

2010 No. 131

WATER AND SEWERAGE

**The Private Water Supplies (Amendment) Regulations
(Northern Ireland) 2010**

Made - - - - *26th March 2010*

Coming into force - - *20th April 2010*

The Department of the Environment, in exercise of the powers conferred by Articles 107(2) and (3) and 118(3) and (4) of the Water and Sewerage Services (Northern Ireland) Order 2006 (a) and being a Department designated (b) for the purposes of section 2(2) of the European Communities Act 1972 (c) in relation to the environment in exercise of the powers conferred by that section, makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Private Water Supplies (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on 20 April 2010.

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

Amendment of the Private Water Supplies Regulations (Northern Ireland) 2009

2. The Private Water Supplies Regulations (Northern Ireland) 2009 (e) are amended in accordance with regulations 3 to 5.

Regulation 6

3. For regulation 6 (New installations) substitute—

“Use of products or substances in private supplies

6.—(1) Any product or substance applied to or introduced into a private supply after the coming into force of these Regulations must be a product or substance that would be permitted to be used in a water supply under regulation 30 (Application and introduction of substances and products) of the Water Supply (Water Quality) Regulations (Northern Ireland) 2007 (f).

(a) S.I. 2006/3336 (N.I. 21)

(b) S.I. 2008/301

(c) 1972 c.68

(d) 1954 c.33 (N.I.)

(e) S.R. 2009 No. 413

(f) S.R. 2007 No. 147 as amended by S.R. 2009 No. 246

(2) Where disinfection forms part of the preparation or distribution of a private supply, the responsible person must—

- (a) design, operate and maintain the disinfection process so as to keep disinfection by-products as low as possible without compromising the effectiveness of the disinfection;
- (b) ensure that the effectiveness of the disinfection process is maintained; and
- (c) verify the effectiveness of the disinfection process.

(3) For the purposes of this regulation, “disinfection” means a process of water treatment—

- (a) to remove; or
- (b) to render harmless to human health,

every pathogenic micro-organism and pathogenic parasite that would otherwise be present in the water.”.

Regulation 19

4. In regulation 19(2)(g) (Notices) after the words “any other” insert the word “remedial”.

Schedule 2

5.—(1) Schedule 2 (Requirements for Risk Assessment) is amended as follows.

- (2) In paragraph 3 after the words “shall include provision”, insert “, where appropriate,”.
- (3) In paragraph 4 after the words “shall make provision”, insert “, where appropriate,”.
- (4) In paragraph 5 after the words “shall include provision”, insert “, where appropriate,”.

Sealed with the Official Seal of the Department of the Environment on 26th March 2010



Maggie Smith
A senior officer of the
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Private Water Supplies Regulations (Northern Ireland) 2009 (“the 2009 Regulations”) including clarifications and the completion of transposition of Council Directive 98/83/EC (on the quality of water intended for human consumption, OJ No. L 330, 5.12.1998, p.32) (“the Directive”).

Regulation 3 clarifies the requirement to use only specified products or substances for private water supplies after the coming into force of the 2009 Regulations and introduces a provision to ensure that, where disinfection treatment is practised, disinfection by-products are kept to a practical minimum as required by the Directive. This latter provision underpins the requirement already contained in Schedule 3 of the 2009 Regulations to limit disinfection by-products to residual levels.

Regulation 4 clarifies that actions specified in notices served under regulation 19 of the 2009 Regulations are remedial actions.

Regulation 5 amends Schedule 2 on the Requirements for Risk Assessment to ensure that provisions are only included in the risk assessment where appropriate.

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