

Water Supply (Water Quality) (Amendment) Regulations 2018

Note on the transposition of Commission Directive (EU) 2015/1787 of 6 October 2015 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption.

These Regulations do what is necessary to implement the Directive.

Provision of Directive	Objectives	Implementation	
		Provision of Regulations	Comments
Article 1	Annex II of Council Directive 98/83/EC (the 'Drinking Water Directive') is replaced by Annex I. Annex III of the Drinking Water Directive is amended by Annex II.	See detailed breakdown of the Annexes below.	
Article 2	Member States must transpose the Directive by the deadline and notify the Commission of transposing legislation.	Does not need to be transposed.	
Article 3	The Directive enters into force on the twentieth day following publication in the Official Journal of the European Union.	Does not need to be transposed.	
Article 4	The Directive is addressed to the Member States.	Does not need to be transposed.	
Annex I entitled "Annex II – Monitoring" Part A - General objectives and monitoring programmes for water intended for human consumption	Member States must set up monitoring programmes for the parameters and frequencies in Part B to ensure that adequate measures are in place to control risks to human health and to provide information on drinking water quality for the purposes of checking compliance with the Drinking Water Directive. Monitoring programmes must	Regulation 2(2)(a)(ii) Regulation 2(7)	Regulation 2(2)(a)(ii) updates regulation 2 of the Water Supply (Water Quality) Regulations 2016 (the "2016 Regulations") to insert a new definition of "monitoring programme". Regulation 2(7) replaces regulation 9 of the 2016

	<p>meet certain requirements on the collection and analysis of samples or continuous measurements and may include provisions on inspections. They may be based on a risk assessment as set out in Part C and must be reviewed on a continuous basis and updated at least every 5 years.</p>		<p>Regulations with new requirements on the collection of samples. New regulation 9(1) states that a standard number of samples must be taken for each parameter and lists where to find those parameters. New regulation 9(10) states that monitoring programmes must be kept under annual review.</p>
<p>Annex I entitled "Annex II – Monitoring" Part B - Parameters and frequencies</p>	<p>Member States must take a number of parameters into account and monitor those parameters at the relevant sampling frequency. There are Group A and Group B parameters, which have different sampling frequencies.</p>	<p>Regulation 2(7) & (13)</p>	<p>Regulation 2(7) replaces regulation 9 of the 2016 Regulations. New regulation 9(1) states that a standard number of samples must be taken for each parameter and refers to Schedule 3.</p> <p>Regulation 2(13) replaces Schedule 3 to the 2016 Regulations to insert new tables for Group A and Group B parameters. Part 1 lists the Group A and Group B parameters and Part 2 lists their respective sampling frequencies.</p>
<p>Annex I entitled "Annex II – Monitoring" Part C - Risk Assessment</p>	<p>Member States may derogate from the parameters and sampling frequencies in Part B provided a risk assessment is performed, the risk assessment meets various requirements, and the results of the risk assessment meet certain conditions.</p>	<p>Regulation 2(7)</p>	<p>Regulation 2(7) replaces regulation 9 of the 2016 Regulations, setting out the conditions on which a derogation (or "variation") can be granted. New regulation 9(11) states the requirements a risk assessment must comply with. New regulation 9(4) allows the list of parameters and/or the sampling frequencies</p>

				to be varied following approval of the risk assessment and summary of results. New regulation 9(8) allows variation to cease monitoring for parameters or reduce the sampling frequencies for parameters provided certain conditions are met.
Annex I entitled "Annex II – Part D - Sampling methods and sampling points	Member States must ensure compliance with the points of compliance as defined in the Drinking Water Directive. Sampling for microbiological and chemical parameters at the point of compliance or in the distribution network must meet certain requirements.	Regulation 2(5)(c) & (7)	Regulation 2(5)(c) replaces regulation 6(5) of the 2016 Regulations to introduce provisions on compliance samples for certain chemical parameters taken from a consumer's tap. Regulation 2(7) replaces regulation 9 of the 2016 Regulations. New regulation 9(3) states the international standards that must be followed when taking compliance samples for chemical and microbiological parameters.	
Annex II entitled "Annex III" Paragraph (1)	Member States must ensure that the methods of analysis are validated and documented in accordance with EN ISO/IEC 17025 or other equivalent standards accepted at international level. The same standard applies to laboratories, or parties contracted by laboratories, for their quality management system practices.	Regulation 2(11)	Regulation 2(11) replaces Regulation 16 of the 2016 Regulations. New regulation 16(3) requires that all analysis of samples, including quality management system practices, is conducted in accordance with standard EN ISO/IEC 17025.	
Annex II entitled "Annex III"	Inserts new and updated methods of	Regulation 2(15)(a)	Regulation 2(15)(a) amends	

<p>Paragraph (2)</p>	<p>analysis for microbiological parameters.</p>		<p>Schedule 5 to the 2016 Regulations to insert a replacement Table A1 with updated methods of analysis for microbiological parameters.</p>
<p>Annex II entitled "Annex III" Paragraph (3)</p>	<p>Replaces the chemical and indicator parameters for which performance characteristics are specified with uncertainty of measurement performance characteristics. The old performance characteristics can be used until 31 December 2019.</p>	<p>Regulation 2(11) Regulation 2(15)(c) Regulation 3</p>	<p>Regulation 2(11) replaces regulation 16 of the 2016 Regulations to insert new regulation 16(5)(b). This notes the minimum requirements for the specified performance characteristics.</p> <p>Regulation 2(15)(c) amends Schedule 5 to the 2016 Regulations by inserting Table A3 on the minimum performance characteristics for uncertainty of measurement. This replaces Table A2 which related to performance characteristics for "trueness", "precision" and "limit of detection". It notes that the measurements laid down in Table A3 must not be used as an additional tolerance.</p> <p>Regulation 3 saves certain elements of the 2016 Regulations, including Table A2 in Schedule 5 on performance characteristics (with new definitions of "trueness", "precision" and "limit of detection"), for the duration of the transitional period. The</p>

<p>transitional period is defined as the period beginning with the date the Regulations come into force and ending with 31 December 2019.</p>			<p>Annex II entitled "Annex III" Paragraph (4)</p>
<p>The list of parameters for which no method of analysis was specified was not transposed in the 2016 Regulations as it was for information only.</p>	<p>Does not need to be transposed.</p>	<p>The list of parameters for which no method of analysis is specified is deleted.</p>	