

L.N. 357 of 2004

**FOOD SAFETY ACT, 2002
(ACT NO. XIV of 2002)**

**Registration of Private Water Supplies Intended for Human
Consumption Regulations, 2004**

IN exercise of the powers conferred by article 10 of the Food Safety Act, 2002, the Minister of Health, the Elderly and Community Care has made the following regulations:-

1. (1) The title of these regulations is the Registration of Private Water Supplies Intended for Human Consumption Regulations, 2004. Title.

2. In these regulations unless the context otherwise requires: Definitions.

“the Act” means the Food Safety Act, 2002;

“distribution network” means any method by which water intended for human consumption is transported to a domestic distribution system;

“Health Authority” means the public officer responsible for public health in terms of the Department of Health (Constitution) Ordinance or any law substituting the same; Cap. 94.

“private water supply” means any potable water which is not distributed through a distribution network.

3. (1) These regulations apply to the registration of private water supplies intended for human consumption and shall include all water, either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, which is not distributed through a distribution network, and it shall also include water produced through a private treatment plant, including a reverse osmosis plant, and water supplied in tankers or any other method of conveyance other than a distribution network, used by an authorized water undertaker. Scope.

(2) The provisions of sub-regulation (1) hereof shall include private water which is -

(a) supplied to premises for commercial food production, which include the manufacturing, processing, preserving, preparing or marketing of food or drink for sale;

(b) supplied to hotels and restaurants preparing food or drink for consumption on the premises;

(c) supplied to hospitals, other residential institutions and staff canteens;

(d) supplied to camping sites, holiday villages, properties used for holiday lettings and other similar establishments which have changing populations;

(e) to be used for washing produce after it is harvested, where the quality of the water affects the fitness for human consumption of the food or drink produced;

(f) supplied as a multi-purpose supply to serve both domestic properties and food production undertakings and premises with changing populations; and

(g) bottled water.

(3) The provisions of sub-regulations (1) and (2) hereof shall not apply to supplies of private water serving single dwellings for purely domestic purposes, whether the supply is owned by the user, or drawn from a source, or supplied by a private water supplier. In such a case the owners shall be responsible to verify the quality of the water and of its use.

Registration of private water supplies.

4. (1) No person may supply, distribute or, in any way, make use of water from a private supply unless such supply is registered with the Health Authority.

(2) The registration of a private water supply under this regulation shall not exempt the owner from any obligation to apply for and acquire the necessary licences or permits that may be required by any competent authority.

Method of registration.

5. (1) Registration shall be carried out in writing on the prescribed form acquired from the Health Authority, duly filled and forwarded to the designated office.

(2) Particulars given on the registration form shall not be misleading, inaccurate or incomplete.

(3) A separate registration form is to be filled for each source of private water supply.

(4) The Health Authority shall request a private water supplier to provide water quality analysis results prior to the registration of any source, as to confirm the wholesomeness of that water source.

(5) The Health Authority shall refuse to register any water source unless all the relevant provisions of these regulations and of other related regulations are complied with.

(6) The Health Authority may at any time remove from the register any water source if the relevant provisions of these regulations and of other related regulations are not complied with.

(7) Any person who fails to register any water source with the Health Authority or fails to comply with the requirements of these regulations and of other related regulations, shall be guilty of an offence under the Act.

6. The Health Authority shall keep a register of all private water supplies which have been registered. Register of private water supplies.

7. Where there is a change of the private water supplier, the new private water supplier shall, within twenty-eight days after the date of change, supply the Health Authority with the same particulars as are required under regulation 5: Amending the records in the register.

Provided that when a private water supply is no longer intended to be used as such, the private water supplier shall inform in writing the Health Authority within twenty eight days of this cessation:

Provided further that cessation due to maintenance works need not be notified to the Health Authority.

8. Any person who contravenes the provisions of regulations 4, 5 and 7 shall be guilty of an offence against the Act. Offences.