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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 282**

**WATER SUPPLY**

**The Water Intended for Human Consumption  
(Private Supplies) (Scotland) Regulations 2017**

*Made - - - - 5th September 2017*  
*Laid before the Scottish*  
*Parliament - - 7th September 2017*  
*Coming into force 27th October 2017*

**THE WATER INTENDED FOR HUMAN CONSUMPTION  
(PRIVATE SUPPLIES) (SCOTLAND) REGULATIONS 2017**

PART 1

GENERAL

1. Citation, commencement and extent
2. Application
3. Interpretation
4. Supply zones

PART 2

REGISTER OF SUPPLY SYSTEMS, ETC.

5. Register of supply systems, etc.
6. Contents of the register
7. Review of contents
8. Duty to provide information
9. Access to information

PART 3

RISK ASSESSMENT OF WATER SUPPLIES

10. Risk assessment of water supplies
11. Review of risk assessments
12. Duties in relation to use of unused system
13. Duties in relation to use of disused system

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#### PART 4

### WATER QUALITY STANDARDS AND DUTIES

14. Water quality standards
15. Derogations from the water quality standards
16. Duty of care: supplies of water
17. Duty of care: substances and materials

#### PART 5

### MONITORING AND ANALYSIS

18. Monitoring
19. Monitoring programmes
20. Methods of analysis

#### PART 6

### INVESTIGATION AND REMEDIAL ACTION

21. Investigation and remedial action
22. Remedial action to restore water quality: particular cases
23. Remedial action to restore water quality: notification of risk, etc.

#### PART 7

### INFORMATION AND REPORTING

24. Duty to provide information to consumers
25. Information for certain public authorities
26. Reports about water quality

#### PART 8

### ENFORCEMENT

27. Exercise of enforcement powers
28. Power to obtain information
29. Powers of entry, inspection etc.
30. Remediation notices
31. Enforcement notices
32. Emergency action and notices
33. Variation and withdrawal of notices
34. Powers of entry, etc.: further provision
35. Recovery of expenses
36. Directions and guidance

#### PART 9

### OFFENCES: GENERAL DUTIES, ETC.

37. Offences: general duties
38. Offence: failure to comply with an information notice
39. Offence: obstruction, etc.
40. Offences: emergency notices, etc.
41. Offence: false statements
42. Offences by bodies corporate etc.

## PART 10

### OTHER ENACTMENTS: FURTHER PROVISION

43. Water (Scotland) Act 1980: meaning of “wholesome”
  44. Water (Scotland) Act 1980: local authority powers
  45. Changes to other enactments
- Signature

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#### SCHEDULE 1 INFORMATION TO BE REGISTERED

1. Dates by which the register must contain information
2. Information relating to private water supply systems
3. Information relating to water supplied
4. Information from previous register

#### SCHEDULE 2 PARAMETERS AND PARAMETRIC VALUES

- PART A Microbiological parameters
- PART B Chemical parameters
- PART C Indicator parameters

#### SCHEDULE 3 MONITORING

##### PART A Monitoring programmes

1. Each monitoring programme must— (a) verify that—
2. (1) Each monitoring programme must fulfil the requirements of Part...
3. An enforcing authority must ensure that each monitoring programme prepared...

##### PART B Standard parameters and frequencies

1. (1) Each monitoring programme must take into account—
2. (1) The following parameters (“Group A parameters”) must be monitored...
3. (1) Other parameters, except radon, tritium and indicative dose, (“Group...
4. (1) A sample of water must be taken at least...

##### PART C Deviation from standard parameters and frequencies

1. An enforcing authority may (or, where required, must), in accordance...
2. Based on the results of a risk assessment, the list...
3. Subject to paragraph 4, based on the results of a...
4. (1) The minimum sampling frequency for a parameter under Part...

##### PART D Sampling methods and sampling points

1. (1) Sampling points, in relation to water, must be determined...
2. Subject to paragraph 1, sampling at the point of compliance...
3. Sampling of water in a private water supply system, with...
4. For microbiological parameters, sampling of water in a private water...

##### PART E Radioactive substances

1. General principles and monitoring frequencies
2. Radon
3. Tritium
4. Indicative dose
5. Water treatment
6. Minimum sampling and analysis frequencies
7. Averaging

##### PART F Indicative dose

1. Monitoring for compliance with the indicative dose
2. Screening for certain radionuclides or for an individual radionuclide

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3. Screening for gross alpha activity and gross beta activity
4. Calculation of the indicative dose
  - SCHEDULE 4 METHODS OF ANALYSIS
    1. (1) The enforcing authority must ensure that the methods of...
    2. In the absence of an analytical method meeting the minimum...
      - PART A Microbiological parameters
        1. (1) Subject to sub-paragraph (2), the methods in paragraph 2...
        2. The methods for microbiological parameters are— (a) for *Escherichia coli*...
      - PART B Chemical and indicator parameters
        1. (1) Subject to paragraph 3, for a parameter in Table...
        2. The uncertainty of measurement specified in Table 1 must not...
        3. Until 31st December 2019, the enforcing authority may, for a...  
Notes to Table 1 and Table 2
      - PART C Indicative dose  
Notes to Table 3
    - SCHEDULE 5 DEROGATIONS
      1. Application
      2. Notification of decision
      3. Conditions
      4. Second derogation
      5. Supplementary
      6. Notification
    - SCHEDULE 6 REMEDIATION NOTICES
      1. Power to serve remediation notice
      2. Right of appeal against remediation notice
      3. Failure to comply with remediation notice
      4. Offences in relation to remediation notice
    - SCHEDULE 7 ENFORCEMENT NOTICES
      1. Power to serve enforcement notice
      2. Right of appeal against enforcement notice
      3. Failure to comply with enforcement notice
      4. Offences in relation to enforcement notice
    - SCHEDULE 8 POWERS OF ENTRY ETC.: FURTHER PROVISION
      1. Notice of entry
      2. Warrant to exercise right or power
      3. Evidence of authority
      4. Supplementary powers
      5. Duty to secure premises
      6. Compensation
      7. Commercially confidential information
      8. Interpretation
    - SCHEDULE 9 RECOVERY OF CERTAIN EXPENSES
      1. Maximum charges
      2. Recovery of sums charged
    - SCHEDULE 10 CHANGES TO OTHER ENACTMENTS
      1. Amendment of the Water (Scotland) Act 1980
      2. Amendment of the Private Water Supplies (Scotland) Regulations 2006
      3. Amendment of the Private Water Supplies (Grants) (Scotland) Regulations 2006
      4. Revocations

Explanatory Note