

SCHEDULES.

THIRD SCHEDULE

PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS.

PART XIV

POLLUTION OF WATER MANUFACTURE, &C. OF GAS.

Provisions as to pollution by liquids resulting from manufacture of gas.

- 71 (1) Any person manufacturing or supplying gas who—
- (a) causes or suffers any washing or other liquid produced in or resulting from, the manufacture or supply of gas, or the treatment of any residual products of the manufacture of gas, to run or be conducted—
 - (i) into, or into any drain communicating with, any spring, stream, reservoir, aqueduct or other waterworks belonging to the undertakers; or
 - (ii) into any depression in the ground or excavation in such proximity to any spring, well or adit belonging to any such undertakers that contamination of water therein is reasonably probable; or
 - (b) wilfully does any other act connected with the manufacture or supply of gas, or the treatment of any such residual products as aforesaid, whereby any water of the undertakers is fouled,
- shall be liable—
- (a) on summary conviction, to a fine not exceeding fifty pounds and to a further fine not exceeding ten pounds for each day during which his offence continues after the expiration of twenty-four hours from the service on him by the undertakers of notice of his offence; or
 - (b) on conviction on indictment, to a fine not exceeding two hundred pounds and to a further fine not exceeding twenty pounds for each such day as aforesaid.

Provision as to pollution by gas.

- 72 If water belonging to the undertakers is fouled by gas belonging to any person manufacturing or supplying gas, he shall be liable to a fine not exceeding twenty pounds, and to a further fine not exceeding ten pounds for each day during which his offence continues after the expiration of twenty-four hours from the service on him by the undertakers of notice of his offence.

Power to examine gas pipes to ascertain source of pollution.

- 73 (1) For the purpose of ascertaining whether water belonging to them is being fouled by gas belonging to any person manufacturing or supplying gas, the undertakers may open the ground, and examine the pipes and other works of that person:

Provided that, before proceeding so to do, they shall give twenty-four hours' notice of the time at which the examination is intended to take place both to that person and also to the persons having the control or management of the street or other place where they propose to open the ground, and shall be subject to the like obligations and liable to the same penalties in relation to reinstatement, maintenance and other matters as those to which they are subject and liable when breaking open streets for the purpose of laying water pipes.

- (2) If, upon such examination as aforesaid, it appears that water of the undertakers has been fouled by gas belonging to the said manufacturer or supplier of gas, the undertakers may recover from him summarily as a civil debt the expenses reasonably incurred by them in connection with the examination and the repair of the street or place disturbed in the examination, but otherwise the undertakers shall pay all expenses of the examination and repair, and shall also make good to the said person any injury which may be occasioned to his pipes or other works by the examination.

The amount of the expenses of any such examination and repair, and of any injury so occasioned, shall, in default of agreement, be referred to arbitration.