
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 231

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

PART 2

GENERAL

General duties

5.—(1) The Department shall in the exercise of its relevant functions—

- (a) ensure that by the end of the bathing season in 2015, all bathing waters are classified under regulation 12 as at least “sufficient”;
- (b) take such realistic and proportionate measures as it considers appropriate in order to increase the number of bathing waters classified under regulation 12 as “good” or “excellent”; and
- (c) otherwise ensure compliance with the requirements of the Bathing Water Directive.

(2) In this regulation “relevant functions” means functions under these Regulations and so far as relevant the enactments specified in Schedule 2 to the Water Framework Regulations.

(3) In the Water Framework Regulations, in Schedule 2 (relevant functions), in Part 2, after paragraph 26 insert—

“27. *The Quality of Bathing Water Regulations (Northern Ireland) 2008.*”.

(4) The Department shall promptly provide a bathing water operator with such information as the Department considers the operator requires for the purpose of the operator’s functions under these Regulations.

[^{F1}(5) For the purposes of this regulation, the Bathing Water Directive is to be read as if—

- (a) in Article 2(13), the reference to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment were a reference to Council Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment ;
- (b) the following provisions were omitted—
 - (i) Article 3(8);
 - (ii) in Article 3(9), the final sentence;
 - (iii) in Article 4(2), in the second subparagraph, the second and third sentences;
- (c) in Article 6(3), the reference to Directive [2000/60/EC](#) were a reference to Article 8 of that Directive;
- (d) the following provisions were omitted—
 - (i) Article 13;
 - (ii) Article 14;

- (iii) Article 18;
- (e) in Annex 3, in paragraph 1(a), the reference to Directive 2000/60/EC were omitted.
- (6) For the purposes of paragraph (5)(c), Article 8 of Directive 2000/60/EC is to be read as if—
 - (a) in paragraph 1, the final indent were omitted;
 - (b) in paragraph 2—
 - (i) the first sentence were omitted;
 - (ii) the reference in the second sentence to Annex 5 to Directive 2000/60/EC were a reference to that Annex as modified by paragraph 16 of Schedule 5 to the Water Framework Regulations;
 - (c) paragraph 3 were omitted.]

F1 Reg. 5(5)(6) inserted (31.12.2020) by The Water (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/112), regs. 1(1), 6(3); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

II Reg. 5 in operation at 30.6.2008, see reg. 1(2)

Changes to legislation:

There are currently no known outstanding effects for the The Quality of Bathing Water Regulations (Northern Ireland) 2008, Section 5.