

SCHEDULE 10

CHANGES TO OTHER ENACTMENTS

Amendment of the Private Water Supplies (Grants) (Scotland) Regulations 2006

3. In the Private Water Supplies (Grants) (Scotland) Regulations 2006⁽¹⁾—
- (a) in regulation 2(1)—
 - (i) after the definition of “the 2006 Regulations” insert—

““the 2017 Regulations” means the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017;” and
 - (ii) after the definition of “estimated expenditure” insert—

““private water supply” has the same meaning as it has in subsection (2) of section 47 (power to provide funds for private water supplies) of the Local Government in Scotland Act 2003⁽²⁾;”;
 - (b) in regulation 3(1), after “(2)” insert “or (3)”;
 - (c) after regulation 3(2) insert—

“(3) Subject to regulation 10(a) and (b), an eligible person is a person who is a “relevant person” within the meaning of the 2017 Regulations in relation to a private water supply—

 - (a) in a case where—
 - (i) water introduced into, and supplied through and from, the private water supply system which is used, or intended to be used, to provide the supply of water has been risk assessed in accordance with Part 3 of the 2017 Regulations; and
 - (ii) the risk assessment (as updated, where applicable) establishes that the water—
 - (aa) poses a potential danger to human health;
 - (bb) has failed to meet one or more of the water quality standards and the failure is likely to recur; or
 - (cc) is failing to meet one or more of the water quality standards and the failure is likely to continue or to recur or both; or
 - (b) in a case where the private water supply is both—
 - (i) a “supply of water in pipes” within the meaning of the 2017 Regulations; and
 - (ii) the subject of one or more of the following:—
 - (aa) a derogation granted under schedule 5 of the 2017 Regulations;
 - (bb) a remediation notice, an enforcement notice or an emergency notice served under the 2017 Regulations; or
 - (cc) a notice served under section 76G of the 1980 Act.”; and
 - (d) in regulation 4(3), after “3(2)(b)” insert “or, as the case may be, 3(3)”;
 - (e) in regulation 5, after “2006 Regulations” insert “or, as the case may be, the 2017 Regulations”; and

⁽¹⁾ S.S.I. 2006/210, as amended by S.S.I. 2014/364.

⁽²⁾ 2003 asp 1.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (f) in regulation 9(4)(a), after “Part VI or Part VIII of the 2006 Regulations” insert “or, in a case where the application is made by or on behalf of a person who is an eligible person by virtue of regulation 3(3)(a), information showing that the risk assessment referred to in regulation 3(3)(a) has been carried out and a summary of the results of the risk assessment (as updated, where applicable)”.