

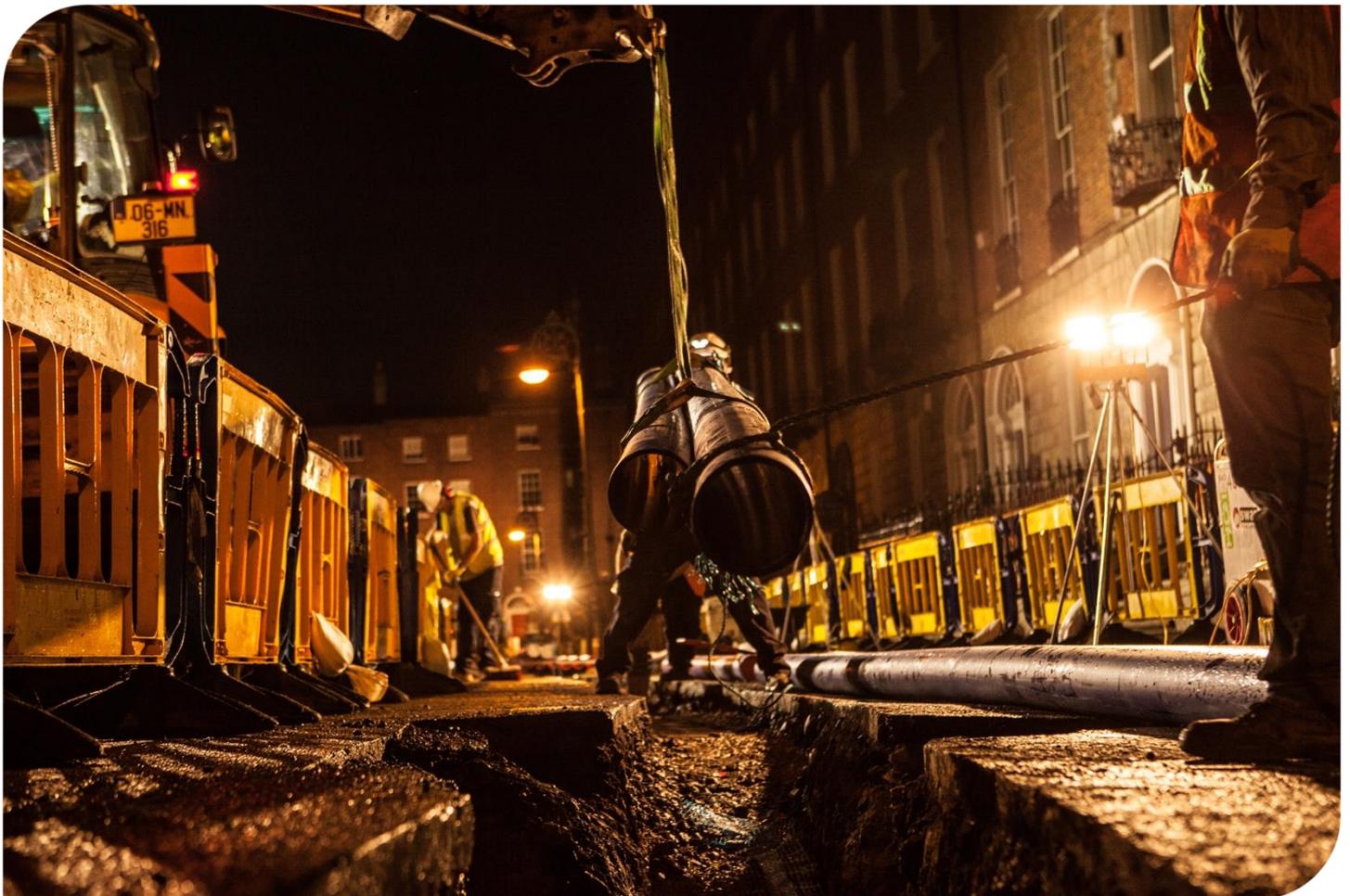
IW-DP-00.5

09 December 2021



Disconnection Policy

Irish Water Submission to the CRU



1. Introduction

This document is the Irish Water (IW) Disconnection Policy (the ‘Policy’) dealing with Disconnections from IW’s Network (the ‘Network’). A Disconnection refers to any disconnection, discontinuation or restriction of Water Services carried out by IW on a temporary or permanent basis.

The Policy has the following objectives:

- i. explain the circumstances in which IW may carry out Disconnection.
- ii. set out how IW will provide Disconnection and Reconnection services for our Customers; and
- iii. explain the circumstances in which a Customer may be charged for Disconnection and/or Reconnection.

The Policy will be applied by IW consistently to all Customers that it disconnects from the Network and will not have any regional or local variations. This will ensure equity and non-discrimination in the provision of a standard, transparent Disconnection regime for IW’s Customers.

The Policy should be read in accordance with the IW Business Customer Codes of Practice, the IW Non-Domestic Customer Handbook and the IW Connection Charging Policy (‘the Policies’), as approved by the Commission for Regulation of Utilities (CRU)¹. Where any conflict arises between the terms of the Policy and the Policies, the Policies will take precedence.

The Policy is subject to approval by the CRU.

¹ The Connection Charging Policy was approved by the CRU on 18th December 2018 and came into effect on 1st April 2019. It is available to review [here](#)

2. Scope

This Policy applies in respect of:

- a) Domestic Connections and Non-Domestic Connections; and
- b) Water and wastewater Connections.

Disconnection will be carried out in the instances set out in:

- a) the IW Business Customer Codes of Practice²; and
- b) the CRU approved IW Non-Domestic Customer Handbook³.

There are some additional circumstances, outlined in sections 4 and 5 of this paper, in which IW may carry out Disconnections including limited circumstances in which IW may seek to Disconnect a Domestic Customer. These include:

- a) Disconnection at the request of a Customer;
- b) Disconnection of an Unauthorised Connection; and
- c) Disconnection for Health and Safety Reasons.

The Policy does not outline the Customer service standards and communication procedures that are followed by IW in the carrying out of Disconnections. These are covered in the IW Business Customer Codes of Practice, in accordance with the CRU approved IW Non-Domestic Customer Handbook.

² Available to view [here](#)

³ Available to view [here](#)

3. Categories of Disconnection

3.1 Temporary Disconnection

A Temporary Disconnection (or 'service lock') is one where the external stop valve is secured in the 'off' position. A standard Temporary Disconnection will only require the external stop valve to be secured in the 'off' position and will not require works to, or the removal of, Connection Assets. Typically Temporary Disconnections will be standard however, in limited circumstances, additional works may be required to facilitate the temporary disconnection. These works may include meter removal, excavation works to access the meter or external stop valve etc. Where additional works are required the Temporary Disconnection will be classified as non-standard.

3.2 Permanent Disconnection

A Permanent Disconnection means the permanent Disconnection of a Premises from the Network to the extent that it will not be possible to restore Water Services through the pipework at any time in the future. In some cases this may extend to complete removal of the pipework between the water main and the stopcock, as well as the stopcock and meter assembly. On occasion this may involve excavation work in the vicinity of the Connection Assets. In all circumstances a Permanent Disconnection will be irreversible, and the Customer will have to apply to IW for a new Connection should they wish to avail of Water Services in the future.

All permanent disconnections are considered non-standard as the work required to safely and securely render the connection permanently disconnected will depend on the specific configuration of the connection, ground conditions etc.

4. Domestic Disconnection

4.1 IW Disconnection

There are limited circumstances in which IW may seek to Disconnect a Domestic Customer.

4.1.1 IW Disconnection for an unoccupied Connection

IW may Disconnect a Domestic Customer where:

- the Premises is unoccupied; and
- the Connection is deemed to be an Unauthorised Connection; and/or
- in the view of IW a continuation of the use of the Connection would pose a risk to health and safety. This may include circumstances where a Connection is causing the release of pathogens into the Network.

4.2 Customer requested Disconnection

IW may disconnect the Premises of a Domestic Customer at the request of the Customer, in limited circumstances. In order to avail of a Temporary Disconnection from the public water main the Premises must have an alternative source of water supply. It is essential that the Customer can demonstrate that they have an alternative source of water supply before a Disconnection can be granted.

Permanent Disconnection of a Domestic Customer's Premises will typically only be permitted where the Premises is to be demolished or, in the case of an unoccupied Connection, in accordance with section 4.1.1. Where the Premises is to be demolished, proof of planning permission for demolition will be required before a Disconnection will be scheduled.

Temporary Disconnections will have a limited duration, agreed with the customer (e.g to facilitate renovation works). Reconnection will take place after the agreed time period. Where a Temporary Disconnection has exceeded two years in duration, it will be deemed to be a Permanent Disconnection. In such instances, the Customer will have to apply for a new Connection if they wish to have the Connection reinstated. IW will need to assess the condition of the Connection Assets and may need to carry out works to safely Reconnect the Premises and/or provide capacity to meet the Customer's load requirements. A Connection charge will apply in accordance with the Connection Charging Policy.

The Owner of the Premises must provide authorisation for a Permanent Disconnection. If the person applying for a Permanent Disconnection is not the Owner, written authorisation from the Owner must be included with the application form.

Where Service Connection Infrastructure is shared with a third party Domestic Customer's Premises or Non-Domestic Customer's Premises, a Customer requested Disconnection will generally not be permitted.

5. Non-Domestic Disconnection

Where there is a domestic element to a Non-Domestic Customer's Premises (e.g. an apartment above a shop) a Disconnection will not be carried out except in limited circumstances (see section 4).

5.1 IW Disconnection

IW may Disconnect a Non-Domestic Customer's Premises in any of the following instances as specified in the Non-Domestic Customer Handbook and Code of Practice on Disconnections:

- Upon request of the Customer;
- No registered Customer at the premises has been established after attempts to determine occupancy /ownership;
- Failure to pay a bill relating to the supply of water/wastewater services;
- Failure to pay a bill relating to the supply of water/wastewater services - by a non-domestic Customer who also has a shared supply with another non-domestic Customer who has also failed to pay their water/wastewater bill to IW in respect of their premises;
- Where the Customer has entered into a payment plan and that Customer fails to honour that plan;

The Non-Domestic Customer Handbook also allows for any other criteria for disconnection that are in line with this Disconnection Policy (as approved by the CRU).

5.1.1 IW Disconnection for non-payment

IW may Disconnect a Non-Domestic Customer's Premises if monies remain outstanding as a result of a failure to pay a bill relating to the Connection and/or supply of Water Services. IW may carry out a Disconnection if a charge in respect of the Premises remains wholly or partly unpaid after the expiration of two months after the charge has become payable.

However, IW will only Disconnect a Premises as a measure of last resort when all other methods of arrears repayment have been exhausted.

The IW Business Customer Code of Practice on Disconnections sets out the circumstances in which a Disconnection may be carried out for non-payment and the process for Disconnection due to non-payment. The IW Business Customer Code of Practice on Disconnections also set out the circumstances in which IW will not initiate Disconnection for non-payment.

5.1.2 IW Disconnection for Unauthorised Connection

IW may Disconnect a Non-Domestic Customer's Premises where the Connection is deemed to be an Unauthorised Connection.

5.1.3 IW Disconnection for Health and Safety Reasons

IW may carry out a Permanent Disconnect a Non-Domestic Customer's Premises if, in the view of IW, continuation of the use of the Connection would pose a risk to health and safety. This may include circumstances where a Connection is causing the release of pathogens into the Network.

5.2 Customer requested Disconnections

Section 8.2.1 of the IW Non-Domestic Customer Handbook and the IW Business Code of Practice on Disconnections provide for Disconnection 'upon request of the account holder'.

Customer requested Disconnections will be facilitated by a Temporary Disconnection unless the Premises is to be demolished or construction work is being carried out that necessitates removal of the Connection Assets. Permanent Disconnection may be offered if in the view of IW it is the most appropriate means of Disconnection for that particular Connection or is required for health and safety reasons.

Temporary Disconnections will have a limited duration, agreed with the customer (e.g to facilitate renovation works). Reconnection will take place after the agreed time period. Temporary Disconnections may also be limited in duration if IW deems there to be a risk of contamination of the water supply arising from a prolonged period of disconnection. In such instances, IW may carry out a Permanent Disconnection and the Customer will have to apply to IW for a new Connection if they wish to have the Connection reinstated. Where a Temporary Disconnection has exceeded two years in duration, it will be deemed to be a Permanent Disconnection. In such instances, the Customer will have to apply for

a new Connection if they wish to have the Connection reinstated. IW will need to assess the condition of the Connection Assets and may need to carry out works to safely Reconnect the Premises and/or provide capacity to meet the Customer's load requirements. A Connection charge will apply in accordance with the Connection Charging Policy.

The Owner of the Premises must provide authorisation for a Permanent Disconnection. If the person applying for a Permanent Disconnection is not the Owner, written authorisation from the owner must be included with the application form.

Where Service Connection Infrastructure is shared with a third party Domestic Customer's Premises or Non-Domestic Customer's Premises, a Customer requested Disconnection will generally not be permitted.

6. Reconnection

- a) Where IW has carried out a Temporary Disconnection for reasons of non-payment the Customer may reconnect to the Network by making all outstanding payments and paying any applicable Reconnection Fee.
- b) Where a Customer that has previously requested a Temporary Disconnection wishes to reconnect to the Network, they may apply for Reconnection by contacting IW and will have to pay a Reconnection Fee, as outlined in Section 7.
- c) If a Temporary Disconnection is in place for over two years, it will be deemed to be a Permanent Disconnection. The Customer will have to apply to IW for a new Connection should they wish to reconnect to the Network.
- d) Where a Permanent Disconnection has taken place the Customer will need to apply for a new Connection if they wish to have the Connection reinstated.
- e) The Customer is responsible for ensuring they undertake a thorough flush of their supply pipe and internal plumbing to ensure they completely remove any stagnant water from the pipework following a Reconnection. This will form part of the terms and conditions that the Customer must agree to prior to Reconnection.

7. Charges

- a) Where a Customer requests a Temporary Disconnection, charges for Disconnection and subsequent Reconnection will apply in accordance with the charging policy set out in the Water Charges Plan.
- b) Where a Customer wishes to have a Connection reinstated following a Temporary Disconnection for non-payment, a Reconnection charge will apply in accordance with the charging policy set out in the Water Charges Plan.
- c) No charge will apply for a Permanent Disconnection. Where a Temporary Connection has been provided by IW, the cost of removal of the Connection at the end of the specified Temporary Connection period will be recovered via the Temporary Connection charge⁴.
- d) Where a Customer has previously availed of a Permanent Disconnection; any request for re-connection to the Network will be treated as a request for a new Connection and will be charged in accordance with the Connection Charging Policy.
- e) Charges for water supplies provided by IW are currently VAT exempt. Therefore supply related ancillary charges including Connection charges, Disconnections charges, Reconnection charges, as billed by IW are VAT exempt.

⁴ In accordance with section 13.4 of the CCP.

8. Application process

- a) Customers seeking a Temporary Disconnection should submit an application form to IW. The application form is available at www.water.ie.
- b) Customers seeking a Permanent Disconnection will be required to enter into a Disconnection Agreement with IW. The Customer should submit an application form to IW. The application form is available at www.water.ie.

Annex: Definitions / Glossary of Terms

The Act: means the Water Services (No. 2) Act 2013.

Business Customer Codes of Practice: means the documents, published on the IW website, that outline IW's Codes of Practice for its Non-Domestic Customers in relation to metering, billing, Customer communication, network operations and handling customer complaints.

Commission for Regulation of Utilities (CRU): means the body established pursuant to Section 8 of the Electricity Regulation Act 1999, as amended.

Connection: means the physical connection of a Customer's Premises to the Network to facilitate the provision of Water Services to the Customer's Premises.

Connection Agreement: means the written agreement signed between the Customer and IW setting out the commercial and technical terms governing the Connection.

Connection Assets: means all the infrastructure required to provide, or facilitate the provision of the Connection as is set out in more detail in section 5 of the Connection Charging Policy

Connection Charging Policy: means the IW policy dealing with Connections to the Network as approved by the CRU on 18th December 2018.

Customer: means any party which has a Connection to the Network or has entered into a Connection Agreement, or applied to enter into a Connection Agreement, with Irish Water.

Disconnection: means any disconnection, discontinuation or restriction of Water Services carried out by IW on a temporary or permanent basis.

Disconnection Agreement: means the written agreement signed between the Customer and IW setting out the commercial and technical terms governing the Permanent Disconnection.

Domestic Connection: has the meaning given to it in Section 4.3 of the Connection Charging Policy.

Domestic Customer: means a Customer that has a Domestic Connection or has entered into a Connection Agreement, or has applied to enter into a Connection Agreement in respect of a Domestic Connection.

Irish Water: means Irish Water (Uisce Éireann), a designated activity company, limited by shares with registration number 530363 and having its registered office at Colvill House, 24-26 Talbot Street, Dublin 1, Ireland.

Local Authority: has the meaning assigned to it in The Act.

Network: means the IW owned and/or controlled wastewater and water network. It includes, but is not limited to, the pipework, treatment plants and all other associated and related infrastructure required to deliver Water Services which are within the control and/or ownership of IW.

Non-Domestic: means the use of a Premises or part of a Premises by a person or entity for any trade, industry or business activity.

Non-Domestic Connection: has the meaning given to it in Section 4.4 of the Connection Charging Policy.

Non-Domestic Customer: means a Customer that has a Non-Domestic Connection or has entered into a Connection Agreement, or applied to enter into a Connection Agreement, in respect of a Non-Domestic Connection.

Owner: means, in relation to a Premises, a person or legal entity who, whether for themselves or as a trustee or agent for any other person or legal entity, is entitled to receive the rent of the Premises (or where the Premises are not let at a rent, would be so entitled if they were let), provided that nothing in this definition shall capture:

- a. a person who has defaulted on their mortgage and so is not in possession of their home;
- b. an agent acting in its capacity as a commercial agent for the sale, lease or rent of the Premises; or
- c. an executor or administrator of the estate of which the Premises forms part.

Permanent Disconnection: A permanent disconnection means the permanent disconnection of a Premises from the Network to the extent that it will not be possible to restore Water Services through the pipework at any time in the future. In some cases this may extend to complete removal of the pipework between the water main and the stopcock, as well as the stopcock and meter assembly. On occasion this may involve excavation work in the vicinity of the Connection Assets.

Policy: means this Disconnection Policy governing how IW will undertake Disconnections including how Customers will be charged.

Premises: includes any part of any public or private building, vessel, vehicle, structure or land (whether or not there are structures on the land and whether or not the land is covered with water), and any plant or related accessories on or under such land, or any hereditament of tenure, together with any out-buildings and Curtilage, but does not include land which is a Public Road, a road which is the subject of an order under Section 11 of the Roads Act 1993 or a road for which a Local Authority is responsible in accordance with a non-statutory Local Authority taking in charge scheme.

Reconnection: means reactivating a Connection to the Network and the supply of Water Services to the Premises where a Disconnection has previously been carried out.

Service Connection Infrastructure: has the meaning given to it in Section 5.3.2 of the Connection Charging Policy.

Temporary Connection: refers to short-term Connections that are typically required for providing a water supply and/or wastewater discharge during construction or a once-off event and has the detailed meaning given to it in Section 13.4 of the Connection Charging Policy.

Temporary Disconnection: A Temporary Disconnection is one where the external stop valve is secured in the 'off' position. A Temporary Disconnection will not involve the removal of Connection Assets.

Unauthorised Connection: means a Connection that has been made, either directly or indirectly, to the Network without the consent of the relevant entity⁵. This constitutes an illegal Connection under the Water Services Act of 2007⁶.

Water Charges Plan: has the meaning assigned to it at Section 22 of the Act.

Water Services: means all services, including the provision of water intended for human consumption, which provide storage, treatment or distribution of surface water, groundwater or water supplied by a water services authority, or Wastewater collection, storage, treatment or disposal, but does not include —

(a) provision by a person of pipes and related accessories for the distribution of water, or collection of Wastewater, to facilitate the subsequent connection by a provider of water services of another person to a water supply or wastewater collection service, and

(b) such other exemptions as the Minister may prescribe, for the purposes of the application of licensing provisions”.

⁵ Being Irish Water after 1st January 2014 or a Water Services Authority prior to 1st January 2014

⁶ Refer to Sections 55 for water and Section 61 for wastewater