
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART VIII

UNDERTAKERS' POWERS AND WORKS

CHAPTER I

UNDERTAKERS' POWERS

Other works powers

Power to carry out works and discharge surface water for sewerage purposes

221.—(1) A sewerage undertaker may, by agreement with the owner or occupier of any premises, carry out at that person's expense—

- (a) any work in connection with the construction, laying, alteration or repair of a sewer or drain which that person is entitled to carry out; or
- (b) any work which the undertaker has required that person to carry out under Part VI;

and for that purpose the undertaker shall have all such rights as that person would have.

(2) Sections 255 and 260 of the [Public Health \(Ireland\) Act 1878 \(c. 52\)](#) and section 7 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1962 (which provide for the recovery of expenses incurred by a district council) shall apply in relation to the recovery by a sewerage undertaker of any sums under paragraph (1) as they apply in relation to the recovery of expenses under that Act by a district council.

(3) A sewerage undertaker may for the purposes of any of its functions discharge surface water into any available watercourse or harbour.

(4) Paragraphs 1 and 2 of Schedule 10 apply in relation to the power conferred by paragraph (3) as they apply in relation to a power to carry out works.