

L.N. 210 of 2017

**REGULATOR FOR ENERGY AND WATER SERVICES ACT
(CAP. 545)**

Water Supply (Amendment) Regulations, 2017

IN EXERCISE of the powers conferred by article 37(1) of the Regulator for Energy and Water Services Act, the Minister for Energy and Water Management, and after consultation with the Regulator for Energy and Water Services, has made the following regulations:-

1. The title of these regulations is the Water Supply (Amendment) Regulations, 2017 and these regulations shall be read and construed as one with the Water Supply Regulations, hereinafter referred to as "the principal regulations". Citation.
S.L. 545.03.
2. Regulation 2 of the principal regulations shall be amended as follows: Amends
regulation 2 of
the principal
regulations.
 - (a) immediately after the definition of "Corporation", there shall be added the following new definitions:

"highly polished reclaimed water" means treated wastewater which is treated to tertiary standards using any combination of ultra-filtration, reverse osmosis, activated charcoal and advanced oxidation processes so as to comply with the relevant quality standards and requirements established by the Superintendent of Public Health and any other competent authority established at law as may be applicable;

"highly polished reclaimed water distribution system" means all underground and above ground systems of mains, pipes, reticulation, distribution and trunk mains, pipelines, pumps, boosters, meters, valves, reservoirs, water tanks and ancillary fittings, which are used for the transfer and distribution of highly polished reclaimed water;

"holding unit" means the unit of contiguous agricultural land held by the consumer supplied with highly polished reclaimed water and which is used solely for agricultural purposes;

"non-potable water" means water excluding water intended for human consumption as defined under the Water Intended for Human Consumption Regulations and not including highly polished reclaimed water;" S.L. 449.57.

(b) immediately after the definition of "secondary residence", there shall be added the following new definitions:

"sewage" means domestic sewage and, or wastewater or the mixture of domestic sewage and, or wastewater with industrial sewage and, or wastewater and, or run-off rain water;".

Substitutes
regulation 16 of
the principal
regulations.

3. Regulation 16 of the principal regulations shall be substituted by the following new regulation:

"16. The Corporation shall charge for the supply of highly polished reclaimed water, the charges and tariffs established in the Fourth Schedule:

Provided that, the charges and tariffs for the supply of highly polished reclaimed water shall be in accordance with the conditions established by the Regulator for Energy and Water Services in the approval of such charges and tariffs:

Provided further that, the Corporation shall, in its internal accounting system, keep accounts for the production, supply and distribution of highly polished reclaimed water, which are separate from the accounts for the production, supply and distribution of water and for the collection and treatment of sewage, such as to ensure that the costs of the production, supply and distribution of highly polished reclaimed water may be ascertained, and that there is no cross-subsidisation between such activities and the activities of the production, supply and distribution of water and the collection and treatment of sewage."

Adds regulation
46 to the
principal
regulations.

4. Immediately after regulation 45 of the principal regulations there shall be added the following new regulation:

"46. (1) The Corporation shall meter the supply of highly polished reclaimed water by meters provided by the Corporation.

(2) Regulations 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 42, 43, 44 and 45 shall *mutatis mutandis* apply with respect to the supply and metering of highly polished reclaimed water."

Adds Fourth
Schedule to the
principal
regulations.

5. Immediately after the Third Schedule to the principal regulations, there shall be added the following new schedule:

"FOURTH SCHEDULE

[Regulation 16]

Charges and Tariffs for highly polished reclaimed water

In every period of one year, the service charge and the tariffs for water consumption of highly polished reclaimed water shall be as follows:

(a) the service charge in respect of access to highly polished reclaimed water distribution system shall be €25;

(b) the tariff for highly polished reclaimed water consumption shall be as follows:

(i) for any quantity not exceeding $2,500\text{m}^3$
.....€0.20 per 1m^3 ;

(ii) for any quantity exceeding the said quantity of $2,500\text{m}^3$ but not more than $5,000\text{m}^3$ €0.60 per 1m^3 ;

(iii) for any quantity exceeding the said quantity of $5,000\text{m}^3$ €0.80 per 1m^3 ;

Provided that the tariff related to the first block of $2,500\text{m}^3$ for all consumers of highly polished reclaimed water for agricultural purposes shall be free of charge until such time as when the Minister responsible for the Water Services Corporation so orders that the tariff found in sub-paragraph (i) enters into effect:

Provided further that the tariff bands which shall be applicable on a per holding basis for the highly polished reclaimed water supplied for agricultural purposes shall be as follows:

Holding Size (ha)	Holding Units	Volumetric quantity for which the lowest tariff rate shall be applicable (m ³)	Volumetric quantity for which the highest tariff rate shall be applicable (m ³)
≤ 0.50	1	2,500	5,000
0.51-1.00	2	5,000	10,000
1.01-1.50	3	7,500	15,000
1.51-2.00	4	10,000	20,000
2.01-2.50	5	12,500	25,000
2.51-3.00	6	15,000	30,000
3.01-3.50	7	17,500	35,000
3.51-4.00	8	20,000	40,000
4.01-4.50	9	22,500	45,000
4.51-5.00	10	25,000	50,000
5.01-5.50	11	27,500	55,000
5.51-6.00	12	30,000	60,000

For holding units in excess of 6 ha, the volumetric quantities for which the tariff rates shall be applicable shall be calculated on a *pro rata* based on the per-holding unit allocation."