

L.N. 237 of 2011**PUBLIC HEALTH ACT
(CAP. 465)****Management of Bathing Water Quality (Amendment)
Regulations, 2011**

IN exercise of the powers conferred by article 26(d) of the Public Health Act, the Minister for Health, the Elderly and Community Care has made the following regulations:-

Citation.

1. The title of these regulations is the Management of Bathing Water Quality (Amendment) Regulations, 2011 and they shall be read and construed as one with the Management of Bathing Water Quality Regulations, 2008, hereinafter referred to as “the principal regulations”.

Amends regulation
3 of the principal
regulations.

2. In regulation 3(1) of the principal regulations, for the words “ “public concern” has the same meaning” there shall be substituted the words “ “public concerned” has the same meaning”.

Amends regulation
5 of the principal
regulations.

3. For paragraph (b) of sub-regulation (6) of regulation 5 of the principal regulations, there shall be substituted the following:

“(b) received similar assessments for the preceding four years in accordance with sub-regulations (2), (3) and (5) (c) of this regulation.”.

Amends regulation
11 of the principal
regulations.

4. Immediately after sub-regulation (2) of regulation 11 of the principal regulations, there shall be added the following new sub-regulation:

“(3) When establishing, reviewing and updating bathing water profiles, adequate use shall be made of data obtained from monitoring and assessments carried out pursuant to Directive 2000/60/EC that are relevant to these regulations.”.

Amends regulation
14 of the principal
regulations.

5. For sub-regulation (1) of regulation 14 of the principal regulations, there shall be substituted the following:

“(1) When the bathing water profile indicates a tendency for proliferation of macro-algae and, or marine

phytoplankton, investigations shall be undertaken to determine the presence of any health risks and adequate management measures shall be implemented, including information to the public.”.

6. For regulation 15 of the principal regulations there shall be substituted the following:

Amends regulation 15 of the principal regulations.

“15 (1) The Superintendent shall encourage public participation in the implementation of these regulations and shall ensure that the public concerned is provided with opportunities -

(a) to find out how to participate, and

(b) to formulate suggestions, remarks or complaints.

(2) The provisions of sub-regulation (1) hereof shall relate, in particular, to the establishment, review and updating of the list of bathing waters in accordance with regulation 4(1). The Superintendent shall take due account of any information he obtains.”.

7. Regulation 16 of the principal regulations shall be amended as follows:

Amends regulation 16 of the principal regulations.

(a) in sub-regulation (2) thereof –

(i) for the words “The following shall be actively disseminated by the media in several languages when appropriate” there shall be substituted the words “The Superintendent shall use appropriate media and information technologies, including the internet, to disseminate actively and promptly the information concerning bathing waters referred to in sub-regulation (1) hereof and also the following information in several languages, when appropriate”; and

(ii) for sub-paragraph (ii) of paragraph (d) there shall be substituted the following:

“(ii) The list referred to in the preceding paragraph (a) shall be available each year before the start of the bathing season. The results of the

monitoring referred to in the preceding paragraph (b) shall be made available on the internet upon completion of the analysis.”; and

(c) immediately after sub-regulation (2) there shall be added the following new sub-regulation:

“(3) The information referred to in sub-regulations (1) and (2) of this regulation shall be disseminated as soon as it is available and with effect from the start of the bathing season after 24th March 2008.”.

Amends schedule
III of the principal
regulations.

8. First sentence of schedule III “ 1. The bathing water profile referred to in Regulation 7 is to consist of:” is to be replaced by: “ 1. The bathing water profile referred to in Regulation 11 is to consist of:”

