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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations supplement Chapter III (Quality and Sufficiency of Supplies) of Part III of the Water Industry Act 1991 (“the 1991 Act”). They are concerned with the quality of water supplied from private supplies in England and Wales for drinking, washing or cooking or for food production purposes. The Regulations come into force on 1st January 1992.

Parts II and III of these Regulations replace Parts II and III of the Water Supply (Water Quality) Regulations 1989 (as amended by the Water Supply (Water Quality) (Amendment) Regulations 1989 and 1991) as they apply to private supplies.

Effect is given in Part II of the Regulations in relation to private supplies to Article 7 of Council Directive [80/778/EEC](#) (OJNo. L229, 30.8.80, p. 11) which relates to the quality of water intended for human consumption. Part V of the Regulations give effect in relation to private supplies to paragraphs 1 to 4 of Article 12 (monitoring the quality of water intended for human consumption) of that Directive.

Part I (regulations 1 and 2) includes a definition of terms used in the Regulations.

Part II (regulation 3 and Schedule 2) prescribes standards of wholesomeness in respect of water from private supplies for drinking, washing or cooking or for food production purposes. In particular, it provides that water from private supplies is to be regarded as wholesome if it contains concentrations or values in respect of various properties, elements, organisms and substances which do not contravene prescribed maximum and, in some cases, minimum concentrations or values. They include the maximum admissible and minimum required concentrations and values specified in Annex 1 to Council Directive [80/778/EEC](#).

Part III (regulations 4 to 7) enables the Secretary of State or the appropriate local authority to relax the requirements of Part II. The circumstances in which relaxation is permissible are consistent with those specified in paragraphs 1 and 3 of Article 9 and paragraph 1 of Article 10 of Council Directive [80/778/EEC](#).

Part IV (regulations 8 to 18 and Schedules 3 and 4) provides for the classification of private supplies into category one supplies and category two supplies and for the monitoring of those supplies.

Category one supplies are all supplies used for supplying water for domestic purposes which are not category two supplies. Category two supplies are supplies used for food production purposes or for supplying water for domestic purposes to premises used—

- (a) as staff canteens or for the purposes of a business of preparing food or drink for consumption on the premises;
- (b) as hospitals, nursing homes, residential homes, hostels and boarding schools or similar institutions;
- (c) as camp sites or touring caravan sites or for providing holiday or short term accommodation.

In certain circumstances private supplies which are also used in connection with the processing of milk are classified as category one or category two supplies according to the volume of water from the supply distributed or, if not distributed, used or consumed.

Category one and category two supplies are divided into classes for monitoring purposes according to the estimated daily average volume of water distributed, or if not distributed, used or consumed

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from the supply. An additional consideration in relation to the division of category one supplies into classes is the estimated maximum number of people normally served by the supply on any one day. Regulations 13 to 18 and Schedules 3 and 4 provide for the taking and analysis of samples of water from category one and category two supplies. The frequency of sampling and the parameters to be analysed vary according to the category and class of private supply.

Part V (regulations 19 to 22 and Schedule 5) prescribes requirements relating to the taking, handling, storage, transport and analysis of samples. It makes provision for local authorities to charge for sampling and analysis subject to certain limits and also provision for sampling and analysis by other persons on behalf of local authorities.

Provisions of existing Regulations which are replaced in relation to private supplies by Parts II and III of the Regulations are revoked (regulation 22).