

STATES OF JERSEY



Jersey

DRAFT WATER LAW (JERSEY) AMENDMENT REGULATIONS 202- (P.26/2026): AMENDMENT

**Lodged au Greffe on 11th March 2026
by the Minister for Treasury and Resources
Earliest date for debate: 14th July 2026**

STATES GREFFE

DRAFT WATER LAW (JERSEY) AMENDMENT REGULATIONS 202- (P.26/2026):
AMENDMENT

PAGE 6, REGULATION 2 –

In Regulation 2(a), for the inserted entry to Table B substitute –

37.	Per and polyfluoroalkyl substances	(a) 10, from 31 October 2027 until immediately before 1 April 2033	ng/l	<i>i</i>
		(b) 4, from 1 April 2033	ng/l	<i>i</i>

MINISTER FOR TREASURY AND RESOURCES

REPORT

The Council of Ministers and I support the implementation of the Independent PFAS Scientific Advisory Panel's ("the Panel") anticipated recommended limit of 4 ng/l for the sum of four PFAS in the Island's water supply. We expect this recommendation to be included in the Panel's final report when it is issued. This Amendment focuses on how that new statutory limit can be realised but does not call into question the importance of reaching that standard once a consensus is reached on how that will be delivered, how long it will take, what the cost will be, and what the implications will be for Islanders' cost of living.

Members should also be reassured that Jersey's water already comfortably meets both EU and UK standards for water quality and PFAS limits.

This Amendment introduces an interim limit from 31 October 2027 as a practical step towards achieving the final standard of 4 ng/l. It also provides the time needed for the necessary infrastructure upgrades to be delivered, and for further technical work to determine the most effective engineering solution.

This approach helps ensure that the treatment option ultimately selected is:

- a. achievable and realistic within the agreed timeframe;
- b. supported by the Panel, Government and Jersey Water, and affordable for both Government and Islanders; and
- c. aligned to a broader, integrated strategy that considers not only future PFAS limits but also the Island's long-term water resource and security needs.

Amending the delivery timeline

Like the Council of Ministers, Jersey Water welcomes the opportunity that new statutory PFAS limits provides to further improve Jersey's water standards and boost public confidence in the water supply. The company has been working closely with the Department for Infrastructure and Environment (the "Department") and the Panel for the past three years. Amongst other things, that has included providing information as to the water treatment options that will be deployed to achieve the new PFAS limits and the complex engineering considerations that need to be taken into account.

Jersey Water is currently undertaking pilot trials that will conclude in 18 months. The results of these trials will allow a better-informed decision to be taken on the approach to implementing the new standard.

A realistic timeframe

The changes to the Water Law introduced by the Minister for the Environment seek to implement the findings of the Panel's forthcoming report. Alongside the introduction of a new PFAS limit of 4 ng/l, the Panel considered the timeframe for implementation of that limit. Implementing the necessary treatment technologies in Jersey's Island context imposes significant additional constraints, including land availability and challenges linked to transporting the necessary infrastructure on Jersey's smaller road network.

The Panel sought to adjust for this in their August 2025 interim report, but acknowledged there was significant uncertainty stating:

"Estimating lead time proved challenging. International experience shows that a well-resourced programme can commission full-scale treatment in about three years, yet

Jersey's limited space (necessitating bespoke vessels) and the potential need for the compulsory purchase of land could stretch this to five years or more. The panel resolved that PFAS treatment to the recommended standard should be operational 'as soon as is reasonably practicable, ideally within five years.' ”

Jersey Water has consistently stated to the Panel and the Minister for the Environment that meeting the standard within five years would be highly ambitious. In any event, the five years should commence from when their pilot trials have been completed, facilitating the determination of the optimum treatment option to meet the new statutory limit and the resultant costs can then be determined.

The Regulations, if approved, require delivery within just four years nine months.

The only treatment option guaranteed to be effective is an entirely new water treatment works on a new site that has not yet been determined and is not in Jersey Water's ownership. While the Panel has sought to provide some allowance for this in its recommendations, they are not experts in delivering complex infrastructure projects in Jersey. Members will appreciate that the challenges of site acquisition and obtaining planning consent alone could introduce significant delay and could render a four-year nine-month timeframe unachievable.

Mandating delivery within such a short period of time presents a real risk that the new limit of 4 ng/l from 1 January 2031 will prove undeliverable. Delaying the introduction of the limit until 1 January 2033 would provide a more realistic timeframe for delivery.

Consensus on preferred treatment option and funding

While there is agreement on the underlying water treatment technology that will need to be employed, a consensus has not yet been reached between Jersey Water, the Department, and the Panel as to how that treatment technology will be implemented.

As part of the work to develop the Panel's recommendations for new PFAS limits, Jersey Water engineers have assessed the viability of several water treatment options. The development of a new water treatment works is currently the Jersey Water's preferred option. This would involve capital costs of £140 million to £210 million and necessitate an increase in water bills estimated at 70% to 110%. Jersey Water has indicated that it would be unable to borrow the funds needed for this investment and would require Government investment. That would likely require Government borrowing to fund the project.

A new water treatment works is the most expensive treatment option, and has not been subjected to a thorough engineering or financial appraisal by Government officials. This analysis can only be robustly undertaken once Jersey Water's trials of the various treatment technologies have been completed within the next eighteen months. There are other, far less expensive treatment options that could potentially achieve the new limit of 4 ng/l within the same timeframe. These cannot be definitively ruled out until this work has been undertaken.

Ideally the Law would not have established an implementation timeframe until there was agreement on how it would be implemented. Allowing additional time for the pilot trials to be completed will enable Jersey Water and Government to rigorously explore alternative treatment options and engineering solutions together and reach a consensus on the right approach to implementation. While Jersey Water are Jersey's experts in this field, it remains possible that the outcome of this work could mean that an alternative, more cost-effective treatment option proves viable. This would permit the same benefits to water quality to be delivered while limiting the impact on Islanders' cost of living.

Without an extension of the implementation timeframe, Jersey Water's directors would likely be compelled to pursue the most expensive treatment option. The company must act to ensure compliance with the Law and a new water treatment works is the only approach it considers viable

that will guarantee adherence to the new limit. The delivery timescales are so tight that the company will not be able to wait until trials have completed before taking steps to implement the new infrastructure required.

Holistic approach

Every five years, Jersey Water produces a Water Resources and Drought Management Plan that looks at Jersey's long-term water needs for the ensuing 40 years, based on climate and population changes. These Plans have consistently highlighted that the Island could face a water deficit in the years to come, as much as 8.6 million litres per day in a worst-case drought scenario. Jersey Water has recently announced its £48 million investment plans, in part to increase capacity in their desalination plant to work towards addressing these resource needs.

Further investment will be needed to address the future water resources and security requirements and it is therefore important that the infrastructure upgrades to meet the new PFAS statutory limit are not considered in isolation of these future needs.

Allowing time for the pilot trials to complete will have the added benefit of providing time for a more detailed review of how desalination could play a yet greater role in both PFAS compliance and water resources issues. Desalination is highly effective at treating PFAS and the delivery of a combined solution to water treatment and water resource requirements could prove far more cost-effective.

Summary

Members are encouraged to support this Amendment, which simultaneously delivers a progressive further improvement in the quality the Island's water supply through a realistic, deliverable interim standard of 10 ng/l, and allows time for a consensus to be reached on the optimal water treatment option to achieve the future limit of 4 ng/l.

The additional time will allow Jersey Water to complete the pilot trials that are essential to inform a rigorous analysis of the viability of different treatment options. It will also allow Government to robustly appraise the engineering and financial analyses, for funding options to be pursued and agreed by a future Assembly.

In supporting the existing Regulations as proposed, Members risk setting Jersey Water up to fail to meet the new standards and tying to a future Government to unfunded commitments that will have a substantial impact on Islanders' cost of living.

Deferring the implementation date to 2033 does not inevitably mean delaying implementation. That date is a deadline and not a target. If, following the completion of pilot trials, it proves possible to implement the new PFAS limits quicker than Government through its shareholder function or its regulatory function has the ability to drive the implementation through as quickly as practicable.

Financial and staffing implications

There are no incremental financial or staffing implications arising from this Amendment. Amongst other things, it seeks to ensure that the approach to implementing new PFAS limits is as cost-effective as possible.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) screener has been prepared in relation to this amendment and is available to read on the States Assembly website.