

**EXPLANATORY MEMORANDUM TO**  
**THE QUALITY OF BATHING WATER (AMENDMENT) REGULATIONS**  
**(NORTHERN IRELAND) 2013**

**2013 No. 151**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment (The Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1. The Statutory Rule will make some drafting amendments to the Quality of Bathing Water Regulations (Northern Ireland) 2008 (Bathing Water Regulations) to transpose in greater detail some of the key provisions of the revised Bathing Water Directive (2006/7/EC).

**3. Background**

- 3.1. The Quality of Bathing Water Regulations (Northern Ireland) 2008 (Bathing Water Regulations) transpose the revised Bathing Water Directive (2006/7/EC) concerning the management of bathing water quality. In order to provide clarity on the application of the legislation and the responsibilities it places on bathing water operators and the Department, the Department considers it appropriate to make some drafting amendments to the Bathing Water Regulations.

**4. Consultation**

- 4.1. The amending Regulations transpose in greater detail some of the key provisions of the revised Bathing Water Directive (2006/7/EC). There is no impact from a policy or operational perspective and therefore a consultation is not required.

**5. Equality Impact**

- 5.1. The amending Regulations transpose in greater detail some of the key provisions of the revised Bathing Water Directive (2006/7/EC). There is no impact from a policy or operational perspective and therefore an Equality Impact Assessment is not required.

**6. Regulatory Impact**

- 6.1. The amending Regulations will have no impact on the previous assessment carried out on the Bathing Water Regulations.

**7. Financial Implications**

- 7.1. The amending Regulations do not add any burdens beyond what is already required under the Bathing Water Regulations.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The Rule does not discriminate on grounds of religious belief or political opinion nor does it modify the European Communities Act 1972, the Human Rights Act 1998 or other statutory provisions listed in section 7 of the 1998 Act.

## **9. EU Implications**

- 9.1. The Bathing Water Regulations transpose Council Directive of 15 February 2006 concerning the management of bathing water quality (2006/7/EC) (the revised Bathing Water Directive). The amending Regulations transpose the relevant provisions of the revised Bathing Water Directive in more detail.

## **10. Parity or Replicatory Measure**

- 10.1. Amendment Regulations came into force in Scotland on 2 October 2012 and similar legislation is being developed for England and Wales.

## **11. Additional Information**

- 11.1. Not applicable.