
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 231

**The Quality of Bathing Water
Regulations (Northern Ireland) 2008**

PART 6

GENERAL PROVISIONS

Notice requiring bathing water operator to comply with the Regulations

16.—(1) If the Department becomes aware that a bathing water operator has failed in its duties under these Regulations, the Department may —

- (a) by notice given to the bathing water operator specify—
 - (i) the measures which shall be taken by it to comply with these Regulations; and
 - (ii) the time within which those measures shall be taken.

(2) Before serving a notice under paragraph (1) on a bathing water operator, the Department shall reasonably endeavour to consult that operator concerning the measures which are to be specified in the notice.

(3) A notice under paragraph (1) shall not be regarded as invalid or invalidly served by reason only of a failure to comply with paragraph (2).

(4) A bathing water operator upon whom a notice under paragraph (1) is served, may, within the period of 21 days beginning with the day on which the notice is served, appeal against the notice to the Water Appeals Commission.

(5) Where—

- (a) a notice under paragraph (1) is varied or quashed on appeal; and
- (b) the bathing water operator has complied with the notice,

the Department shall pay to the bathing water operator an amount equal to the loss suffered, or expenditure incurred, by that operator in complying with the notice.

(6) Any dispute under regulation (5) as to the loss suffered or expenditure incurred shall be determined by the Lands Tribunal.