
STATUTORY INSTRUMENTS

2000 No. 3184

The Water Supply (Water Quality) Regulations 2000

PART VI

**INVESTIGATIONS, AUTHORISATION OF
DEPARTURES AND REMEDIAL ACTION**

Action by Secretary of State

19.—(1) Where—

- (a) a notification given in accordance with paragraph (5) of regulation 17 in the circumstances mentioned in paragraph (1) of that regulation (including that paragraph as read with paragraph (3)(a)) discloses—
 - (i) discloses a failure in respect of a parameter specified in Part II of Table A or in Table B in Schedule 1; and
 - (ii) that the failure is not attributable to the domestic distribution system or the maintenance of that system; and

(b) it appears to the Secretary of State that the failure is not trivial and is likely to recur, the Secretary of State may, by notice in writing to the water undertaker, require the water undertaker to seek a departure in accordance with regulation 20.

(2) The exercise by the Secretary of State of the power conferred by paragraph (1) shall not preclude the exercise by him, in relation to the same circumstances, of the power conferred by section 18 of the Act.

(3) Where—

- (a) a notification given in accordance with paragraph (5) of regulation 17 in the circumstances mentioned in paragraph (3)(b) of that regulation discloses—
 - (i) a failure in relation to any parameter specified in Part II of Table A or in Table B in Schedule 1; and
 - (ii) that the failure is not attributable to the domestic distribution system or the maintenance of that system; and

- (b) it appears to the Secretary of State that the failure in respect of that parameter is not trivial and is likely to recur,

the Secretary of State shall consider whether the terms of the authorisation under regulation 20 should be modified.

(4) Where—

- (a) a notification given in accordance with regulation 18(2) discloses an inability to meet the specification applicable to an indicator parameter; and
- (b) the Secretary of State considers that the inability poses a risk to human health,

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he may, by notice in writing to the water undertaker, require the water undertaker to take such steps as may be determined by him and specified in the notice.

(5) It shall be the duty of a water undertaker to which a notice under paragraph (4) has been given to take the steps specified in the notice.