# MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS (DAERA) AND THE DEPARTMENT FOR INFRASTRUCTURE (Dfl)

on

REGULATION OF PUBLIC DRINKING WATER
QUALITY BY THE DRINKING WATER
INSPECTORATE (DWI)

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Title: Memorandum of Understanding between DAERA and Dfl on

regulation of public drinking water by DWI

Version: 1.1

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# **Document History**

Document Title and Reference	Issue No.:	Issue Date:	Issued by:
MoU between DAERA and Dfl on regulation of public drinking water by DWI	1.0	06/06/16	DO'N
Revision	Review Purpose	Review Date:	Re-issued by and date
1.1	Change in signatories and agreement on rewording. A 2 year review period to be added. New format with document control. New regulations in place Oct 2017.	05/12/19	DO'N

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# 1 INTRODUCTION

- 1.1 This memorandum sets out the working arrangements between the Department of Agriculture, Environment and Rural Affairs (DAERA) and the Department for Infrastructure (Dfl) with regard to mutual cooperation to ensure the protection of public health in relation to public drinking water quality in Northern Ireland.
- 1.2 These working arrangements supersede the previous Memorandum of Understanding (MoU) between Department for Infrastructure, and Department of Agriculture, Environment and Rural Affairs, dated 06 June 2016. A copy of this agreement will be laid before the Northern Ireland Assembly, under Article 11 of the Water and Sewerage Services (Northern Ireland) Order 2006 (the Order).
- 1.3 The Environmental Better Regulation Act (Northern Ireland) 2016 amended the Order to transfer the regulation of the quality of public drinking water supplies from DRD to DOE from the 12 April 2016.
- 1.4 This agreement will be reviewed as required, and any amendments may be made by mutual agreement between both parties and shall be laid before the Assembly.

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2 DWI's key roles and responsibilities (with regard to public water):

2.1 Provide independent assurance that public drinking water supplies

are safe, clean and wholesome;

2.2 Provide technical advice and guidance to the Minister for Agriculture,

**Environment and Rural Affairs**;

2.3 Attendance at the Agriculture, Environment and Rural Affairs

Committee when required;

2.4 Provide information to the public on public drinking water quality as

required;

2.5 Authorise use of products and substances in drinking water in

Northern Ireland as required:

2.6 Report on the implementation of drinking water quality regulations,

through the publication of an Annual Report;

2.7 Carry out inspections of water sampling and analytical processes and

assess water treatment and distribution policies and practices;

2.8 Investigate events which affect or could affect drinking water quality;

2.9 Select appropriate statutory mechanisms to secure compliance with

drinking water quality regulations. This includes taking forward

appropriate processes for authorised departures, enforcement

orders, notices and prosecutions;

2.10 Develop regulation policy and processes for drinking water issues in

association with other UK drinking water regulators;

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2.11 Enforcement of water quality failures in premises where water is supplied to the public.

### 3 WORKING ARRANGEMENTS

- 3.1 Any work carried out by DWI with regards to the regulation of Northern Ireland Water under the Water Supply (Water Quality) Regulations (Northern Ireland) 2017 is carried out on behalf of DAERA.
- 3.2 Where Ministerial approval is required in the administration of these regulations, or in the development of policy in relation to drinking water quality the appropriate Minister is the Minister of Agriculture, Environment and Rural Affairs.
- 3.3 DWI may attend the Infrastructure Committee on matters of mutual interest subject to the DAERA Minister's approval.
- 3.4 DWI should provide information, in a timely manner, on any incident which could have an impact on the safety of drinking water, upon request by Dfl.
- 3.5 DWI will inform DfI when it:
  - 3.5.1 issues advice or guidance to NIW;
  - 3.5.2 issues an Authorised Departure to NIW;
  - 3.5.3 takes an enforcement action against NIW;
  - 3.5.4 takes a prosecution against NIW.

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3.6 Dfl will inform DWI when it:

3.6.1 issues guidance to NI Water which may have the potential to

impact on drinking water quality;

3.6.2 issues policies or guidance on the protection of critical drinking

water infrastructure, which may have the potential to impact on

drinking water quality.

4 COMMUNICATION BETWEEN DAERA AND Dfl

4.1 DAERA and Dfl should inform the other in advance of issuing a

Ministerial or Press Statement in relation to the safety or quality of

drinking water. These communications should be made through the

respective Press Offices.

4.2 DAERA and Dfl should inform the other if they intend to escalate a

drinking water event within their Department due to its

severity/importance.

4.3 DWI will furnish Dfl with a copy of its Annual Report which contains

an overview of drinking water quality in Northern Ireland.

5 CO-OPERATION BETWEEN DAERA AND Dfl

5.1 DAERA and Dfl agree to co-operate in areas of mutual interest to

ensure the protection and safety of the public and private drinking

water supplies.

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# **6 REVIEW OF ARRANGEMENTS**

6.1 This agreement will be kept under review by both parties, dependent on regulatory or operational requirements. The agreement will be reviewed by both parties, as a minimum every 2 years. Any changes to the agreement will be made with the consent of both parties.

## Signed



# **Tracey Teague**

Director of Resource Efficiency Division

Authorised for and on behalf of the Department of Agriculture, Environment and Rural Affairs

Date: 11 12 2019

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# Linda MacHugh

Director of Water and Drainage Policy Division

Authorised for and on behalf of the Department for Infrastructure

Date: 18 12 2019

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