1974. No. 143

WATER AND SEWERAGE

Water

REGULATIONS, DATED 25TH JUNE 1974, MADE BY THE DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND UNDER ARTICLE 40 OF THE WATER AND SEWERAGE SERVICES (NORTHERN IRELAND) ORDER 1973.

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The Department of the Environment for Northern Ireland in exercise of the powers conferred on it by Article 40 of the Water and Sewerage Services (Northern Ireland) Order 1973(a) and of every other power enabling it in that behalf hereby makes the following regulations:—

PART I

INTRODUCTORY

Title and commencement

1. These regulations may be cited as the Water Regulations (Northern Ireland) 1974 and shall come into operation on 1st July 1974.

Interpretation

2.—(1) In these regulations:—

"ballvalve" means any float-operated valve (including a ball-tap) for controlling the inflow of water to a cistern or other vessel;

"British Standard" or "British Standard Code of Practice" means a standard or specification or a Code of Practice published under authority of the Executive Board of the British Standards Institution;

"building" means any structure whether of a permanent character or not and whether moveable or immoveable;

"capacity" in relation to a storage cistern means the capacity of the cistern measured up to the highest level the water can reach when the ballvalve or other device for controlling the inflow of water is fitted or adjusted in the manner required by regulation 45(*d*) or, where appropriate, regulation 46(*e*);

"closed circuit" means any system of pipes and other water fittings through which water circulates and from which water is not drawn for use, and includes any vent pipe fitted thereto but not the feed cistern or the cold feed pipe;

(a) S.I. 1973, No. 70 (N.I. 2).

"corrosion-resisting material" means any material which is highly resistant to any corrosive action to which it is likely to be subjected in the circumstances in which it is used;

"cylinder" means a cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;

"distributing pipe" means any pipe (other than an overflow pipe) conveying water from a storage cistern, or from a hot water apparatus, cylinder or tank supplied from a feed cistern, and under pressure from that cistern;

"expansion cistern" means a cistern servicing water to a low pressure heating system;

"feed cistern" means any storage cistern used for supplying cold water to a hot water apparatus, cylinder or tank;

"flushing cistern" means a cistern with its discharging apparatus for flushing a soil-pan, urinal, drain or sewer;

"overflowing level" in relation to a warning or other overflow pipe of a cistern, means the lowest level at which water can flow into that pipe from that cistern;

"reasonably practicable" means reasonably practicable in all the circumstances, including, in any case where works are involved, the expense involved in executing the works;

"stopcock" means any device, other than a draw-off tap, for stopping at will the flow of water in a pipe;

"storage cistern" means any cistern other than a flushing cistern, having a free water surface under atmospheric pressure, but does not include a drinking-trough or drinking-bowl for animals, including poultry;

"tank" means a non-cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;

"warning pipe" means an overflow pipe so fixed that its outlet, whether inside or outside a building, is in a conspicuous position where the discharge of any water therefrom can be readily seen.

(2) In any proceedings for contravention of any of these regulations specifying both an Imperial Measure and a metric measurement, it shall be sufficient for the prosecution to show that the Imperial Measure has not been complied with.

Compliance with British Standards

3.—(1) Any requirement in these regulations that a water fitting shall comply with a British Standard shall—

(*a*) be construed as requiring compliance with that Standard only in so far as the Standard relates to the size, nature, materials, strength, workmanship and mode of arrangement of that fitting; and

(*b*) be deemed to be satisfied, notwithstanding that the fitting does not comply with that Standard in so far as it relates to those matters, if the fitting is not less efficient and suitable in relation to the purposes for which these regulations are made than a fitting which does comply with that Standard in so far as it relates to those matters.

(2) Where any requirement of any such Standard relating to any of those matters conflicts with a specific requirement of these regulations the latter requirement shall prevail.

PART II
APPLICATION

Application of regulations generally

4. No person shall—

(*a*) use a water fitting for the purpose of conveying or receiving water supplied by the Department or cause or permit a water fitting to be used or to remain arranged or connected so that it can be used, for that purpose, in contravention of a provision of any of the following regulations, that is to say, regulations 9, 10, 12, 13, 15 to 31 and 33 to 66 or if the fitting, or its mode of arrangement or connection, or its situation, contravenes, or is not in accordance with, such a provision, or if the fitting is not equipped, provided with fittings or accessories, protected or supported in accordance with, or if it is equipped or provided with fittings or accessories in contravention of, such a provision; or

(*b*) arrange or connect a water fitting, or cause or permit a water fitting to be arranged or connected, so that it can be used for the purpose aforesaid, in contravention of, or in a manner or in a situation which contravenes, or is not in accordance with, a provision of any of the said regulations, or if the fitting contravenes, or is not in accordance with, such a provision; or

(*c*) alter a water fitting used for the purpose aforesaid, or cause or permit a water fitting to be altered, so that it contravenes, or is not in accordance with, a provision of any of the said regulations; or

(*d*) disconnect a water fitting used for the purpose aforesaid, or cause or permit a water fitting to be or remain disconnected, otherwise than for the purpose of repair or renewal, if, as a result of the disconnection, a provision of any of the said regulations by virtue of which the fitting is required to remain connected will be contravened.

Saving for fittings lawfully fitted

5.—(1) These regulations (with the exception of regulations 9 and 29) shall not have effect so as to require any person—

(*a*) to cease to use, or to arrange, connect, disconnect, alter, dismantle or renew any water fitting lawfully used or capable of being lawfully used on any premises immediately before 1st July 1974; or

(*b*) to remove any fitting or accessory from such a fitting or to refit such a fitting in a different situation; or

(*c*) to provide any equipment, fitting, accessory, protection or support for a water fitting then used or capable of being used on any premises where the absence of the required equipment, fitting, accessory, protection or support was not then unlawful,

unless, by reason of the damaged, worn or otherwise unserviceable condition of the water fitting, its faulty arrangement or connection, its situation, equipment, fittings, or accessories or the absence of the required equipment, fittings, accessories, protection or support, it causes or permits, or is likely to cause or permit, waste, undue consumption, misuse, erroneous measurement or contamination of water, or reverberation in pipes.

(2) Where, for a reason mentioned in paragraph (1), any of these regulations (other than regulations 9 and 29) has effect as mentioned in that paragraph, or where regulation 9 or 29 has such effect, and any work is rendered necessary by that regulation, compliance therewith may be postponed for such time as is reasonably required for the carrying out of that work.