

WATER AND SEWERAGE SERVICES (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 2006

S.I. 2006 1946

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

12. [Article 3](#) provides that certain information held by DFP and NIHE must be provided to DRD if an authorised officer of DRD requests it for the purpose of making arrangements in connection with the development, introduction and implementation of a charges scheme. A charges scheme is a scheme for charging for water and sewerage services provided to any premises. The Government has announced that it will bring such a scheme into force in April 2007 (under the main water reform Order). Paragraph (6) of Article 3 makes it clear that the arrangements referred to include identifying owners and occupier of premises, identifying individuals who may be entitled to assistance with their bills and for the billing and recovery of water and sewerage service charges.
13. Requests for information must be made before April 2007 (in order to coincide with the implementation of water reform) and cannot be dealt with after that date. Only information held by DFP for the purposes of rating, valuation or the administration of housing benefit, and by NIHE for the purposes of housing legislation or the administration of housing benefit, can be requested and a request must specify the information which is to be supplied. In practice, the information sought will concern the name and address details of water and sewerage service customers and any entitlement to housing benefit. The Government has announced that it will provide assistance to those who are in receipt of housing benefit with their water and sewerage bills.
14. [Article 4](#) provides for it to be an offence to disclose any information relating to an individual which was obtained under the Order without lawful authority. The offence applies to those working for DRD or providing services to it (i.e. any commercial body assisting DRD in delivering its services). An offence is not committed if information has already been properly disclosed or disclosed with lawful authority. The latter expression covers disclosures made in the course of someone's work, with the consent of the person to whom the information relates or in accordance with statutory or legal requirements. The penalty for unlawful disclosure is either a fine or imprisonment; the latter only on conviction on indictment.