STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART II

FIRE AND RESCUE SERVICES

CHAPTER IV

WATER SUPPLIES, ETC.

Supply and use of water

Duty to secure water supply

15.—(1) The Board shall take all reasonable measures for securing that an adequate supply of water will be available for the Board's use for the purposes specified in paragraph (2).

(2) The purposes referred to in paragraph (1) are–

(a) extinguishing fires;

(b) protecting life and property in the event of fires;

(c) rescuing persons in the event of road traffic accidents;

(d) protecting persons from serious harm in the event of road traffic accidents;

(e) carrying out any function conferred on the Board by an order under Article 7; and

(f) complying with any directions given to the Board under Article 56.

Use of water

16.—(1) The Board may use any convenient or suitable supply of water for the purposes specified in Article 15(2).

(2) Subject to **[**[F1]—

(a) an agreement under Article 16A; and

(b) Article 207 of the Water and Sewerage Services (Northern Ireland) Order 2006,**]**

, the Board shall pay reasonable compensation for water used by virtue of paragraph (1).

Textual Amendments

F1 Words in art. 16(2) substituted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 49(1)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

[F2Supply of water by water undertakers

16A.—(1) The Board may enter into an agreement with a water undertaker for the purposes of Article 15.

(2) An agreement under paragraph (1) may include terms as to payment to be made to the undertaker, subject to Article 207 of the Water and Sewerage Services (Northern Ireland) Order 2006.

(3) A water undertaker shall enter into any agreement reasonably proposed by the Board under paragraph (1).

(4) An obligation of a water undertaker under an agreement under paragraph (1), or under paragraph (3), is enforceable by the Department for Regional Development under Article 30 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Textual Amendments

F2 Arts. 16A, 16B inserted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 49(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

Emergency supply by water undertakers

16B.—(1) If the Board requests a water undertaker to provide a supply and pressure of water for the purposes of extinguishing a fire that is greater than the undertaker would otherwise provide, the undertaker shall take all necessary steps in order to do so.

(2) For the purposes of complying with its obligation under paragraph (1) a water undertaker may shut off the water from the mains and pipes in any area.

(3) No authority or person shall be liable to any penalty or claim arising because of anything done by a water undertaker in complying with its obligation under paragraph (1).

(4) A water undertaker commits an offence if, without reasonable excuse, it fails to take any step which it is obliged to take under paragraph (1).

(5) A water undertaker guilty of an offence under paragraph (4) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.**]**

Textual Amendments

F2 Arts. 16A, 16B inserted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 49(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

Changes to legislation:
There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, Cross Heading: Supply and use of water.