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## EXPLANATORY NOTE

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

These Regulations amend the Water Supply (Water Quality) Regulations 2001 ([S.I. 2001/3911](#)) ([W.323](#)) (“the Principal Regulations”).

The Principal Regulations implement Council Directive [98/83/EC](#) on the quality of water intended for human consumption (“the Drinking Water Directive”) (OJ No L330, 5.12.1998, p.32) in parts of Wales and England in relation to water supplies by water undertakers and licensed water suppliers. The Principal Regulations also make further provision about the supply of drinking water.

Regulation 2 amends the Principal Regulations. The main changes are as follows—

Paragraph (4) inserts a requirement that water must be of approximately uniform quality within a water supply zone designated by a water undertaker.

Paragraph (5) inserts new compliance requirements for water supplied in bottles during a breakdown in the piped supply system.

Paragraph (6) inserts restrictions on the authorisation of supply point monitoring where an introduction into a water supply zone is made by a licensed water supplier.

Paragraph (9) inserts new risk assessment requirements in relation to water supplied from new sources.

Paragraph (10) inserts new requirements in relation to the monitoring of drinking water abstraction points. Monitoring at such points is necessary to comply with the new provisions on disinfection of raw water, other treatment arrangements and risk assessments inserted by paragraphs (17) to (19). Together with a monitoring programme established by the Environment Agency, this also implements, in parts of Wales and England, Article 8(1) and (2) of Directive [2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy (OJ No L327, 22.12.2000, p.1) (“the Water Framework Directive”). This monitoring programme is established in Wales by the Environment Agency under regulation 9 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 ([S.I. 2003/3242](#)).

Paragraph (13) amends the publicity requirements in relation to the authorisation of temporary supplies of unwholesome water, usually referred to as “authorised departures”.

Paragraph (16) takes account of the repeal of Council Directive [75/440/EEC](#) concerning the quality required of surface water intended for the abstraction of drinking water in the Member States (OJ No L194 25.7.1975, p.26), as amended by Article 22(1) of the Water Framework Directive. The new provision requires that raw water is disinfected and that other adequate treatment arrangements are in place. Breach of these requirements is a criminal offence under provisions inserted by paragraph (21).

Paragraphs (17) to (19) replace existing provisions in relation to *Cryptosporidium* with a general duty to conduct risk assessments of water treatment works and supply systems and to take appropriate action to deal with any potential danger to human health identified. Supplying water from water treatment works or supply systems in breach of conditions specified in a notice served under these provisions is a criminal offence under provisions inserted by paragraph (21).

Paragraph (20) inserts a charging provision for approvals of substances and products used in connection with water supply. As this provision amends regulation 31 of the Principal

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

Regulations (which contains a technical regulation), these Regulations have also been notified in draft to the European Commission in accordance with Directive 98/34/EC of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services (as amended) (“the Technical Standards Directive”) (OJ No L 2004, 21.7.1998, p.37).

Paragraphs (23) and (24) update the requirements relating to the provision and publication of information under the Principal Regulations.

Regulation 3 makes some adjustments to Schedules 1 to 3 to the Principal Regulations in relation to certain parameters and monitoring requirements.

Regulations 4 to 6 make consequential and transitional provisions and revocations.

A full regulatory impact assessment of the effect that this Instrument will have on the costs of business and the voluntary sector is available from the Department for Environment, Sustainability and Housing, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ and on the Welsh Assembly Government’s website at [www.wales.gov.uk](http://www.wales.gov.uk)