



# **DÁIL ÉIREANN**

---

## **AN BILLE UM SHEIRBHÍSÍ UISCE, 2014 WATER SERVICES BILL 2014**

### **LEASUITHE TUARASCÁLA REPORT AMENDMENTS**

---

*[Note: The page and line references in this list of amendments are to the text of the Bill as initiated by Dáil Éireann.]*



# DÁIL ÉIREANN

---

## AN BILLE UM SHEIRBHÍSÍ UISCE, 2014 —AN TUARASCÁIL

### WATER SERVICES BILL 2014 —REPORT STAGE

---

#### *Leasuithe Amendments*

---

*[Note: The page and line references in this list of amendments are to the text of the Bill as initiated by Dáil Éireann.]*

1. In page 3, line 19, after “2005;” to insert the following:

“to make Irish Water a named company for compliance with the provisions of the Official Languages Act 2003;”.

—Aengus Ó Snodaigh.

2. In page 4, to delete lines 1 to 37 and substitute the following:

#### **“Referendum on Ownership**

2. The Government shall, no more than three months after the passing of this Act, introduce a Constitutional Amendment Bill seeking the following:

- (1) To insert after Article 10, section 4 of the Constitution, the following section:

“5. No law, however, may be enacted providing for the transfer into private ownership of the public water supply.”.

- (2) The Amendment of the Constitution effected by this Act shall be called the Thirty-fourth Amendment of the Constitution.”.

—Stephen S. Donnelly.

3. In page 4, to delete lines 2 to 18 and substitute the following:

- “2. (1) A Bill providing or allowing for the alienation of any share or shares in Irish Water to a person other than a Minister of the Government shall not be initiated by or on behalf of a Minister of the Government in either House of the Oireachtas unless—

- (a) a Resolution of each such House is passed approving a proposal to provide or allow for such alienation,
- (b) a proposal to provide or allow for such alienation is submitted by Plebiscite for the decision of the People, and
- (c) a majority of the votes cast in such Plebiscite shall have been cast in favour of the proposal.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

4. In page 4, between lines 10 and 11, to insert the following:

“(b) a Resolution of each City and County Council is passed approving the alienation,  
and

—Brian Stanley.

5. In page 4, line 11, to delete “may” and substitute “shall”.

—Brian Stanley.

6. In page 4, to delete lines 38 to 40, to delete page 5, and in page 6, to delete lines 1 to 32.

—Richard Boyd Barrett, Thomas P. Broughan, Stephen S. Donnelly.

7. In page 4, to delete from and including “charge,” in line 39 down to and including line 40, to delete page 5, and in page 6, to delete lines 1 to 32 and substitute “charge for domestic water supplies.”.

—Brian Stanley.

8. In page 4, line 40, to delete “1 January 2015” and substitute “the date of completion of the installation of all water meters”.

—Lucinda Creighton.

9. In page 5, line 2, to delete “1 January 2015” and substitute “the date of completion of the installation of all water meters”.

—Lucinda Creighton.

10. In page 5, to delete paragraph (b) inserted by amendment 16 at Dáil Committee Stage and substitute the following:

“(b) the removal of waste water from it and the treatment of that wastewater, with any fall in revenue to come from existing Irish Water resources, such that there is no potential for a charge on the Exchequer.”.

—Stephen S. Donnelly.

11. In page 5, line 24, to delete “1 January 2015” and substitute “the date of completion of the installation of all water meters”.

—Lucinda Creighton.

12. In page 6, line 2, to delete “1 January 2015” and substitute “the date of completion of the installation of all water meters”.

—Lucinda Creighton.

13. In page 6, lines 16 to 17, to delete “1 January 2015” and substitute “the date of completion of the installation of all water meters”.

—Lucinda Creighton.

14. In page 6, between lines 28 and 29, to insert the following:

“(16) Where—

- (a) payment of charges, as laid out in this section, and
- (b) late payment charges, as laid out in *section 4*,

would result in a customer of Irish Water falling below the guidelines as to what constitutes a reasonable standard of living and reasonable living expenses, as defined by the Personal Insolvency Service of Ireland, as allowed for by section 23 of the Personal Insolvency Act 2012, Irish Water shall not apply late payment charges to that customer’s dwelling.

- (17) Any reduction in revenues due to the implementation of *subsection (16)\** must come from existing Irish Water resources, such that there is no potential impact on the Exchequer of *subsection (16)\**.”.

[*Subsection numbers refer to the text of the Bill as initiated by Dáil Éireann.*]

[*\*This is a reference to the subsection proposed to be inserted by this amendment.*]

—Stephen S. Donnelly.

15. In page 6, to delete lines 33 to 42, and in page 7, to delete lines 1 to 15.

—Brian Stanley, Richard Boyd Barrett, Ruth Coppinger, Joe Higgins, Paul Murphy.

16. In page 7, to delete lines 16 to 40, and in page 8, to delete lines 1 to 4.

—Richard Boyd Barrett, Catherine Murphy, Stephen S. Donnelly.

17. In page 8, between lines 4 and 5, to insert the following:

- “(6) The Minister shall, within 1 month of the passing of this Act, lay before the Houses of the Oireachtas a report outlining the cost associated with the administration and implementation of this section and the assumptions, if any, that underpin the calculations.

—Brian Stanley.

18. In page 8, between lines 4 and 5, to insert the following:

- “(6) The Minister shall, within 1 month of the passing of this Act, produce a report detailing the number and type of households that may be eligible for the water conservation grant, the full cost, if all those eligible for the grant, apply for it, the total of other costs associated with administering this grant and the net impact of the total of those costs against the projected revenue of Irish Water.

—Richard Boyd Barrett.

19. In page 8, to delete lines 5 to 10.

—Brian Stanley.

20. In page 8, to delete lines 11 to 38, and in page 9, to delete lines 1 to 15.

—Ruth Coppinger, Joe Higgins, Paul Murphy.

21. In page 8, line 29, after “regulations” to insert “subsequent to the approval of the Joint Committee on the Environment, Culture and the Gaeltacht”.

—Aengus Ó Snodaigh.

22. In page 8, between lines 30 and 31, to insert the following:

“(5) The membership of the Forum shall be composed of a majority of householders who receive services from Irish Water and they shall be appointed following a public competition advertised in local and national media.

—Thomas P. Broughan.

23. In page 8, line 32, after “Water” to insert the following:

“including householders, commercial water users and representatives of the trade unions with members in Irish Water”.

—Brian Stanley.

24. In page 9, to delete lines 16 to 39, and in page 10, to delete lines 1 to 38.

—Ruth Coppinger, Joe Higgins, Paul Murphy.

25. In page 9, to delete line 35.

—Brian Stanley, Ruth Coppinger, Joe Higgins, Paul Murphy.

26. In page 9, to delete line 38 and substitute the following:

“(iii) has exhausted any complaints procedures provided by Irish Water in accordance with a code of practice approved by the Commission under section 32 of the No. 2 Act of 2013,”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

27. In page 9, to delete line 38 and substitute the following:

“(iii) has exhausted any reasonable dispute resolution mechanism provided by Irish Water, with the ruling on what constitutes ‘reasonable’ to come from the Commission.”.

—Stephen S. Donnelly.

28. In page 11, to delete lines 1 to 38.

—Brian Stanley.

29. In page 12, to delete lines 1 to 10.

—Brian Stanley.

30. In page 12, to delete lines 11 to 16.

—Brian Stanley.

31. In page 12, between lines 16 and 17, to insert the following:

**“Irish Water compliance with Official Languages Act 2003**

12. That Irish Water shall have the same duties as other State or public bodies under the Official Languages Act 2003. The First Schedule to the Official Languages Act 2003 is amended in paragraph 1(2) by the insertion of “Irish Water”.”.

—Aengus Ó Snodaigh.

32. In page 12, to delete lines 17 to 23.

—Brian Stanley.

33. In page 12, between lines 29 and 30, to insert the following:

- “3. The Board shall include representatives of households, commercial water users, and the trade unions.”.”.

—Brian Stanley.

34. In page 12, between lines 29 and 30, to insert the following:

- “(2) The First Schedule to the Gas Act 1976 is amended in Article 2A (inserted by section 40(a) of the Gas Regulation Act 2013) by deleting the word “or” after the word “electricity” and by inserting, after paragraph (e), the following:

“(f) the provision of water services, or

(g) the installation or maintenance of water meters.”.”.

—Michael McNamara.

35. In page 12, between lines 29 and 30, to insert the following:

- “14. Section 5 of the Water Services Act 2013 is amended by inserting after subsection (6) the following:

- “(7) On or before 1 January, 2018, the Board shall transfer the share issued to it in accordance with subsection (4) to a consumer co-operative having acquired legal personality, the membership of which is comprised of all customers of Irish Water, which shall not alienate the share issued to it in accordance with this subsection without the consent of the majority of its members and the consent of the Minister and the Minister for Finance.”.”.

—Michael McNamara.