
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 151

**The Quality of Bathing Water (Amendment)
Regulations (Northern Ireland) 2013**

Amendment of regulation 14

11. For regulation 14 (additional management measures at “poor” bathing waters) substitute —

“Additional management measures at “poor” bathing waters

14.—(1) Where the Department classifies a bathing water as “poor” under regulation 12—

- (a) the Department shall, during the bathing season following this classification—
 - (i) take, or cause to be taken, such Departmental management measures at the bathing water as it considers adequate with a view to preventing bathers’ exposure to pollution;
 - (ii) take, or cause to be taken, such Departmental management measures or other adequate measures at the bathing water so as to prevent, reduce or eliminate (as appropriate) the causes of pollution;
 - (iii) notify the bathing water operator; and
 - (iv) identify the reasons why the bathing water failed to achieve a classification of “sufficient”; and
 - (b) the bathing water operator shall—
 - (i) take such operator management measures that it considers adequate with a view to preventing bathers’ exposure to pollution; and
 - (ii) introduce advice against bathing there by means of public information under regulation 9.
- (2) The Department shall issue permanent advice against bathing where—
- (a) the Department has classified the bathing water as “poor” under regulation 12 for five consecutive years; or
 - (b) after consultation with such other persons as it thinks fit, it considers that the achievement of a “sufficient” quality classification at that bathing water would be infeasible or disproportionately expensive.
- (3) Where permanent advice against bathing has been issued in relation to a bathing water, the Department shall—
- (a) notify the bathing water operator that permanent advice against bathing has been issued in relation to a bathing water in its area, giving reasons; and
 - (b) use appropriate media and technologies including the internet to actively and promptly disseminate all the following information, in such languages in addition to English as are appropriate, having regard to the location of the bathing water and ease of understanding, namely—

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- (i) that permanent advice against bathing has been introduced there;
- (ii) the fact that the area concerned is no longer a bathing water; and
- (iii) the reasons for its declassification.

(4) Where a bathing water operator has received notification that permanent advice against bathing has been issued in relation to a bathing water, that bathing water operator shall promptly and actively ensure that the following information is available in an easily accessible place in the near vicinity of the bathing water during the bathing season—

- (a) that permanent advice against bathing has been introduced there, represented by a symbol in accordance with Part 1 of the Annex to the Decision;
- (b) the area concerned is no longer a bathing water; and
- (c) the reasons for the declassification.”.