



SEANAD ÉIREANN

AN BILLE UM SHEIRBHÍSÍ UISCE (LEASÚ), 2011 WATER SERVICES (AMENDMENT) BILL 2011

LEASUITHE COISTE COMMITTEE AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM SHEIRBHÍSÍ UISCE (LEASÚ), 2011 —AN COISTE

WATER SERVICES (AMENDMENT) BILL 2011 —COMMITTEE STAGE

*Leasuithe
Amendments*

SECTION 4

1. In page 4, line 8, to delete “ ‘domestic waste water treatment system’ ” and substitute “ ‘derived from local authority waste water’ ”.

—*Senator Trevor Ó Clochartaigh.*

2. In page 4, to delete lines 23 and 24, and substitute the following:

“ ‘Inspector’ means a person appointed by the Agency from within its own staff in accordance with section 70E;”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

3. In page 4, to delete lines 28 and 29, and substitute the following:

“legislation made by the Oireachtas under section 70B;”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

4. In page 4, line 35, after “water” to insert “and local authority”.

—*Senator Trevor Ó Clochartaigh.*

5. In page 4, line 37, after “systems’”) to insert “apart from county Cavan”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

6. In page 4, line 46, after “concerned.” to insert the following:

“The owner of the premises will only be required to apply after—

(a) having availed of the optional de-sludging Programme, and

(b) only when the standards in relation to the maintenance, servicing or operation of domestic waste water systems has been agreed by the Oireachtas.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

[SECTION 4]

7. In page 4, between lines 46 and 47, to insert the following:

“(3) Any other information required will be specified before the Bill is passed and will be of no cost to the owner.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

8. In page 5, to delete lines 7 and 8.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

9. In page 5, to delete lines 9 to 11 and substitute the following:

“(e) in the case of an application under subsection (2), there will be no fee required.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

10. In page 5, to delete lines 9 to 11.

—*Senator Trevor Ó Clochartaigh.*

11. In page 5, to delete lines 14 to 19 and substitute the following:

“(a) enter the domestic waste water treatment systems for the functional area of the Water Services Authority concerned and provide one fully subsidised de-sludging each calendar year, and”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

12. In page 5, line 14, after “domestic” to insert “and local authority”.

—*Senator Trevor Ó Clochartaigh.*

13. In page 5, line 16, after “domestic” to insert “and local authority”.

—*Senator Trevor Ó Clochartaigh.*

14. In page 5, to delete lines 20 and 21 and substitute the following:

“(b) issue a certificate of registration to the applicant only after the de-sludging under section 4(a), has been carried out.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

15. In page 5, to delete lines 22 to 24 and substitute the following:

“(5) A certificate of registration shall be valid for the lifetime of the property or not less than a period of 40 years from the date on which it was issued.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,*

[SECTION 4]

*Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

16. In page 5, line 32, after “registration” to insert “at no additional cost to the householder”.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

17. In page 5, line 36, after “domestic” to insert “and local authority”.

—Senator Trevor Ó Clochartaigh.

18. In page 5, line 42, after “domestic” to insert “and local authority”.

—Senator Trevor Ó Clochartaigh.

19. In page 6, line 1, after “domestic” to insert “and local authority”.

—Senator Trevor Ó Clochartaigh.

20. In page 6, line 6, after “domestic” to insert “and local authority”.

—Senator Trevor Ó Clochartaigh.

21. In page 6, line 14, after “domestic” to insert “and local authority”.

—Senator Trevor Ó Clochartaigh.

22. In page 6, to delete lines 28 to 31.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

23. In page 6, to delete lines 32 to 34.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

24. In page 6, to delete lines 41 to 45 and substitute the following:

“(11) An authorised person appointed by a Water Services Authority may not have the authority to request the owner of a premises connected to a domestic waste water treatment system to produce a valid certificate of registration in respect of the system.”.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

25. In page 6, to delete lines 46 to 48.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

26. In page 6, to delete lines 49 to 51 and in page 7, to delete lines 1 to 14 and substitute the following:

[SECTION 4]

“(13) The Minister may, following consultation with the Agency, make regulations for the purposes of this section and, without prejudice to the specifics of the foregoing, regulations under this section may only prescribe:

- (a) the form and manner, including by electronic means, in which an application, under subsection (2) or (6) shall be made;
- (b) that there will be no fee associated with an application under subsection (2);
- (c) the date for the purposes of subsection (2); but only after the state funded annual de-sludging takes place.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

27. In page 7, to delete lines 18 and 19.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

28. In page 7, lines 20 and 21, to delete “ensure that the system does not constitute” and substitute the following:

“make a practical effort to ensure the system does not constitute”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

29. In page 7, to delete lines 28 and 29.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

30. In page 7, line 32, after “domestic” to insert “and local authority”.

—*Senator Trevor Ó Clochartaigh.*

31. In page 7, to delete lines 35 and 36.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson, Trevor Ó Clochartaigh.*

32. In page 7, lines 37 to 43, to delete all words from and including “(1) A person” in line 37 down to and including “premises.” in line 43.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

33. In page 8, line 4, after “persons” to insert “from within its own staff”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,*

Diarmuid Wilson.

34. In page 8, to delete lines 8 to 21.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

35. In page 8, between lines 10 and 11, to insert the following:

“(a) is an employee of the relevant local authority,”.

—*Senator Trevor Ó Clochartaigh.*

36. In page 8, between lines 26 and 27, to insert the following:

“(c) takes up employment or begins to provide professional services in the field of waste water treatment services.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

37. In page 8, lines 38 and 39, to delete “, with the consent of the Minister,”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

38. In page 9, line 3, after “section” to insert the following:

“and shall be prohibited from engaging for gain, profit, employment or service in the provision of, or advice relating to, domestic waste water treatment systems during the period of appointment as an appeals officer and for a period of six months after the expiration of his term of appointment”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

39. In page 9, between lines 28 and 29, to insert the following:

“(a) categories of employment or professional services which an inspector is prohibited from engaging in during his term of employment,”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

40. In page 10, line 29, after “may” to insert the following:

“without the authority of a warrant issued by a judge of the District Court under subsection (6) or without the prior written consent of the individual”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

41. In page 11, line 4, after “subsoil,” to insert the following:

[SECTION 4]

“at no cost to the owner, and only with the consent of the householder.”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

42. In page 11, between lines 27 and 28, to insert the following:

“(j) that the standards in relation to the maintenance in servicing or operation of domestic waste water systems must be published and agreed by the Oireachtas before the Bill is passed.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

43. In page 11, to delete lines 41 to 53 and in page 12, to delete lines 1 to 4.

—*Senator Trevor Ó Clochartaigh.*

44. In page 12, between lines 4 and 5, to insert the following:

“(6) Where satisfied on the sworn information of an inspector that he is required by law to inspect a domestic waste water treatment plant in a private dwelling, a judge of the District Court may issue a warrant authorising the inspector to enter, on production of the warrant, the private dwelling or the part of those premises used as a dwelling, at any time or times within one month after the date of issue of the warrant, for the purpose of exercising there the powers given under this Act, where the District Judge believes based on the sworn information before him that there is a threat to public health or a threat to the quality of any watercourse or water supply.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

45. In page 12, to delete lines 5 to 8 and substitute the following:

“70H.—(1) An inspector shall inspect such domestic waste water treatment systems but not without the authority of a warrant issued by a judge of the District Court or without the prior written consent of the individual.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

46. In page 12, to delete lines 9 to 12.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

47. In page 12, lines 30 and 31, to delete “the inspector shall, within 21 days of the inspection” and substitute the following:

“the inspector shall, within 12 months of the inspection”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,*

Diarmuid Wilson.

48. In page 13, to delete lines 3 to 8 and substitute the following:

“the inspector shall notify the owner of the premises to which the treatment system concerned is connected and shall, within 12 months of the inspection, notify the Water Services Authority concerned, in each case stating the scientific reasons for his or her opinions.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

49. In page 13, to delete lines 9 to 14 and substitute the following:

“(5) A waste services authority notified by an inspector under subsection (4) may, within 12 months of that notification, issue a notice to the owner of the premises to which the treatment system concerned is connected, and include the details of the retro-fit grant scheme available to assist with any recommended upgrade costs.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

50. In page 13, to delete lines 36 to 42 and substitute the following:

“(c) advise the owner of the premises to remedy the matters specified in the advisory notice within 12 months but only with grant aid of not less than 85 per cent of the upgrade costs associated with any required works,”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

51. In page 13, line 42, after “relates,” to insert the following:

“the total cost of any works in the advisory note will be covered by the Department of Environment, Community and Local Government,”.

—*Senator Trevor Ó Clochartaigh.*

52. In page 14, to delete lines 1 to 3 and substitute the following:

“(f) include full and comprehensive details of the grant-aid scheme available together with the offer of at least one free on-site consultation within 6 months of the date of the notification.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

53. In page 14, line 5, to delete “notice may, within 21 days of the date” and substitute “notice may, within 12 months of the date”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

[SECTION 4]

54. In page 14, lines 14 and 15, to delete all words from and including “accompanied” in line 14 down to and including “€200,” in line 15 and substitute “without the necessity of any fee”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
55. In page 14, lines 14 and 15, to delete all words from and including “accompanied” in line 14 down to and including “€200,” in line 15.
—*Senator Trevor Ó Clochartaigh.*
56. In page 14, line 23, to delete “subsection shall, within 10 days of the” and substitute “subsection may, within 12 months of the”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
57. In page 14, to delete lines 38 to 42.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
58. In page 14, to delete line 48 and substitute the following:
“(b) the day specified on the notice but not sooner than 12 months after the notification date.”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
59. In page 14, to delete lines 49 to 51 and in page 15, to delete lines 1 to 10 and substitute the following:
“(9) A person aggrieved by an advisory notice may within 12 months request an on site advisory consultation with a suitably qualified person from the Water Services Authority at no cost to the individual.”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
60. In page 15, to delete lines 11 to 14.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*
61. In page 15, to delete lines 21 to 27 and substitute the following:
“(12) Where an advisory consultation is requested a full and comprehensive on site advisory meeting will be held and advice on available grant aid, in the case of upgrade works will be given.”.
—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,*

[SECTION 4]

*Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

62. In page 15, to delete lines 28 to 35.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

63. In page 15, to delete lines 36 to 39.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

64. In page 15, line 43, to delete “shall within 10 days of completion of the” and substitute “shall within 12 months of completion of the”.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

65. In page 15, to delete lines 48 to 50 and in page 16, to delete lines 1 to 3.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

66. In page 16, to delete lines 9 and 10.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson, Trevor Ó Clochartaigh.*

67. In page 16, line 13, to delete “functions as the Agency considers appropriate.” and substitute “functions as approved in this legislation.”

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

68. In page 16, to delete lines 43 to 45.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

69. In page 16, to delete lines 48 to 50 and in page 17, to delete lines 1 and 2.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

70. In page 17, to delete lines 5 to 7.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,*

[SECTION 4]

*Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

71. In page 17, to delete lines 24 and 25.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

72. In page 18, to delete lines 11 to 18 and substitute the following:

“(3) The agency shall from time to time and at least once in each period of 5 years after the date of making a national plan, make suggestions to review the plan, as it thinks fit and references in this part to such a plan, shall, unless the context otherwise requires, be constructed as including references to such a plan as so revised. Such revisions will be required to be approved by the Oireachtas.”.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

73. In page 18, to delete lines 27 to 42.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

74. In page 18, to delete lines 43 and 44.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson, Trevor Ó Clochartaigh.*

75. In page 18, lines 45 to 48, to delete all words from and including “(1) A person” in line 45 down to and including “fine.” in line 48.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson, Trevor Ó Clochartaigh.*

76. In page 19, to delete lines 1 to 3.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

77. In page 19, between lines 3 and 4, to insert the following:

“(3) Any mandatory upgrade costs will be exempt from planning permission, Environmental Greening or Environmental Impact Analysis.”.

*—Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden,
Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien,
Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White,
Diarmuid Wilson.*

[SECTION 5]

SECTION 5

78. In page 19, subsection (1), lines 4 and 5, to delete “Water Services (Amendment) Act 2011” and substitute the following:

“Water Services and Treatment of Sewage (Amendment) Act 2011”.

—*Senator Trevor Ó Clochartaigh.*

79. In page 19, lines 8 to 12, to delete subsection (3) and substitute the following:

“(3) Prior to this Act coming into operation a grant scheme of at least 85 per cent of any recommended upgrade works will be made available and only after the national annual de-sludging scheme is in operation.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

80. In page 19, after line 12, to insert the following subsection:

“(4) Prior to this Act coming into operation, definitive maintenance guidelines on the standards to be achieved for septic tanks and other onsite waste water treatment facilities will be published and passed by the Oireachtas.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*

81. In page 19, after line 12, to insert the following subsection:

“(4) That a householder will not be required to purchase any additional lands in order to meet the requirements of this Act.”.

—*Senators Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary White, Diarmuid Wilson.*