
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 211

The Private Water Supplies Regulations (Northern Ireland) 2017

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Private Water Supplies Regulations (Northern Ireland) 2017 and shall come into operation on 27th October 2017.

Interpretation

2.—(1) In these Regulations—

“consumer” means a person to whom a private water supply is provided for human consumption purposes;

“disinfection” means a process of water treatment to remove, or to render harmless to human health, every pathogenic micro-organism and pathogenic parasite that would otherwise be present in the water; and “disinfected” shall be construed accordingly;

“District Council” means a District Council as established under Part I of the Local Government Act (Northern Ireland) 1972⁽¹⁾;

“indicative dose” or “ID” means the committed effective dose for one year of ingestion resulting from all the radionuclides whose presence has been detected in a supply of water intended for human consumption, of natural and artificial origin, but excluding tritium, potassium-40, radon and short-lived radon decay products;

“limit of detection” means the output signal or concentration value above which it can be affirmed, with a stated level of confidence that a sample is different from a blank sample containing no determinand of interest;

“limit of quantification” means a stated multiple of the limit of detection at a concentration of the determinand that can reasonably be determined with an acceptable level of accuracy and precision;

“radioactive substance” means any substance that contains one or more radionuclides the activity or concentration of which cannot be disregarded as far as radiation protection is concerned;

“relevant person” means—

- (a) the owner or occupier (who may be the same or different persons) of premises which are supplied with water for domestic or food production purposes by means of a private supply;

⁽¹⁾ 1972 c.9 (NI)

- (b) the owner or occupier (who may be the same or different persons) of land on which any part of the supply is situated;
- (c) any other person who exercises powers of management or control in relation to that supply.

“risk assessment” is an assessment carried out under regulation 7.

“the 2009 Regulations” means the Private Water Supplies Regulations (Northern Ireland) 2009(2);

“the 2006 Order” means the Water and Sewerage Services (Northern Ireland) Order 2006;

“the Appeals Commission” means the Water Appeals Commission for Northern Ireland within the meaning of Article 292 of the 2006 Order;

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

“the Directive” means Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption(3) as amended by Commission Directive (EU) 2015/1787 of 6 October 2015(4);

“the Public Health Agency” means the Regional Agency for Public Health and Social Well-being as established under Section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009(5);

“uncertainty of measurement” is defined as a non-negative parameter characterising the dispersion of the quantity values being attributed to a measurement, based on the information used;

“water intended for human consumption” means all water:

- (a) either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, a tanker, or in bottles or containers;
- (b) used in any food-production undertaking for the manufacture, processing, preservation or marketing of products or substances intended for human consumption unless, in accordance with Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(6), the competent authority(7) is satisfied that the quality of the water cannot affect the wholesomeness of the foodstuff in its finished form.

(2) The Interpretation Act (Northern Ireland) 1954(8) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Water Supplies to which these Regulations apply

3.—(1) These Regulations apply to all water supplies that supply water intended for human consumption not provided by a water undertaker appointed under Article 13 of the 2006 Order.

(2) The supplies in paragraph (1) are referred to in these Regulations as private supplies.

Exemptions

4. These Regulations do not apply in relation to—

(2) S.R. 2009 No. 413 as amended by S.R. 2010 No.131 and S.R.2015 No.366

(3) OJ No. L 330, 5.12.1998, p.32

(4) OJ No. L 260, 7.10.2015, p.6

(5) 2009 c.1 (NI)

(6) OJ No L 139, 30.4.2004, p 1 as last amended by Regulation (EC) No 219/2009 (OJ No L 87, 31.3.2009, p 109).

(7) The competent authority for the purpose of this Regulation is the Food Standards Agency (see S.R. 2006 No.3).

(8) 1954 c.33 (NI)

- (a) water controlled by the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015⁽⁹⁾; or
- (b) water that is a medicinal product within the meaning of the Human Medicines Regulations 2012⁽¹⁰⁾.

⁽⁹⁾ S.R. 2015 No. 365 to which there are amendments not relevant to these Regulations
⁽¹⁰⁾ S.I. 2012 No. 1916 to which there are amendments not relevant to these Regulations