessment of the supply system carried out in accordance with subregulation (2), the competent authority shall-
- (a) allow the possibility of decreasing the monitoring frequency of a parameter or of removing a parameter from the list of parameters to be monitored, except for the core parameters referred to in paragraph 1 of Part B of Schedule 2, if the competent authority is satisfied that to do so would not compromise the quality of water intended for human consumption-
 - (i) on the basis of the occurrence of a parameter in raw water, in accordance with the risk assessment of the catchment areas for abstraction points as set out in regulation 11(1) and (2);
 - (ii) when a parameter can only occur as a result of the use of a certain treatment technique or disinfection method, and that technique or method is not used by the water supplier; or
 - (iii) on the basis of the specifications set out in Part C of Schedule 2;
 - (b) ensure that the list of parameters to be monitored in water intended for human consumption in accordance with regulations 15 and 16 is extended or that the monitoring frequency is increased-
 - (i) on the basis of the occurrence of a parameter in raw water, in accordance with the risk assessment of the catchment areas for abstraction points as set out in regulation 11(1) and (2); or
 - (ii) on the basis of the specifications in Part C of Schedule 2.
- (5) The risk assessment of the supply system shall concern the parameters listed in Parts A, B and C of Schedule 1, parameters set in accordance with regulation 7(3) and substances and compounds included in the watch list.
- (6) Where a water supplier has not undertaken risk assessment and risk management in accordance with this regulation, the competent authority may direct the water supplier to undertake the risk assessment or risk management, as the case may be, and the water supplier must comply with that direction.

(7) A water supplier that-

- (a) fails to ensure that, where disinfection forms part of the preparation or distribution of water for human consumption-
 - (i) that any contamination from disinfection by-products is kept as low as possible; or
 - (ii) that any substances remaining in the water do not compromise the fulfilment of the obligation that the water be wholesome and clean in accordance with regulation 5; or
- (b) fails to comply with a direction given under subregulation (6),

commits an offence.

(8) The competent authority may exempt a water supplier -

- (a) supplying between 10 and 100m³ per day as an average; or
- (b) serving between 50 and 500 people,

from the requirement to carry out a risk assessment and risk management of the supply system, if the water supplier is satisfied that such an exemption would not compromise the quality of water intended for human consumption.

(9) Where an exemption under subregulation (8) is granted, the water supplier must carry out regular monitoring in accordance with regulations 15 and 16.

Risk assessment of domestic distribution systems.

14.(1) The water supplier shall ensure that a risk assessment of domestic distribution systems is carried out and that it consists of the following-

- (a) a general analysis of the potential risks associated with domestic distribution systems, and with related products and materials, and whether those potential risks affect the quality of water at the point where it emerges from the taps that are normally used for water intended for human consumption (this general analysis shall not entail an analysis of individual properties); and
- (b) monitoring of the parameters listed in Part D of Schedule 1 in premises where specific risks to water quality and human health have been identified during the general analysis performed under paragraph (a).

(2) In relation to Legionella or lead, the water supplier may decide to focus the monitoring referred to in subregulation (1)(b) on priority premises.

(3) Where the water supplier concludes, on the basis of the general analysis carried out under subregulation (1)(a), that there is a risk to human health stemming from domestic distribution systems or from the related products or from the related products and materials, or where monitoring performed in accordance with subregulation (1)(b) demonstrates that the parametric values set out in Part D of Schedule 1 are not met, the water supplier shall-

- (a) inform the owner of the property concerned; and
- (b) inform the competent authority.

(4) On being informed under subregulation (3), the owner of the property concerned shall, without delay, ensure that appropriate measures are taken to eliminate or reduce the risk of non-compliance with the parametric values in Part D of Schedule 1.

(5) In order to reduce the risks connected with domestic distribution across all domestic distribution systems, the water supplier shall ensure that all of the following measures are considered and that those measures considered relevant are taken-

- (a) encourage owners of public and private premises to carry out a risk assessment of the domestic distribution system;
- (b) inform consumers and owners of public and private premises about measures to eliminate or reduce the risk of non-compliance with the quality standards for water intended for human consumption due to the domestic distribution system;
- (c) advise consumers about the conditions of consumption and use of water intended for human consumption, and about possible action to avoid the recurrence of those risks;
- (d) promote training for plumbers and other professionals dealing with domestic distribution systems and the installation of construction products and materials that come into contact with water intended for human consumption;
- (e) in relation to Legionella, ensure that effective control and management measures which are proportionate to the risk are in place to prevent and address possible outbreaks of the disease;
- (f) in relation to lead, if economically and technically feasible, implement measures for substitution of components made of lead in existing domestic distribution systems.

PART 4

MONITORING AND INFORMATION

Monitoring.

15.(1) The competent authority shall supervise the performance of the water supplier of their monitoring functions under these Regulations and may issue such directions to it as it considers necessary to ensure that the water supplier is complying with its obligations.

(2) The water supplier shall establish appropriate monitoring programmes in accordance with this regulation and Part A of Schedule 2 for all water intended for human consumption.

(3) The monitoring programmes referred to in subregulation (2), shall be supply-specific, taking into account the outcomes of the risk assessment of the catchment areas for abstraction points and of the supply systems, and shall contain the following measures-

- (a) monitoring of the parameters listed in Parts A, B and C of Schedule 1, and of the parameters set out in regulation 7(3), in accordance with Schedule 2, and, where a risk assessment of the supply system is carried out, in accordance with regulation 13 and Part C of Schedule 2 (unless a decision is taken to remove one of the parameters in accordance with regulation 12(4)(b) or regulation 13(4)(a) from the list of parameters to be monitored);
- (b) monitoring of the parameters listed in Part D of Schedule 1, for the purposes of the risk assessment of domestic distribution systems, as provided in regulation 14(1)(b);
- (c) monitoring of the substances and compounds included in the watch list, in accordance with regulation 16;
- (d) monitoring, for the purposes of the identification of hazards and hazardous events, as provided in regulation 11(2)(c);
- (e) operational monitoring conducted in accordance with paragraph 3 of Part A of Schedule 2.

(4) The competent authority, after consultation with the water supplier, shall specify the points at which samples shall be taken for analysis and shall meet the relevant requirements set out in Part D of Schedule 2.

(5) The water supplier shall submit the monitoring programme to the competent authority for review at such times as the competent authority shall direct.

(6) The competent authority may direct a water supplier to amend, in such manner as the competent authority may specify, a monitoring programme submitted by the water supplier and the water supplier shall comply with that direction.

(7) Samples taken for the purposes of this regulation shall be representative of the quality of the water consumed throughout the year and shall be equally distributed through the supply.

(8) A monitoring programme established under subregulation (2) shall comply with the specifications for the analysis of parameters specified in Schedule 3 and may provide-

- (a) for the use of methods of analysis, other than those specified in Part A of Schedule 3, provided that it the competent authority is satisfied that the results obtained are at least as reliable as those produced by the methods specified in Part A of Schedule 3 by providing the competent authority with all relevant information concerning such methods and their equivalence;
- (b) for the parameters listed in Part B of Schedule 3, any method of analysis may be used provided that it meets the requirements set out therein.

(9) For the purpose of subregulation (8)(a), the water supplier shall provide the competent authority with all relevant information concerning such methods and their equivalence.

(10) Where there is reason to suspect that substances or micro-organisms for which no parametric value has been set in accordance with regulation 7, may be present in numbers or concentrations which constitute a potential danger to human health, the water supplier shall carry out additional monitoring on a case-by-case basis.

(11) The competent authority may direct the water supplier to carry out such monitoring as it considers necessary for the purpose set out in subregulation (10) and where so directed the water supplier shall comply with such direction within such time as set out in the direction.

(12) The competent authority may issue guidance on the manner, frequency and method by which parameters set out in Schedule 1 shall be monitored, and in relation to appropriate monitoring points.

(13) A water supplier who fails to comply with a direction under this regulation commits an offence.

Monitoring of watch list.

16.(1) A water supplier shall, after consulting with the competent authority and the Director of Public Health, put in place monitoring requirements with regard to the potential presence of the substances or compounds included in the watch list at relevant points of the supply chain for water intended for human consumption.

(2) For this purpose, the water supplier may take into account the information collected under regulation 11 and may use the monitoring data collected in accordance with the 2004 Rules or other relevant legislation in order to avoid overlapping of monitoring requirements.

(3) The monitoring results shall be included in the data sets, set out in accordance with regulation 24(2), together with the results of the monitoring performed under regulation 11(2)(c).

(4) Where a substance or compound included in the watch list is detected under regulation 11 or under subregulation (1), in concentrations exceeding the guidance values set out in the watch list, the water supplier concerned, in consultation with the competent authority and the Director of Public Health shall ensure that the following measures are considered and that those measures considered relevant are taken-

- (a) preventive measures, mitigation measures or appropriate monitoring in the catchment areas for abstraction points or in raw water as set out in regulation 12(1)(a), (b) and (c);
- (b) carry out monitoring of those substances or compounds in accordance with regulation 12(4)(a);
- (c) to check whether treatment is adequate to reach the guidance value and, where necessary, to optimise the treatment; and
- (d) remedial actions in accordance with regulation 22(12) where the competent authority or the Director of Public Health, as the case may be, considers it necessary to protect human health.

Monitoring of radioactive substances.

17.(1) The parametric values applicable for the monitoring of radioactive substances in water intended for human consumption are set out in Part 1 of Schedule 5.

(2) A water supplier shall ensure that water intended for human consumption is monitored to assess compliance with the parametric values set out in Part 1 of Schedule 5 so as to ensure these are not exceeded.

(3) The monitoring for radioactive substances in water intended for human consumption must be undertaken in accordance with the monitoring strategies and frequencies set out in Part 2 of Schedule 5.

(4) The monitoring of indicative dose shall be carried out, and analytical performance characteristics shall be, in accordance with the requirements set out in Part 3 of Schedule 5.

(5) The competent authority shall verify compliance with the parametric values specified in Part 1 of Schedule 5 in accordance with Parts 2 and 3 of that Schedule.

(6) The competent authority shall ensure that the measured values obtained by monitoring are representative of the quality of water consumed throughout the year.

(7) In the event of non-compliance with the parametric values in Part 1 of Schedule 5, the water supplier shall immediately investigate it in order to identify the cause and-

- (a) assess whether the non-compliance poses a risk to human health which requires action; and

- (b) where necessary take remedial action to improve the quality of water to a level which complies with requirements for the protection of human health from a radiation protection point of view.

(8) In the event that remedial action is taken in accordance with subregulation (7)(b) the water supplier concerned shall ensure that the general public concerned is-

- (a) notified of the risk and the remedial action taken; and
- (b) advised on any additional precautionary measures that may be needed for the protection of human health in respect of radioactive substances.

(9) The point of compliance shall be –

- (a) in the case of water intended for human consumption supplied from a distribution network, at the point within premises at which the water emerges from the taps normally used for water intended for human consumption;
- (b) in the case of water intended for human consumption supplied from a tanker, at the point at which the water emerges from the tanker;
- (c) in the case of water intended for human consumption put into bottles or containers, at the point at which the water is put into the bottle or container;
- (d) in the case of water intended for human consumption used in a food business, at the point at which the water is used in that business.

(10) The definition of points of compliance in subregulation (9) is without prejudice to the choice of a sampling point, which may be any point within the supply zone or at the treatment works provided there is no adverse change in the concentration value between the sampling point and the point of compliance.

(11) The competent authority shall supervise the performance of water suppliers of their monitoring and assessment functions under this Regulation and may issue such directions to the water supplier concerned as it considers necessary to ensure compliance with its obligations.

(12) A water supplier who fails to comply with a direction from the competent authority commits an offence.

(13) In this regulation “parametric value” means the value of radioactive substances in water intended for human consumption above which it must be assessed whether the presence of such substances poses a risk to human health requiring action to improve the quality of water to a level which complies with the requirements for the protection of human health from a radiation protection point of view.

Information to the public.

18.(1) A water supplier shall ensure that adequate, up-to-date information on water intended for human consumption is available in accordance with Schedule 4 while complying with applicable data protection legislation.

(2) The records maintained under subregulation (1) shall be provided to the competent authority on written request.

(3) A water supplier shall ensure that all persons supplied with water intended for human consumption receive the information listed in subsection (4)-

- (a) regularly, and not less than once a year;
- (b) without the need for the information to be requested; and
- (c) in the most appropriate and easily accessible form, including but not limited to invoices to commercial customers or by digital means such as smart applications, websites or forms accessible to their customer.

(4) The information referred to in subsection (3) is-

- (a) information on the quality of water intended for human consumption, including the indicator parameters;
- (b) the price of water intended for human consumption supplied, per litre and cubic metre;
- (c) the volume consumed by the household, at least per year or per billing period, together with yearly trends of the household consumption, if technically feasible and if this information is available to the water supplier;
- (d) comparisons of the yearly water consumption of the household with an average household consumption, when applicable in accordance with paragraph (c); and
- (e) a link to the website containing the information set out in Schedule 4.

(5) This regulation is without prejudice to the Freedom of Access on the Environment Regulations 2005 and the Environment (Infrastructure for Spatial Information) Regulations 2010.

Minimum hygiene requirements for materials that come into contact with water intended for human consumption.

19.(1) For the purposes of regulation 5, the water supplier shall ensure that materials that are intended to be used in their new installations or, in the case of repair works or reconstruction, in existing installations for the abstraction, treatment, storage or distribution of water intended for human consumption and that come into contact with such water do not-

- (a) directly or indirectly compromise the protection of human health as provided by these Regulations;
- (b) adversely affect the colour, odour or taste of the water;
- (c) enhance microbial growth; or
- (d) leach contaminants into the water at levels that are higher than necessary in view of the intended purpose of the material.

(2) The competent authority may approve products, or issue guidance on the products, that satisfy the requirements set out in subregulation (1).

(3) Products in contact with water intended for human consumption can only be placed on the market if those products use final materials approved by the competent authority.

Minimum requirements for treatment chemicals and filter media that come into contact with water intended for human consumption.

20.(1) For the purposes of regulation 5, the water supplier shall ensure that treatment chemicals and filter media that come into contact with water intended for human consumption do not-

- (a) directly or indirectly compromise the protection of human health as provided by these Regulations;
- (b) adversely affect the colour, odour or taste of the water;
- (c) unintentionally enhance microbial growth;
- (d) contaminate the water at levels that are higher than necessary in view of the intended purpose.

(2) Regulation 5(2) shall apply to the application of subregulation (1).

(3) Pursuant to subregulation (1), the water supplier shall ensure that the purity of treatment chemicals and filter media is assessed and the quality of such chemicals and filter media is guaranteed.

Access to water intended for human consumption.

21.(1) Without prejudice to rule 18 of the 2004 Rules, a water supplier shall take necessary measures to improve or maintain access to water intended for human consumption for all, in particular for vulnerable and marginalised groups.

(2) For the purposes of subregulation (1), the Government, shall-

- (a) identify people without access to, or with limited access, to water intended for human consumption, including vulnerable and marginalised groups, and reasons for such lack of access;
- (b) assess possibilities for improving access for such people;
- (c) inform such people about possibilities for connecting to the distribution network or about alternative means of having access to water intended for human consumption;
- (d) take measures that they consider necessary and appropriate to ensure that there is access to water intended for human consumption for vulnerable and marginalised groups.

(3) In order to promote the use of tap water intended for human consumption, the water supplier in conjunction with the competent authority, shall ensure that outdoor and indoor equipment is set up in public spaces, where technically feasible, in a manner that is proportionate to the need for such measures and taking into account specific local conditions, such as climate and geography.

(4) The water supplier and the competent authority may also take the following measures to promote the use of tap water intended for human consumption-

- (a) raising awareness of the nearest outdoor or indoor equipment;
- (b) launching campaigns to inform citizens about the quality of such water;
- (c) encouraging the provision of such water in public administrations and public buildings;
- (d) encouraging the provision of such water, for free or for a low service fee, for customers in restaurants, canteens and catering services.

PART 5

REMEDIAL ACTION AND DEROGATIONS

Remedial action and restrictions on use.

22.(1) A water supplier shall immediately investigate any failure to meet the parametric values set out in regulation 7 in order to identify the cause.

(2) A water supplier that discovers a failure to meet the parametric values in regulation 7 shall immediately notify the competent authority .

(3) Where it is found, as a result of monitoring carried out for the purposes of these Regulations, that water intended for human consumption does not meet the parametric values set in accordance with regulation 7, and without prejudice to regulation 9(1), the water supplier shall -

- (a) take the necessary remedial action, as soon as possible, to restore the quality of the water;
 - (b) give priority to its obligations to comply with regulation 7, having particular regard to the extent to which the relevant parametric value has been exceeded and to the potential danger to human health.
- (4) In the event of non-compliance with the parametric values set out in part D of Schedule 1, the remedial action shall include the measures set out in regulation 14(5).
- (5) Where the water supplier considers that a supply of water intended for human consumption constitutes a potential danger to human health, the water supplier shall, with the agreement of the competent authority and the Director of Public Health, ensure that-
- (a) the water supply is prohibited or the use of such water restricted; and
 - (b) that any other remedial action that is necessary to protect human health is taken.
- (6) The competent authority, with the agreement of the Director of Public Health, may give a direction to a water supplier in respect of any action that it considers that the water supplier should take under subregulation (1), (3) or (5).
- (7) The duty imposed on a water supplier under subregulation (5) shall apply whether or not any failure to meet a parametric value set out in regulation 7 has occurred.
- (8) A failure to meet the minimum requirements for parametric values set out in Parts A and B of Schedule 1 shall be considered a potential danger to human health, except where the competent authority considers the non-compliance with the parametric value to be trivial.
- (9) In the cases described in subregulations (3), (5) and (12), where the non-compliance with the parametric values is considered to be a potential danger to human health, the water supplier in consultation with the competent authority and the Director of Public Health shall as soon as possible take all of the following measures-
- (a) notify all affected consumers of the potential danger to human health and its cause, of the exceedance of a parametric value and of the remedial actions taken, including prohibition or restriction of use or other action;
 - (b) give, and regularly update, the necessary advice to consumers on conditions of consumption and use of the water, taking particular account of population groups with increased water-related health risks; and
 - (c) inform consumers once it has been established that there is no longer a potential danger to human health and inform them that the service has returned to normal.

(10) The water supplier must decide what action under subregulation (5) is to be taken in conjunction with the competent authority and the Director of Public Health, bearing in mind the risks to human health which would be caused by an interruption of the supply or a restriction in the use of water intended for human consumption.

(11) A water supplier that fails to comply with a direction from the competent authority under this regulation or to inform the competent authority under subregulation (1) commits an offence.

(12) In the event of non-compliance with the parametric values or with specifications set out in Part C of Schedule 1 the water supplier shall consider whether that non-compliance poses any risk to human health and shall take remedial action to restore the quality of water intended for human consumption where that is necessary to protect human health.

(13) Subregulation (3) is subject to subregulation (10) and regulation 23.

Derogations.

23.(1) The competent authority may, on application by a water supplier, in duly justified circumstances, subject to the agreement of the Director of Public Health, grant a departure from the parametric values set out in Part B of Schedule 1, or set in accordance with regulation 7(3), up to a maximum value to be determined by it where such a derogation-

- (a) would not constitute a potential danger to human health; and
- (b) the supply of water intended for human consumption in the area concerned cannot be maintained by any other reasonable means.

(2) An application by the water supplier under subregulation (1) shall contain such information as the competent authority may specify.

(3) A derogation under subregulation (1) shall be limited to-

- (a) a new catchment area for the abstraction of water intended for human consumption;
- (b) a new source of pollution detected at the catchment area for the abstraction of water intended for human consumption or parameters newly searched for or detected; or
- (c) an unforeseen and exceptional situation in an existing catchment area for the abstraction of water intended for human consumption that could lead to temporary limited exceedances of the parametric values.

(4) Any derogation granted under subregulation (1) shall -

- (a) be subject to such conditions as the competent authority may specify;

- (b) be limited to a short a period as possible, which in any case shall not exceed 3 years;
- (c) specify the requirements set out in subregulation (6);
- (d) be subject to review by the competent authority prior to the end of the period of departure so as to determine whether in the opinion of the competent authority sufficient progress has been made.

(5) In exceptional circumstances, the competent authority may grant a second derogation in respect of paragraphs (a) and (b) of subregulation (3), which shall not exceed 3 years in duration subject to the agreement of the Director of Public Health.

(6) The requirements referred to in subregulation (4)(c) are-

- (a) the grounds of the derogation;
- (b) the parameter concerned, previous relevant monitoring results, and the maximum permissible parametric value under the derogation;
- (c) the geographical area, the quantity of water supplied each day, the population concerned and whether any relevant food business operator would be affected;
- (d) an appropriate monitoring scheme, with an increased monitoring frequency where necessary;
- (e) a summary of the plan for the necessary remedial action, including a timetable for the work and an estimate of the cost and provisions for reviewing; and
- (f) the duration of the derogation.

(7) Subject to subregulation (8), the requirement to specify the information in subregulation (6) shall not apply where the competent authority consider that-

- (a) the non-compliance with the parametric value is trivial; and
- (b) action taken in accordance with regulation 22(3) is sufficient to remedy the problem within 30 days,

and in such a case, only the maximum permissible value for the parameter concerned and the time allowed to remedy the problem shall be included in the derogation.

(8) Subregulation (7) shall not apply where there is a failure to comply with any parametric value for a given water supply on more than 30 days on aggregate during the previous 12 months.

(9) Where a derogation is granted in accordance with this regulation, the water supplier shall ensure that-

(a) the population affected by any such derogation is promptly informed in an appropriate manner of that derogation and of the conditions governing it;

(b) advice is given, to particular population groups for which derogation could present a special risk.

(10) Unless the competent authority decides otherwise, the obligations referred to in subregulation (9) shall not apply in the circumstances described in subregulation (7).

(11) This regulation does not apply to water intended for human consumption put into bottles or containers.

PART 6

LICENSING AND POWERS OF COMPETENT AUTHORITY

Information on monitoring of implementation.

24.(1) The competent authority shall set up by 12 Jan 2029, and update every six years thereafter, a data set containing information on measures taken to-

(a) improve access to and promote the use of water intended for human consumption in accordance with regulation 21; and

(b) on the share of their population that has access to water intended for human consumption,

but not including water put into bottles or containers.

(2) The competent authority shall set up by 12 Jan 2027, and update every six years thereafter,

(a) a data set containing information related to the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with regulations 11 and 12; and

(b) set up by 12 January 2029, and update every six years thereafter, a data set containing information related to the risk assessment of domestic distribution systems carried out in accordance with regulation 14.

(3) The data sets referred to in subregulation (2) shall include the following-

(a) information on catchment areas for abstraction points under regulation 11(2)(a);

(b) the results of the monitoring performed under regulation 11(2)(c) and regulation 14(1)(b) ; and

- (c) concise information on measures taken pursuant to regulation 12(1) and (2) and regulation 14(3) and (5), including information on the type of measures taken, and the progress made, under regulation 14(5)(f);

(4) The competent authority shall set up, and update annually thereafter, a data set containing monitoring results, in cases of-

- (a) exceedances of the parametric values set out in Parts A and B of Schedule 1, collected in accordance with regulations 13, 15 and 16; and
- (b) information about the remedial actions taken in accordance with regulation 22.

(5) The competent authority shall set up, and update annually thereafter, a data set containing information on all derogations granted in accordance with regulation 23(1) including the information provided for in regulation 23(6).

(6) Where possible, special data services, as defined in regulation 3 of the Environment (Infrastructure for Spatial Information) Regulations 2010, shall be used to present the data sets referred to in this regulation.

(7) This regulation applies without prejudice to the-

- (a) Freedom of Access to Information on the Environment Regulations 2005; and
- (b) Environment (Infrastructure for Spatial Information) Regulations 2010.

(8) The competent authority need not comply with this regulation where any of the grounds referred to in regulation 13(1)(a) Environment (Infrastructure for Spatial Information) Regulations 2010 apply.

Requirement to be licensed.

25. (1) No person, other than a person contracted by the Government to supply water at the date of the coming into force of these regulations, may supply water intended for human consumption in or from Gibraltar except under and in accordance with a licence issued by the competent authority under these Regulations.

(2) The competent authority shall not be required to issue or renew a licence to permit a person to supply water intended for human consumption in or from within Gibraltar unless it is satisfied that-

- (a) the person has the resources, competence and experience to do so in compliance with the Act and these Regulations and without risk to public health; and
- (b) the requirements of these Regulations have been and, in the opinion of the authority, are likely to continue to be met by the person; and

- (c) the requirements in relation to the operation of a business are being and have been met by the person in respect of this business and any other business in which that person has an interest or which has an interest in that person or of which that person is a manager, officer or member.

(3) For the purpose of satisfying itself of the matters in subregulation (2), the authority may require an applicant for a licence or for the renewal of a licence to produce such information in such form as it may specify, evidenced as it may require, and in the absence of that information the authority shall not be required to consider the application.

(4) The competent authority shall issue instructions prescribing the forms, procedures and timetables to be observed in respect of an application for a licence, the consideration of such an application and the granting or refusal of the application.

Appeals.

26.(1) Where the competent authority refuses to issue or renew a licence or revokes a licence, it shall within 14 days so inform the applicant or holder of the licence, giving in writing the reasons for the refusal or revocation.

(2) A person aggrieved by the refusal of the competent authority to grant or renew a licence or by the revocation of a licence may, within 21 days of the service on that person of the refusal or revocation, appeal to the magistrates' court.

(3) On receipt of an appeal under subregulation (1), the magistrates' court may-

- (a) confirm the decision of the competent authority; or
- (b) direct that a licence be granted subject to such conditions, if any, as the court may specify;
- (c) make such other decision as the court thinks appropriate having regard to all the circumstances.

Fees and charges.

27.(1) The competent authority may charge for monitoring the quality of water supplies intended for human consumption.

(2) A charge made by a competent authority by virtue of subsection (1) shall be of such amount as the authority considers appropriate, but shall not exceed the cost of such monitoring.

(3) The competent authority may recover the amount of any charge as a civil debt.

Powers of the Competent Authority.

28.(1) For the purposes of carrying out its duties under these Regulations, the competent authority or any person appointed by it for the purposes of these Regulations, may-

- (a) enter and search any premises (other than a dwelling) and waterworks, with or without notice;
- (b) seize and retain any books, documents or other materials found at any place referred to in paragraph (a) and take any other steps which appear to the competent authority to be necessary for the purposes of its duties under these Regulations;
- (c) sample water, both before and after treatment, and substances used in the preparation of water intended for human consumption;
- (d) appoint such specialists, consultants and technical and administrative assistance as the authority may require to carry out its functions;
- (e) consider and determine applications made under these Regulations including where appropriate the granting of licences and the giving of grants, permissions or derogations subject to such conditions as in the opinion of the authority are necessary to give effect to the Act and these regulations or for the protection of human health
- (f) prescribe forms, procedures and timetables which in the opinion of the authority are appropriate to give effect to the Act and regulations;
- (g) issue such directions as it considers necessary for the purpose of carrying out its functions under these Regulations; and
- (h) take such actions and issue such instructions as in the opinion of the authority are necessary generally to prevent a risk to public health.

(2) Where a water supplier fails to comply with a direction issued by the competent authority under these Regulations, the competent authority may-

- (a) carry out, cause to be carried out, or arrange for, such action as it considers necessary to ensure compliance with that direction; and
- (b) the costs of such action may be recovered by the authority from the water supplier concerned as a civil debt.

Information sharing

29. The competent authority under these Regulations, the competent authority for the purposes of the 2004 Rules and the water suppliers shall share such information appropriate to their functions as may be required under these Regulations.

PART 7 OFFENCES

Offences in relation to water.

30.(1) A person who causes the pollution or contamination of a source of a water supply that is intended for human consumption so as to make that supply of water not be wholesome or clean or causes a risk to human health, commits an offence.

(2) A person who fails to address a risk that has been identified, in relation to a water supply that is intended for human consumption, following notification in writing by the competent authority to the person concerned, requiring removal or mitigation of the risk, commits an offence.

(3) A person who causes, or assists in causing, damage to a source of a water supply that is intended for human consumption, commits an offence.

(4) A person who fails to comply with a direction of the authority commits an offence.

Penalties.

31. A person who commits an offence under regulation 4(7) or (8), 5(4), 6(5), 13(7), 15(13), 17(12), 22(11) or 30 is liable to-

(a) on summary conviction to a fine at level 4 or imprisonment for 6 months, or both;
or

(b) on conviction on indictment to imprisonment 3 years or a fine or both.

(2) In proceedings for an offence under a regulation mentioned in subsection (1), it shall be a defence against whom proceedings are brought to prove that the person took all reasonable steps and exercised all due diligence to avoid the commission of the offence.

Offences by body corporate.

32.(1) Where an offence under these regulations committed by a body corporate is shown to have been committed with the consent or connivance or to be attributable to any neglect on the part of a director, manager, secretary or other similar officer of the entity or any person who is purporting to act in such a capacity, that person, as well as the entity, shall be guilty of that offence and liable to be proceeded accordingly.

(2) Where the affairs of a body corporate are managed by its members, subregulation (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Revocations and savings.

33.(1) Subject to regulation (2), the Public Health (Potable Water) Rules, 1994 (“the 1994 Rules”) are revoked.

(2) Any proceedings commenced under the rules referred to in subregulation (1) may be continued as if the 1994 Rules had not been revoked.

(3) Any licence issued by the competent authority under the 1994 Rules shall continue in force as if made under these Regulations for the duration for which the licence was issued under the 1994 Rules.

SCHEDULE 1

**MINIMUM REQUIREMENTS FOR PARAMETRIC VALUES USED TO ASSESS
THE QUALITY OF THE WATER INTENDED FOR HUMAN CONSUMPTION**

Part A

Microbiological parameters

Parameter	Parametric value	Unit	Notes
Intestinal enterococci	0	number/100 ml	For water put into bottles or containers, the unit is number/250 ml.
<i>Escherichia coli</i> (<i>E. coli</i>)	0	number/100 ml	For water put into bottles or containers, the unit is number/250 ml.

Part B

Chemical parameters

Parameter	Parametric value	Unit	Notes
Acrylamide	0,10	µg/l	The parametric value of 0,10 µg/l refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.
Antimony	10	µg/l	
Arsenic	10	µg/l	
Benzene	1,0	µg/l	
Benzo(a)pyrene	0,010	µg/l	
Bisphenol A	2,5	µg/l	
Boron	1,5	mg/l	A parametric value of 2,4 mg/l shall be applied when desalinated water is the predominant water source of the supply system concerned or in regions where geological conditions could lead to high levels of boron in groundwater.
Bromate	10	µg/l	
Cadmium	5,0	µg/l	

Chlorate	0,25	mg/l	A parametric value of 0,70 mg/l shall be applied where a disinfection method that generates chlorate, in particular chlorine dioxide, is used for disinfection of water intended for human consumption. Where possible, without compromising disinfection, the water supplier shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used.
Chlorite	0,25	mg/l	A parametric value of 0,70 mg/l shall be applied where a disinfection method that generates chlorite, in particular chlorine dioxide, is used for disinfection of water intended for human consumption. Where possible, without compromising disinfection, the water supplier shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used.
Chromium	25	µg/l	The parametric value of 25 µg/l shall be met, at the latest, by 12 January 2036. The parametric value for chromium until that date shall be 50 µg/l.
Copper	2,0	mg/l	
Cyanide	50	µg/l	
1,2-dichloroethane	3,0	µg/l	

Epichlorohydrin	0,10	µg/l	The parametric value of 0,10 µg/l refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.
Fluoride	1,5	mg/l	
Haloacetic acids (HAAs)	60	µg/l	This parameter shall be measured only when disinfection methods that can generate HAAs are used for the disinfection of water intended for human consumption. It is the sum of the following five representative substances: monochloro-, dichloro-, and trichloro-acetic acid, and mono- and dibromo-acetic acid.
Lead	5	µg/l	The parametric value of 5 µg/l shall be met, at the latest, by 12 January 2036. The parametric value for lead until that date shall be 10 µg/l.
			After that date, the parametric value of 5 µg/l shall be met at least at the point of supply to the domestic distribution system. For the purposes of regulation 19(2), the parametric value of 5 µg/l at the tap shall apply.
Mercury	1,0	µg/l	
Microcystin-LR	1,0	µg/l	This parameter shall be measured only in the event of potential blooms in source water (increasing cyanobacterial

			cell density or bloom forming potential).
Nickel	20	µg/l	
Nitrate	50	mg/l	The water supplier shall ensure that the condition $[\text{nitrate}]/50 + [\text{nitrite}]/3 \leq 1$, where the square brackets signify the concentrations in mg/l for nitrate (NO_3) and nitrite (NO_2) is complied with and that the parametric value of 0,10mg/l for nitrites is complied with ex water treatment works.
Nitrite	0,50	mg/l	The water supplier shall ensure that the condition $[\text{nitrate}]/50 + [\text{nitrite}]/3 \leq 1$, where the square brackets signify the concentrations in mg/l for nitrate (NO_3) and nitrite (NO_2) is complied with and that the parametric value of 0,10mg/l for nitrites is complied with ex water treatment works.

Pesticides	0,10	µg/l	‘Pesticides’ means: — organic insecticides, — organic herbicides, — organic fungicides, — organic nematocides, — organic acaricides, — organic algicides, — organic rodenticides — organic slimicides, — related products (inter alia, growth regulators), and their metabolites (defined as any metabolite or a degradation product of an active substance, safener or synergist, formed either in organisms or in the environment), that are considered relevant for water intended for human consumption. A pesticide metabolite shall be deemed relevant for water intended for human consumption if there is reason to consider that it has intrinsic properties comparable to those of the parent substance in terms of its pesticide target activity or that either itself or its transformation products generate a health risk for consumers.
			The parametric value of 0,10 µg/l shall apply to each individual pesticide. In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value shall be 0,030 µg/l.

			The competent authority shall define a guidance value to manage the presence of non-relevant metabolites of pesticides in water intended for human consumption. Only pesticides which are likely to be present in a given supply need to be monitored.
Pesticides Total	0,50	µg/l	‘Pesticides Total’ means the sum of all individual pesticides, as defined in the previous row, detected and quantified in the monitoring procedure.
PFAS Total	0,50	µg/l	‘PFAS Total’ means the totality of per- and polyfluoroalkyl substances. This parametric value shall only apply once technical guidelines for monitoring this parameter are approved by the competent authority. The competent authority may then decide to use either one or both of the parameters ‘PFAS Total’ or ‘Sum of PFAS’.
Sum of PFAS	0,10	µg/l	‘Sum of PFAS’ means the sum of per- and polyfluoroalkyl substances considered a concern as regards water intended for human consumption listed in paragraph 3 of Part B of Schedule 3. This is a subset of ‘PFAS Total’ substances that contain a perfluoroalkyl moiety with three or more carbons (i.e. $-C_nF_{2n-}$, $n \geq 3$) or a perfluoroalkylether moiety with

			two or more carbons (i. e. – $C_nF_{2n}OC_mF_{2m}$ –, n and m $\geq$ 1).
Polycyclic aromatic hydrocarbons	0,10	$\mu\text{g/l}$	Sum of concentrations of the following specified compounds: benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, and indeno(1,2,3-cd)pyrene.
Selenium	20	$\mu\text{g/l}$	A parametric value of 30 $\mu\text{g/l}$ shall be applied for regions where geological conditions could lead to high levels of selenium in groundwater.
Tetrachloroethene and Trichloroethene	10	$\mu\text{g/l}$	The sum of concentrations of these two parameters.
Trihalomethanes Total	100	$\mu\text{g/l}$	Where possible, without compromising disinfection, the water supplier shall strive for a lower parametric value. It is the sum of concentrations of the following specified compounds: chloroform, bromoform, dibromochloromethane and bromodichloromethane.
Uranium	30	$\mu\text{g/l}$	
Vinyl chloride	0,50	$\mu\text{g/l}$	The parametric value of 0,50 $\mu\text{g/l}$ refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding

			polymer in contact with the water.
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Part C

Indicator parameters

Parameter	Parametric value	Unit	Notes
Aluminium	200	µg/l	
Ammonium	0,50	mg/l	
Chloride	250	mg/l	The water should not be corrosive.
<i>Clostridium perfringens</i> including spores	0	number/100 ml	This parameter shall be measured if the risk assessment indicates that it is appropriate to do so.
Colour	Acceptable to consumers and no abnormal change		
Conductivity	2 500	µS cm ⁻¹ at 20 °C	The water should not be aggressive.
Hydrogen ion concentration	≥ 6,5 and ≤ 9,5	pH units	The water should not be aggressive. For still water put into bottles or containers, the minimum value may be reduced to 4,5 pH units. For water put into bottles or containers which is naturally rich in or artificially enriched with carbon dioxide, the minimum value may be lower.
Iron	200	µg/l	
Manganese	50	µg/l	
Odour	Acceptable to consumers and no abnormal change		

Oxidisability	5,0	mg/l O ₂	This parameter need not be measured if the parameter TOC is analysed.
Sulphate	250	mg/l	The water should not be corrosive.
Sodium	200	mg/l	
Taste	Acceptable to consumers and no abnormal change		
Colony count 22°C	No abnormal change		
Coliform bacteria	0	number/100 ml	For water put into bottles or containers, the unit is number/250 ml.
Total organic carbon (TOC)	No abnormal change		This parameter need not be measured for supplies of less than 10 000 m ³ a day.
Parameter	Parametric value	Unit	Notes
Turbidity	Acceptable to consumers and no abnormal change		

Water should not be aggressive or corrosive. This applies particularly to water undergoing treatment (demineralization, softening, membrane treatment, reverse osmosis, etc.).

Where water intended for human consumption is derived from treatment that significantly demineralizes or softens water, calcium and magnesium salts could be added to condition the water in order to reduce any possible negative health impact, as well as to reduce the corrosiveness or aggressivity of water and to improve taste. Minimum concentrations of calcium and magnesium or total dissolved solids in softened or demineralized water could be established taking into account the characteristics of water that enters those processes.

Part D

Parameters relevant for the risk assessment of domestic distribution systems

Parameter	Parametric value	Unit	Notes
<i>Legionella</i>	< 1 000	CFU/l	This parametric value is set for the purposes of regulations 14 and 22. Actions provided for in those Articles could be considered even when the value is below the parametric value, e.g. in cases of infections and outbreaks. In such cases, the source of infection should be confirmed and the species of <i>Legionella</i> should be identified.
Lead	10	µg/l	This parametric value is set for the purposes of regulations 14 and 22. The water supplier should use its best endeavours to achieve the lower value of 5 µg/l by 12 January 2036.

SCHEDULE 2

MONITORING

PART A

General objectives and monitoring programmes for water intended for human consumption

1. Monitoring programmes established pursuant to regulation 15(2) for water intended for human consumption shall:

- (a) verify that the measures in place to control risks to human health throughout the water supply chain from the abstraction area through treatment and storage to distribution are working effectively and that water at the point of compliance is wholesome and clean;
- (b) provide information on the quality of the water supplied for human consumption to demonstrate that the obligations set out in regulation 5, and the parametric values set in accordance with regulation 7, are being met;
- (c) identify the most appropriate means of mitigating the risk to human health.

2. Monitoring programmes established pursuant to regulation 15(2) shall include one or a combination of the following:

- (a) collection and analysis of discrete water samples;
- (b) measurements recorded by a continuous monitoring process.

In addition, monitoring programmes may consist of:

- (a) inspections of records of the functionality and maintenance status of equipment;
- (b) inspections of the abstraction area, and of the treatment, storage and distribution infrastructure, without prejudice to monitoring requirements provided under regulation 11(2)(c) and regulation 14(1)(b).

3. Monitoring programmes shall also include an operational monitoring programme that provides rapid insight into operational performance and water quality problems and that allows rapid pre-planned remedial action. Such operational monitoring programmes shall be supply-specific, taking into account the outcomes of the identification of hazards and hazardous events and the risk assessment of the supply system, and shall be intended to confirm the effectiveness of all control measures in abstraction, treatment, distribution and storage.

The operational monitoring programme shall include the monitoring of the parameter 'turbidity at the water supply plant' in order to regularly control the efficacy of the physical removal by filtration processes, in accordance with the reference values and frequencies

indicated in the following table (not applicable for groundwater sources where turbidity is caused by iron and manganese):

Operational parameter	Reference Value
Turbidity at the water supply plant	0,3 NTU in 95% of samples and none to exceed 1 NTU
Volume (m ³) of water distributed or produced each day within a supply zone	Minimum frequency of sampling and analysis
≤ 1000	Weekly
> 1000 to ≤ 10 000	Daily
>10 000	Continuous

The operational monitoring programme shall also include the monitoring of the following parameters in raw water to control the efficacy of the treatment processes against microbiological risks:

Operational parameter	Reference value	Unit	Notes
Somatic coliphages	50 (for raw water)	Plaque Forming Units (PFU)/100ml	This parameter shall be measured if the risk assessment indicates that it is appropriate to do so. If it is found in raw water at concentrations > 50 PFU/100ml, it should be analysed after steps of the treatment train in order to determine log removal by the barriers in place and to assess whether the risk of a breakthrough of pathogenic viruses is sufficiently under control.

4. The competent authority shall ensure that monitoring programmes are reviewed on a continuous basis and updated or confirmed at least every 6 years.

PART B
Parameters and sampling frequencies

1. List of parameters

Group A

The following parameters (Group A) shall be monitored in accordance with the monitoring frequencies set out in Table 1 of point 2:

- (a) *Escherichia coli* (*E. coli*), intestinal enterococci, coliform bacteria, colony count 22°C, colour, turbidity, taste, odour, pH, conductivity;
- (b) other parameters identified as relevant in the monitoring programme, in accordance with regulation 7(3) and, where relevant, through a risk assessment of the supply system as set out in regulation 13 and Part C of this Schedule.

Under specific circumstances, the following parameters shall be added to the Group A parameters:

- (a) ammonium and nitrite, if chloramination is used;
- (b) aluminium and iron, if used as water treatment chemicals.

Escherichia coli (*E.coli*) and intestinal enterococci are considered ‘core parameters’ and their monitoring frequencies shall not be the subject of a reduction due to a risk assessment of the supply system in accordance with regulation 13 and C of this Schedule. They shall always be monitored at least at the frequencies set out in Table 1 of point 2.

Group B

In order to determine compliance with all parametric values set out in these Regulations, all other parameters not analysed under Group A and set in accordance with regulation 7, except for parameters in Part D of Schedule 1, shall be monitored at least at the frequencies set out in Table 1 of point 2, unless a different sampling frequency is determined on the basis of a risk assessment of the supply system carried out in accordance with regulation 7 and Part C of this Schedule.

2. Sampling frequencies

Table 1

Minimum frequency of sampling and analysis for compliance monitoring

Volume of water distributed or produced each day within a supply zone	Group A parameter number of samples per year	Group B parameter number of samples per year
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(See Notes 1 and 2) m ³			
	< 10	> 0 (see Note 4)	> 0 (See Note 4)
≥ 10	≤ 100	2	1(See Note 5)
> 100	≤ 1000	4	1
>1000	≤10 000	4 for the first 1000m ³ /d +3 for each additional 1000m ³ /d and part thereof of the total volume (see Note 3)	1 for the first 1000m ³ /d + 1 for each additional 4500 m ³ /d and part thereof of the total volume (see Note 3)
> 10 000	≤ 100 000		3 for first 10 000m ³ /d + 1 for each additional 10 000 m ³ /d and part thereof of the total volume (see Note 3)
> 100 000			12 for first 100 000m ³ /d + 1 for each additional 25 000 m ³ /d and part thereof of the total volume (see Note 3)

Note 1: A supply zone is a geographically defined area within which water intended for human consumption comes from one or more sources and within which the water quality can be considered as being approximately uniform.

Note 2: The volumes are calculated as averages taken over a calendar year. The number of inhabitants in a supply zone may be used instead of the volume of water to determine the minimum frequency, assuming water consumption of 200 l/(day*capita).

Note 3: The frequency indicated is calculated as follows: e.g. 4300 m³/d = 16 samples (four for the first 1 000 m³/d + 12 for additional 3 300 m³/d).

Note 4: For water suppliers, where an exemption has not been granted under regulation 4(3)(b) the competent authority shall lay down the minimum sampling frequency for parameters of Groups A and B, provided that core parameters are monitored at least once per year.

Note 5: The competent authority may reduce the sampling frequency, provided that all parameters set in accordance with regulation 7 are monitored at least once every 6 years and are monitored in cases where a new water source is integrated into the water supply system or changes to that system, as a result of which a potentially adverse effect on the quality of water is to be expected, are made.

PART C

Risk assessment and risk management of the supply system

1. Based on the outcome of the risk assessment of the supply system as referred to in regulation 13, the list of parameters considered in the monitoring shall be extended and the sampling frequencies set out in Part B increased where any of the following conditions is fulfilled:

- (a) the list of parameters or frequencies set out in this Schedule is not sufficient to fulfil the obligations imposed under regulation 15;
- (b) additional monitoring is required for the purposes of regulation 15(10);
- (c) it is necessary to provide the assurances set out in paragraph (a) of point 1 of Part A;
- (d) increasing the sampling frequencies is necessary pursuant to regulation 12(1)(a).

2. As a result of a risk assessment of the supply system, the list of parameters considered in the monitoring and the sampling frequencies set out in Part B may be reduced provided that all of the following conditions are met:

- (a) the location and frequency of sampling is determined in relation to the parameter's origin, as well as the variability of, and long-term trend regarding its concentration taking into account regulations 8 and 9;
- (b) as regards reducing the minimum sampling frequency of a parameter, the results obtained from samples collected at regular intervals over a period of at least three years, from sampling points representative of the whole supply zone, are all less than 60% of the parametric value;
- (c) as regards removing a parameter from the list of parameters to be monitored, the results obtained from samples collected at regular intervals over a period of at least three years, from sampling points representative of the whole supply zone, are all less than 30% of the parametric value;
- (d) as regards removing a parameter from the list of parameters to be monitored, the decision is based on the outcome of the risk assessment that takes into account the results of monitoring of sources of water intended for human consumption and confirms that human health is protected from the adverse effects of any contamination of water intended for human consumption;
- (e) as regards reducing the sampling frequency of a parameter or removing a parameter from the list of parameters to be monitored, the risk assessment confirms that no factor that can be reasonably anticipated is likely to cause deterioration of the quality of the water intended for human consumption.

Where monitoring results, demonstrating that the conditions set out in subparagraph (2)(b) to (2)(e) above are met, are already available, those monitoring results may be used to adapt the monitoring following the risk assessment of the supply system.

Where adjustments of monitoring have already been implemented following a risk assessment of the supply system, the competent authority may provide for the possibility to confirm their validity without requiring monitoring in accordance with subparagraph (2)(b) and (2)(c) over a further period of at least three years from points representative of the whole supply zone.

PART D
Sampling methods and sampling points

1. Sampling points shall be determined so as to ensure compliance with regulation 8. In the case of a distribution network, the water supplier may take samples within the supply zone or at the treatment works for particular parameters if it can be demonstrated that there would be no adverse change to the measured value of the parameters concerned. As far as possible, the number of samples shall be distributed equally in time and location.
2. Sampling at the point of compliance shall meet the following requirements:
 - (a) compliance samples for certain chemical parameters (in particular copper, lead and nickel) shall be taken at the consumers' tap without prior flushing. A random daytime sample of one litre volume is to be taken. As an alternative, the water supplier may use fixed stagnation time methods, such as the average weekly intake by consumers, provided that, at the supply zone level, this does not result in fewer cases of non-compliance than using the random daytime method;
 - (b) compliance samples for microbiological parameters at the point of compliance shall be taken and handled according to EN ISO 19458, sampling purpose B.
3. Samples for Legionella in domestic distribution systems shall be taken at risk points for proliferation of Legionella, points representative for systemic exposure to Legionella, or both. The competent authority shall establish guidelines for sampling methods for Legionella.
4. Sampling in the distribution network, with the exception of sampling at the consumers' tap, shall be in accordance with ISO 5667-5. For microbiological parameters, samples in the distribution network shall be taken and handled in accordance with EN ISO 19458, sampling purpose A.

SCHEDULE 3

SPECIFICATIONS FOR THE ANALYSIS OF PARAMETERS

Water suppliers shall ensure that the methods of analysis used for the purposes of monitoring and demonstrating compliance with these Regulations, with the exception of turbidity, are validated and documented in accordance with EN ISO/IEC 17025 or other equivalent standards accepted at international level. The water supplier shall ensure that laboratories or parties contracted by laboratories apply quality management system practices in accordance with EN ISO/IEC 17025 or other equivalent standards accepted at international level.

For the purposes of assessing the equivalence of alternative methods with the methods laid down in this Schedule, the laboratories or parties contracted by laboratories may use standard EN ISO 17994, established as the standard on the equivalence of microbiological methods, or standard EN ISO 16140 or any other similar internationally accepted protocols, to establish the equivalence of methods based on principles other than culturing, which are beyond the scope of EN ISO 17994.

In the absence of an analytical method meeting the minimum performance criteria set out in Part B, the water supplier shall ensure that monitoring is carried out using the best available techniques not entailing excessive costs.

PART A

Microbiological parameters for which methods of analysis are specified

The methods of analysis for microbiological parameters are:

- (a) *Escherichia coli* (*E. coli*) and coliform bacteria (EN ISO 9308-1 or EN ISO 9308-2);
- (b) intestinal enterococci (EN ISO 7899-2);
- (c) colony count or heterotrophic plate counts at 22°C (EN ISO 6222);
- (d) *Clostridium perfringens*, including spores) (EN ISO 14189);
- (e) *Legionella* (EN ISO 11731 for compliance with the value in Part D of Schedule 1);

for risk-based verification monitoring and to complement culture methods, in addition methods, such as ISO/TS 12869, rapid culture methods, non culture-based methods, and molecular-based methods, in particular qPCR, can be used;

- (f) somatic coliphages;

for operational monitoring, Part A of Schedule 2, EN ISO 10705-2, and EN ISO 10705-3 can be used.

PART B**Chemical and indicator parameters for which performance characteristics are specified****1. Chemical and indicator parameters**

For the parameters set out in Table 1, the method of analysis used must, as a minimum, be capable of measuring concentrations equal to the parametric value with a limit of quantification, of 30% or less of the relevant parametric value and an uncertainty of measurement as specified in Table 1. The result shall be expressed using at least the same number of significant figures as for the parametric value considered in Parts B and C of Schedule I.

The uncertainty of measurement laid down in Table 1 shall not be used as an additional tolerance to the parametric values set out in Schedule 1.

In this paragraph “limit of quantification” means a stated multiple of the limit of detection at a concentration of the determinand that can reasonably be determined with an acceptable level of accuracy and precision. The limit of quantification can be calculated using an appropriate standard or sample, and may be obtained from the lowest calibration point on the calibration curve, excluding the blank.

*Table 1***Minimum performance characteristic “Uncertainty of measurement”**

Parameters	Uncertainty of measurement (See Note 1) % of the parametric value (except for pH)	Notes
Aluminium	25	
Ammonium	40	
Acrylamide	30	
Antimony	40	
Arsenic	30	
Benzo(a)pyrene	50	See Note 2
Benzene	40	
Bisphenol A	50	
Boron	25	
Bromate	40	
Cadmium	25	
Chloride	15	
Chromium	30	
Copper	25	
Cyanide	30	See Note 3
1,2-dichloroethane	40	
Epichlorohydrin	30	

Fluoride	20	
HAAs	50	
Hydrogen ion concentration pH	0,2	See note 4
Iron	30	
Lead	30	
Manganese	30	
Mercury	30	
Microcystin-LR	30	
Nickel	25	
Nitrate	15	
Nitrite	20	
Oxidisability	50	See Note 5
Pesticides	30	See Note 6
PFAs	50	
Polycyclic aromatic hydrocarbons	40	See Note 7
Selenium	40	
Sodium	15	
Sulphate	15	
Tetrachloroethene	40	See Note 8
Trichloroethene	40	See Note 8
Trihalomethanes – total	40	See Note 7
Total organic carbon (TOC)	30	See Note 9
Turbidity	30	See Note 10
Uranium	30	
Vinyl chloride	50	

2. Notes to Table 1

Note 1: Uncertainty of measurement is a non-negative parameter characterising the dispersion of the quantity values being attributed to a measure and based on the information used. The performance criterion for measurement uncertainty ($k = 2$) is the percentage of the parametric value stated in the table or any stricter value. The uncertainty of measurement shall be estimated at the level of the parametric value, unless otherwise specified.

Note 2: If the value of uncertainty of measurement cannot be met, the best available technique should be selected (up to 60%).

Note 3: The method determines total cyanide in all forms.

Note 4: The value for the uncertainty of measurement is expressed in pH units.

Note 5: Reference method: EN ISO 8467.

Note 6: The performance characteristics for individual pesticides are given as an indication. Values for the uncertainty of measurement as low as 30% can be achieved for several pesticides, while higher values up to 80% may be allowed for a number of pesticides.

Note 7: The performance characteristics apply to individual substances, specified at 25% of the parametric value in Part B of Schedule 1.

Note 8: The performance characteristics apply to individual substances, specified at 50% of the parametric value in Part B of Schedule 1.

Note 9: The uncertainty of measurement should be estimated at the level of 3mg/l of the total organic carbon (TOC). EN 1484 Guidelines for the determination of TOC and dissolved organic carbon (DOC) shall be used for the specification of the uncertainty of the test method.

Note 10: The uncertainty of measurement should be estimated at the level of 1,0 NTU (nephelometric turbidity units), in accordance with EN ISO 7027 or another equivalent standard method.

3. Sum of PFAS

The following substances shall be analysed based on the technical guidelines developed in accordance with Article 13(7):

- Perfluorobutanoic acid (PFBA)
- Perfluoropentanoic acid (PFPA)
- Perfluorohexanoic acid (PFHxA)
- Perfluoroheptanoic acid (PFHpA)
- Perfluorooctanoic acid (PFOA)
- Perfluorodecanoic acid (PFDA)
- Perfluoroundecanoic acid (PFUnDA)
- Perfluorododecanoic acid (PFDoDA)
- Perfluorotridecanoic acid (PFTrDA)
- Perfluorobutane sulfonic acid (PFBS)
- Perfluoropentane sulfonic acid (PFPS)
- Perfluorohexane sulfonic acid (PFHxS)
- Perfluoroheptane sulfonic acid (PFHpS)
- Perfluorooctane sulfonic acid (PFOS)
- Perfluorononane sulfonic acid (PFNS)
- Perfluorodecane sulfonic acid (PFDS)
- Perfluoroundecane sulfonic acid
- Perfluorododecane sulfonic acid
- Perfluorotridecane sulfonic acid

Those substances shall be monitored when the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with regulations 11 and 12 conclude that those substances are likely to be present in given water supply.

SCHEDULE 4

INFORMATION TO THE PUBLIC

The information in the following points shall be accessible to consumers on-line, in a user-friendly and customised way, and consumers may obtain access to that information by other means upon justified request:

(1) identification of the water supplier, the area and number of people supplied, and the method of water production, including general information on types of water treatment and disinfection applied; the competent authority may permit a derogation from this requirement in accordance with regulation 13(1)(a) of the Environment (Infrastructure for Spatial Information) Regulations 2010;

(2) the most recent monitoring results for parameters listed in Parts A, B and C of Schedule 1, including monitoring frequency together with the parametric value set in accordance with regulation 7; the monitoring results shall not be more than one year old, except where the monitoring frequency set by these Regulations allows otherwise;

(3) information on the following parameters not listed in Part C of Schedule 1 and associated values:

(a) hardness;

(b) minerals, anions/cations dissolved in water:

- calcium Ca,

- magnesium Mg,

-potassium K;

(4) in the event of a potential danger to human health as determined by the competent authority or other relevant bodies following an exceedance of the parametric values set in accordance with regulation 7, information on the potential danger to human health and the associated health and consumption-related advice or a hyperlink providing access to such information;

(5) relevant information on risk assessment of the supply system;

(6) advice to consumers, including on how to reduce water consumption, where appropriate, how to use water responsibly according to local conditions and how to avoid health risks due to stagnant water;

(7) for water suppliers supplying at least 10 000 m³ per day or serving at least 50 000 people, annual information on:

- (a) the overall performance of the water system in terms of efficiency and leakage rates, once that information is available and as soon as reasonably practicable after the date of the coming into force of these Regulations;
 - (b) the ownership structure of the water supply by the water supplier;
 - (c) where costs are recovered through a tariff system, information on the structure of the tariff per cubic metre of water, including fixed and variable costs and costs related to measures for the purposes of regulation 21, where such measures have been taken by the water supplier;
 - (d) where available, a summary and statistics regarding consumer complaints received by the water supplier on matters within the scope of these Regulations;
- (8) upon justified request, consumers shall be given access to historical data for information under subparagraph (2) and (3), dating back up to 10 years, if available, and not earlier than 13 January 2023.

SCHEDULE 5

RADIOACTIVE SUBSTANCES IN DRINKING WATER

PART 1

PARAMETRIC VALUES FOR RADON, TRITIUM AND INDICATIVE DOSE OF WATER INTENDED FOR HUMAN CONSUMPTION

Parameter	Parametric value (Maximum)	Unit	Notes
Radon	100	Bq/l	(Note 1)
Tritium	100	Bq/l	(Note 2)
Indicative Dose	0,10	mSv	

Note 1: Remedial action is deemed to be justified on radiological protection grounds, without further consideration, where radon concentrations exceed 1000 Bq/l.

Note 2: Elevated levels of tritium may indicate the presence of other artificial radionuclides. If the tritium concentration exceeds its parametric value, an analysis of the presence of other artificial radionuclides shall be required.

PART 2

MONITORING OF RADIOACTIVE SUBSTANCES

1. General principles and monitoring frequencies

All parameters for which parametric values set out in Part 1 shall be subject to monitoring. However, no monitoring of a specific parameter shall be required where it can be established that the parameter is not likely to be present in a given supply of water intended for human consumption in concentrations which could exceed the corresponding parametric value.

In case of naturally occurring radionuclides, where previous results have shown that the concentration of radionuclides is stable, the frequency, in derogation from the minimum sampling requirements set out in Table A, is to be decided by the competent authority, taking into consideration the risk to human health.

Monitoring of water intended for human consumption for radon or tritium or to establish the indicative dose where the competent authority is satisfied on the basis of representative surveys, monitoring data or other reliable information that, for a period of 6 years, the levels of radon, tritium or of the calculated indicative dose will remain below the respective parametric values listed in Part 1.

In that case, it shall communicate the grounds for its decision to the competent authority and provide the authority with the necessary documentation supporting that decision, including the findings of any surveys, monitoring or investigations carried out. In this context, the provisions with regard to the minimum sampling and analysis requirements set out in Table A do not apply.

2. Radon

A water supplier shall ensure that representative surveys are undertaken to determine the scale and nature of likely exposures to radon in water intended for human consumption originating from different types of ground water sources and wells in different geological areas. The surveys shall be designed in such a way that underlying parameters, and especially the geology and hydrology of the area, radioactivity of rock or soil, and well type, can be identified and used to direct further action to areas of likely high exposure. Monitoring of radon concentrations shall be undertaken where there is reason to believe, on the basis of the results of the representative surveys or other reliable information, that the parametric value laid down in Part 1 might be exceeded.

3. Tritium

Monitoring of tritium in water intended for human consumption is carried out where an anthropogenic source of tritium or other artificial radionuclides is present within the catchment area and it cannot be shown on the basis of other surveillance programmes or investigations that the level of tritium is below the parametric value listed in Part 1. Where monitoring for tritium is required, it shall be carried out at the frequencies indicated in Table A. If the concentration of tritium exceeds its parametric value, an investigation of the presence of other artificial radionuclides shall be required.

4. Indicative dose

Monitoring of water intended for human consumption for the indicative dose shall be carried out where a source of artificial or elevated natural radioactivity is present and it cannot be shown on the basis of other representative monitoring programmes or other investigations that the level of indicative dose is below the parametric value listed in Part 1. Where monitoring for artificial radionuclide levels is required, it shall be carried out at the frequency indicated in Table A. Where monitoring for natural radionuclide levels is required, the competent authority shall define the frequency of the monitoring of either gross alpha activity, gross beta activity or individual natural radionuclides depending on the screening strategy adopted by it (according to Part 3). The monitoring frequency may vary from a single check measurement to the frequencies indicated in Table A. Where only a single check for natural radioactivity is required, a recheck shall be required at least where any change occurs in relation to the supply likely to influence the concentrations of radionuclides in water intended for human consumption.

5. Water treatment

Where treatment to reduce the level of radionuclides in water intended for human consumption has been taken, monitoring shall be carried out at the frequencies indicated in Table A to ensure the continued efficacy of that treatment.

6. Minimum sampling and analysis frequencies

The minimum sampling and analysis frequency for the monitoring of water intended for human consumption supplied from a distribution network or from a tanker or used in a food production undertaking shall be as set out in the following table:

Table A

Minimum sampling and analysis frequencies for monitoring of water intended for human consumption supplied from a distribution network or from a tanker or used in a food production undertaking

Volume of water distributed or produced each day within a supply zone (Notes 1 and 2) m ³	Number of samples per year (Notes 3 and 4)
volume $\leq$ 100	(Note 5)
100 < volume $\leq$ 1 000	1
1 000 < volume $\leq$ 10 000	1 + 1 for each 3 300 m ³ /d and part thereof of the total volume
10 000 < volume $\leq$ 100 000	3 + 1 for each 10 000 m ³ /d and part thereof of the total volume
volume > 100 000	10 + 1 for each 25 000 m ³ /d and part thereof of the total volume

Note 1: A supply zone is a geographically defined area within which water intended for human consumption comes from one or more sources and within which water quality may be considered as being approximately uniform.

Note 2: The volumes are calculated as averages taken over a calendar year. The number of inhabitants in a supply zone may be used instead of the volume of water to determine the minimum frequency, assuming a water consumption of 200 l/day/capita.

Note 3: As far as possible, the number of samples should be distributed equally in time and location.

Note 4: In the event of intermittent short-term supply the monitoring frequency of water distributed by tankers is to be decided by the competent authority

Note 5: The frequency is to be decided by the competent authority.

The competent authority shall define sampling frequencies for water intended for human consumption put into bottles or containers intended for sale. In so doing the competent authority may take into consideration the volume of water produced.

7. Averaging

Where a parametric value is exceeded in a particular sample, the competent authority shall define the extent of resampling necessary to ensure that the measured values are representative of an average activity concentration for a full year.

PART 3

MONITORING FOR INDICATIVE DOSE AND ANALYTICAL PERFORMANCE CHARACTERISTICS

1. Monitoring for compliance with the ID

Various reliable screening strategies to indicate the presence of radioactivity in water intended for human consumption. These strategies may include screening for certain radionuclides, or screening for an individual radionuclide, or gross alpha activity or gross beta activity screening.

(a) screening for certain radionuclides, or screening for an individual radionuclide

If one of the activity concentrations exceeds 20% of the corresponding derived value or the tritium concentration exceeds its parametric value listed in Annex I, an analysis of additional radionuclides shall be required. The radionuclides to be measured shall be defined by the competent authority taking into account all relevant information about likely sources of radio- activity.

(b) screening strategies for gross alpha activity and gross beta activity

Screening strategies for gross alpha activity and gross beta activity ⁽¹⁾ to monitor for the parametric indicator value for ID.

For this purpose gross alpha activity or gross beta activity screening levels shall be set. The recommended screening level for gross alpha activity is 0,1 Bq/l. The recommended screening level for gross beta activity is 1,0 Bq/l.

If the gross alpha activity and gross beta activity are less than 0,1 Bq/l and 1,0 Bq/l respectively, it is assumed that the ID is less than the parametric value of 0,1 mSv and radiological investigation is not needed unless it is known from other sources of information

that specific radionuclides are present in the water that are liable to cause an ID in excess of 0,1 mSv.

If the gross alpha activity exceeds 0,1 Bq/l or the gross beta activity exceeds 1,0 Bq/l, analysis for specific radionuclides shall be required.

Alternative screening levels may be set for gross alpha activity and gross beta activity where they can demonstrate that the alternative levels are in compliance with an ID of 0,1 mSv.

The radionuclides to be measured shall be defined by the competent authority taking into account all relevant information about likely sources of radioactivity. Since elevated levels of tritium may indicate the presence of other artificial radionuclides, tritium, gross alpha activity and gross beta activity should be measured in the same sample.

2. Calculation of the ID

The ID shall be calculated from the measured radionuclide concentrations and the dose coefficients laid down in Schedule 8 of the Ionising Radiation Regulations 2004 or more recent information recognised by the competent authority, on the basis of the annual intake of water (730 l for adults). Where the following formula is satisfied, it may be assumed that the ID is less than the parametric value of 0,1 mSv and no further investigation shall be required:

$$\sum_{i=1}^n \frac{C_i(obs)}{C_i(der)} \leq 1$$

where

$C_i(obs)$ = observed concentration of radionuclide i

$C_i(der)$ = derived concentration of radionuclide i

N = number of radionuclides detected.

(¹) Where appropriate gross beta activity may be replaced by residual beta activity after subtraction of the K-40 activity concentration.

Derived concentrations for radioactivity in water intended for human consumption (¹)

Origin	Nuclide	Derived concentration
Natural	U-238 (2)	3,0 Bq/l
	U-234 (2)	2,8 Bq/l
	Ra-226	0,5 Bq/l

Artificial	Ra-228	0,2 Bq/l
	Pb-210	0,2 Bq/l
	Po-210	0,1 Bq/l
	C-14	240 Bq/l
	Sr-90	4,9 Bq/l
	Pu-239/Pu-240	0,6 Bq/l
	Am-241	0,7 Bq/l
	Co-60	40 Bq/l
	Cs-134	7,2 Bq/l
	Cs-137	11 Bq/l
	I-131	6,2 Bq/l

(1) This table includes values for the most common natural and artificial radionuclides; these are precise values, calculated for a dose of 0,1 mSv, an annual intake of 730 litre and using the dose coefficients laid down in Schedule 8 of the Ionising Radiation Regulations 2004; derived concentrations for other radionuclides can be calculated on the same basis, and values can be updated on the basis of more recent information recognised by the competent authority.

(2) This table allows only for the radiological properties of uranium, not for its chemical toxicity.

3. Performance characteristics and methods of analysis

For the following parameters and radionuclides, the method of analysis used must, as a minimum, be capable of measuring activity concentrations with a limit of detection specified below:

Parameters and radionuclides	Limit of detection (Notes 1, 2)	Notes
Tritium	10 Bq/l	Note 3
Radon	10 Bq/l	Note 3
gross alpha activity	0,04 Bq/l	Note 4

gross activity	beta	0,4 Bq/l	Note 4
U-238		0,02 Bq/l	
U-234		0,02 Bq/l	
Ra-226		0,04 Bq/l	
Ra-228		0,02 Bq/l	Note 5
Pb-210		0,02 Bq/l	
Po-210		0,01 Bq/l	
C-14		20 Bq/l	
Sr-90		0,4 Bq/l	
Pu-239/Pu-240		0,04 Bq/l	
Am-241		0,06 Bq/l	
Co-60		0,5 Bq/l	
Cs-134		0,5 Bq/l	
Cs-137		0,5 Bq/l	
I-131		0,5 Bq/l	

Note 1: The limit of detection shall be calculated according to the ISO standard 11929: Determination of the characteristic limits (decision threshold, detection limit and limits of the confidence interval) for measurements of ionising radiation — Fundamentals and application, with probabilities of errors of 1st and 2nd kind of 0,05 each.

Note 2: Measurement uncertainties shall be calculated and reported as complete standard uncertainties, or as expanded standard uncertainties with an expansion factor of 1,96, according to the ISO Guide for the Expression of Uncertainty in Measurement.

Note 3: The limit of detection for tritium and for radon is 10 % of its parametric value of 100 Bq/l.

Note 4: The limit of detection for gross alpha activity and gross beta activities are 40 % of the screening values of 0,1 and 1,0 Bq/l respectively.

Note 5: This limit of detection applies only to initial screening for ID for a new water source; if initial checking indicates that it is not plausible that Ra-228 exceeds 20 % of the derived concentration, the limit of detection may be increased to 0,08 Bq/l for routine Ra-228 nuclide specific measurements, until a subsequent re-check is required.

Dated: 14th July 2026.

G ARIAS VASQUEZ,
Minister with responsibility for Utilities,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations revoke and replace the Public Health (Potable Water) Rules, 1994 and give effect to the provisions of Directive 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption and Directive 2013/51/Euratom laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption.

