



# **DÁIL ÉIREANN**

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## **AN BILLE UM SHEIRBHÍSÍ UISCE, 2017 WATER SERVICES BILL 2017**

### **LEASUITHE TUARASCÁLA REPORT AMENDMENTS**

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# DÁIL ÉIREANN

## AN BILLE UM SHEIRBHÍSÍ UISCE, 2017 —AN TUARASCÁIL

### WATER SERVICES BILL 2017 —REPORT

#### *Leasuithe Amendments*

1. In page 5, line 22, after “Services” to insert “(Water Charges by the Back Door)”.

—Eoin Ó Broin.

2. In page 5, between lines 22 and 23, to insert the following:

“(2) This Act hereby repeals the Water Services (No. 2) Act 2013.”.

—Brid Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin.

3. In page 5, line 25, to delete “This Act” and substitute “Subject to *subsection (4)\**, this Act”.

—Eoin Ó Broin.

*[\*This is a reference to the subsection proposed to be inserted by amendment 8.]*

4. In page 5, line 25, to delete “This Act” and substitute “Subject to *subsection (4)\**, this Act”.

—Jan O’Sullivan.

*[\*This is a reference to the subsection proposed to be inserted by amendment 9.]*

5. In page 5, line 25, after “*section 5(3)*” to insert “ and in conjunction with the provisions of *subsection (4)\**”.

—Eoin Ó Broin.

*[\*This is a reference to the subsection proposed to be inserted by amendment 8.]*

6. In page 5, line 26, after “operation” to insert “after the next general election”.

—Eoin Ó Broin.

7. In page 5, after line 30, to insert the following:

“(4) Within 6 months of this act coming into effect the Minister shall—

- (a) have provided for a referendum to amend Bunreacht na hÉireann to ensure that the public water supply and waste water treatment services shall be protected, managed and maintained in public ownership in perpetuity,
- (b) provide a report on the establishment of a conservation grant to be made available to all households for the purposes of installing water conservation measures and/or water harvesting technologies,

- (c) provide a report on altering building regulations to incorporate conservation and water harvesting measures in all new residential and commercial builds,
- (d) provide a report on plans to upgrade the water infrastructure with the aim of reducing leakage and improving water quality, and
- (e) provide a report on the numbers of private residential swimming pools, including average water usage, accompanied by a proposal for a levy on these pools.”.

—Bríd Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin.

**8.** In page 5, after line 30, to insert the following:

“(4) An order under *subsection (3)* shall not be made before a Bill is initiated in Dáil Éireann by or on behalf of the Government to amend the Constitution so as to provide that the public water supply and waste water treatment services shall be maintained in public ownership.”.

—Eoin Ó Broin.

**9.** In page 5, after line 30, to insert the following:

“(4) An order under *subsection (3)* shall not be made unless a Minister of the Government has previously initiated in Dáil Éireann a Bill to amend the Constitution so as to provide that the public water supply and waste water treatment services shall be maintained in public ownership.”.

—Jan O’Sullivan.

**10.** In page 7, between lines 12 and 13, to insert the following:

“(4) Irish Water shall be abolished within twelve months of this Act coming into effect. The Minister shall report to Dáil Éireann within six months outlining the legislative changes that shall be required to transition Irish Water assets and employees to a publicly owned water and sanitation service.

(5) The Minister shall ensure that there shall be no changes, without agreement, to the conditions, pensions and earnings of all local authority workers employed under the Service Level Agreement with Irish Water.”.

—Bríd Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin.

**11.** In page 7, between lines 12 and 13, to insert the following:

“**6.** Irish Water shall be abolished within twelve months of this Act coming into effect. The Minister shall report to Dáil Éireann within six months outlining the legislative changes that shall be required to transition Irish Water assets and employees to a publicly owned water and sanitation service.”.

—Eoin Ó Broin, Ruth Coppinger, Mick Barry, Paul Murphy.

**12.** In page 7, between lines 12 and 13, to insert the following:

“**6.** The water utility, Irish Water, is hereby abolished. Government will allocate its functions to the relevant Government Department and to local authorities as appropriate.”.

—Seamus Healy, Eoin Ó Broin.

**13.** In page 7, between lines 12 and 13, to insert the following:

- “6. Within six months of the enactment of this Act the Minister shall give legislative effect to the following:
- (1) Recommendation 1.1 of the Report of Joint Committee on the Future Funding of Domestic Water Services that public ownership of water services should be enshrined in the Constitution as an extra measure of protection against privatisation.
  - (2) Recommendation 5.3 of the Report of Joint Committee on the Future Funding of Domestic Water Services that the “First Fix Free Scheme” should remain in place and options or other schemes should be explored in order to address the cost of subsequent leaks.
  - (3) Recommendation 5.5 of the Report of Joint Committee on the Future Funding of Domestic Water Services that—
    - (a) existing building standards and regulations are amended to ensure maximum level of water conservation, and
    - (b) incentives are provided for the installation of systems that reduce water consumption.
  - (4) Recommendation 6.1 of the Report of Joint Committee on the Future Funding of Domestic Water Services that measures be introduced to ensure equity of treatment and equivalent financial support for households on group water schemes, group sewerage schemes, those using Domestic Waste Water Treatment Systems and Individual Domestic Water Supplies.”.

—Eoin Ó Broin.

**14.** In page 7, between lines 14 and 15, to insert the following:

- “6. Within 6 months of the passage of this Act by the Oireachtas, Government shall propose that the following clause be inserted in Bunreacht na hÉireann and a referendum shall have been held on the proposal:

“Government shall be collectively responsible for the protection, management and maintenance of the public water system. Government shall ensure in the public interest that this resource remains in public ownership and management. Accordingly, all water services currently provided by the State through Irish Water, local authorities and state agencies shall remain in public ownership in perpetuity. Such services shall not be carried out by any privately owned company under contract to the above agencies.”.

—Seamus Healy, Eoin Ó Broin.

**15.** In page 8, to delete lines 22 to 30.

—Bríd Smith, Richard Boyd Barrett, Gino Kenny.

16. In page 9, between lines 21 and 22, to insert the following:

“(4A) The Minister shall report to Dáil Éireann within six months of this Act coming into effect on the number of domestic swimming pools and large water features in private residences in the state for the purpose of levying a charge on such pools and water features.”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

17. In page 9, line 26, to delete “State.” and substitute the following:

“State.

(6) The Minister shall establish a public information campaign, alongside an education programme in schools and third level institutions, on the use and preservation of water resources.”.

—Eoin Ó Broin.

18. In page 9, line 26, to delete “State.” and substitute the following:

“State.

(6) The Minister shall report to Dáil Éireann within six months of this Act coming into effect on the feasibility of implementing a public information campaign, and education campaign in schools and third level institutions on the preservation of water.”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

19. In page 9, to delete lines 27 to 38, and in page 10, to delete lines 1 to 37.

—Brid Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin, Ruth Coppinger,  
Mick Barry, Paul Murphy.

20. In page 9, line 38, to delete “multiplier of 1.7” and substitute “multiplier of 3”.

—Eoin Ó Broin.

21. In page 10, lines 12 and 13, to delete “during the period of 5 years” and substitute “not before a period of 999 years”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

22. In page 10, line 16, to delete “multiplier of 1.7” and substitute “multiplier of 3”.

—Eoin Ó Broin.

23. In page 10, line 19, to delete “the period of 5 years” and substitute “the period of 999 years”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

24. In page 11, lines 2 to 6. to delete all words from and including “over” in line 2, down to and including “period” in line 6.

—Brid Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin, Ruth Coppinger,  
Mick Barry, Paul Murphy.

25. In page 11, to delete lines 7 to 28.

—Brid Smith, Richard Boyd Barrett, Gino Kenny, Ruth Coppinger, Mick Barry,  
Paul Murphy.

26. In page 11, to delete lines 32 to 38, and in page 12, to delete lines 1 to 30 and substitute the following:

“53E. A customer who receives a notice under section 53D may apply to Irish Water for an increased allowance for any given reason.”.

—Brid Smith, Richard Boyd Barrett, Gino Kenny.

27. In page 11, in lines 33 and 34, to delete “the number of individuals who ordinarily reside in the dwelling concerned exceeds 4” and substitute “the household’s water usage is above the threshold amount”.

—Eoin Ó Broin.

28. In page 11, to delete lines 36 to 38, and in page 12, to delete lines 1 to 4 and substitute the following:

“allowance by reference to the 12 month period referred to in the notice under section 53D.”.

—Eoin Ó Broin.

29. In page 12, line 36, to delete “Irish Water may” and substitute “Irish Water shall”.

—Eoin Ó Broin.

30. In page 12, line 38, to delete “Irish Water is satisfied that”.

—Eoin Ó Broin.

31. In page 12, line 40, after “medical” to insert “or social care worker”.

—Eoin Ó Broin.

32. In page 14, to delete lines 17 to 37, and in page 15, to delete lines 1 to 10 and substitute the following:

“15. Any payment in respect of excessive use of water shall be deemed to be a fine or penalty and shall be payable to the local authority.”.

—Seamus Healy, Eoin Ó Broin.

33. In page 14, lines 17 to 37. to delete all words from and including “amended—” in line 17 down to and including “Services Act 2014;” on line 37 and in page 15, to delete lines 1 to 10 and substitute “repealed.”.

—Brid Smith, Richard Boyd Barrett, Gino Kenny, Eoin Ó Broin, Ruth Coppinger,  
Mick Barry, Paul Murphy.

34. In page 17, lines 32 and 33, to delete “section 22.”.” and substitute the following:

“section 22.

- (7) Recognising that Irish Water is a fully State funded entity, Irish Water shall be required to report, as required, to the Comptroller and Auditor General and to be amenable to all reporting guidelines and inspection and audit powers of the Office of the Comptroller and Auditor General as provided for in the Comptroller and Auditor General (Amendment) Act 1993.”.”.

—Catherine Murphy.

35. In page 17, lines 32 and 33, to delete “section 22.”.” and substitute the following:

“section 22.

- (7) Within six months of this Act coming into effect the Minister shall—
- (a) commission a report on the upgrading of the water infrastructure and the volume of unaccounted water, and
  - (b) commission a report on the changes to building regulations required to ensure there are water conservation measures in all newly built properties.”.”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

36. In page 18, line 3, to delete “dwelling.”.” and substitute the following:

“dwelling.

- (1B) Within six months of this Act coming into effect the Minister shall report to Dáil Éireann on the establishment of a grant to domestic households for the purposes of water conservation.”.”.

—Ruth Coppinger, Mick Barry, Paul Murphy.

37. In page 22, between lines 9 and 10, to insert the following:

“(4) When prescribing the regulations under *subsection (3)* the Minister shall ensure one-third of the membership of the Forum consists of trade union representatives and one-third consists of local community representatives.”.

—Bríd Smith, Richard Boyd Barrett, Gino Kenny, Ruth Coppinger, Mick Barry,  
Paul Murphy.

38. In page 29, between lines 19 and 20, to insert the following:

“(d) a representative nominated by the trade union movement.”.

—Bríd Smith, Richard Boyd Barrett, Gino Kenny, Ruth Coppinger, Mick Barry,  
Paul Murphy.