

# MEMORANDUM OF UNDERSTANDING

Between

The Department of Agriculture, Environment and Rural Affairs  
and The Department for Infrastructure

On

Regulation of Public Drinking Water Quality by  
The Drinking Water Inspectorate (DWI)

## Document Control

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## Schedule of Amendments

Version Number	Issue Date	Detail of amendments from previous version	
		Section	Amendment
1.0	17 June 2016	N/A	
1.1	05 December 2019		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.
2.0	11 March 2022	1.2	Two year review carried out. Date of previous version to be superseded - updated.
		4.2	Wording added ' <i>or to the Civil Contingencies Policy Branch (CCPB) in TEO due to its severity/importance.</i> '
		6.1	Signatories updated

## **1.0 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 (DfI) with regard to mutual co-operation 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 05 December 2019. 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.

## **2.0 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;
- 2.11 Enforcement of water quality failures in premises where water is supplied to the public.

### **3.0 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 DfI.

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.

3.6 DfI 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 DfI**

4.1 DAERA and DfI 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 DfI should inform the other if they intend to escalate a drinking water event within their Department or to the Civil Contingencies Policy Branch (CCPB) in TEO due to its severity/importance.

4.3 DWI will furnish DfI with a copy of its Annual Report which contains an overview of drinking water quality in Northern Ireland.

## 5.0 CO-OPERATION BETWEEN DAERA AND DfI

5.1 DAERA and DfI agree to co-operate in areas of mutual interest to ensure the protection and safety of the public and private drinking water supplies.

## 6.0 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 by:**



**RICHARD CROWE**

Date: 21 March 2022

Director of Resource Efficiency Division  
Authorised for and on behalf of the Department of Agriculture, Environment and Rural Affairs



**ALISON CLYDESDALE**

Date: 22 March 2022

Director of Water and Drainage Policy Division  
Authorised for and on behalf of the Department for Infrastructure