STATUTORY RULES OF NORTHERN IRELAND

2010 No. 157

WATER AND SEWERAGE

The Water Supply (Domestic Distribution Systems) Regulations (Northern Ireland) 2010

Made - - - -	*16th April 2010*
Coming into operation	*20th April 2010*

The Department of the Environment and the Department for Regional Development are each designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the environment.

The Department of the Environment and the Department for Regional Development acting jointly make these Regulations under section 2(2) of that Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Water Supply (Domestic Distribution Systems) Regulations (Northern Ireland) 2010 and shall come into operation on 20th April 2010.

(2) In these Regulations—

(a) "the Department" means the Department of the Environment or the Department for Regional Development where the context so admits or requires;

(b) "the Drinking Water Directive" means Council Directive 98/83/EC on the quality of water intended for human consumption(**3**);

(c) "domestic supplier" means the owner or occupier of the premises or establishment where a domestic supply to the public is made;

(d) "domestic supply" means the supply of water by a person via a domestic distribution system to premises and establishments (including schools, hospitals and restaurants) where water is supplied to the public; and

(e) "failure" includes apprehended failure.

(3) Expressions used in these Regulations and in the Drinking Water Directive have the same meaning in these Regulations as they have in that Directive.

(**1**) 1972 c.68
(**2**) S.I. 2008/301
(**3**) O.J. L330, 05/12/1998 p. 32

(4) The Interpretation Act (Northern Ireland) Act 1954(**4**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Application

2.—(1) Where a failure has been identified as attributable to the domestic distribution system and notified to the Department for Regional Development under regulation 17(5) or 18(2) of the Water Supply (Water Quality) Regulations (Northern Ireland) 2007(**5**); and

(i) the Department considers that the failure is not trivial and likely to recur; and

(ii) in the case of a notification given under regulation 18(2) the Department considers that the failure constitutes a potential danger to human health,

the Department shall immediately serve a notice in writing on the domestic supplier requiring him to take such steps as may be specified in the notice to remedy that failure within the period specified in the notice.

(2) Where the domestic supplier fails to comply with the notice within the period specified in the notice**,** the Department shall take the steps specified in the notice and may recover from that domestic supplier any expenses reasonably incurred by it in so doing.

(3) Expenses recoverable under paragraph (2) shall be as a civil debt recoverable summarily.

Notification of remedial action

3. The Department shall take such steps as it considers necessary to ensure that consumers are notified of any remedial action taken under regulation 2.

Offences

4. A person who fails to comply with a notice served upon him under regulation 2 shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Sealed with the Official Seal of the Department of the Environment on the 16th of April 2010.

L.S.

Maggie Smith
A Senior Officer of the
Department of the Environment

(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 2007 No. 147