



## 2016 CHAPTER 7

### **Power to remove or relax duty to install water meters when making domestic connections**

**3.—**(1) The Department may by regulations amend the 2006 Order so as to remove or qualify the duty imposed by Article 81 on a water undertaker (to make installation and connection of a water meter etc. a condition of the undertaker's complying with a connection notice).

(2) In particular, regulations under subsection (1) may—

- (a) provide that that duty does not apply in specified circumstances, or applies only in specified circumstances;
- (b) amend or remove the requirements set out in Article 81(2);
- (c) suspend (whether indefinitely or for a specified period) or repeal Article 81.

(3) In subsection (2) “specified” means specified in the regulations.

(4) The power conferred by subsection (1) includes power—

- (a) to replace a qualification that has been enacted under that subsection with a less restrictive qualification, or
- (b) to revive Article 81 (if it has been suspended).

(5) Subsection (4) is without prejudice to the powers conferred by virtue of section 17(1) and (2) of the Interpretation Act (Northern Ireland) 1954 (power from time to time to amend, revoke, etc. or substitute regulations).

(6) Regulations under subsection (1) may make such consequential, supplementary, transitional or transitory provision as the Department considers appropriate.

(7) Before making regulations under subsection (1) the Department must consult—

- (a) the Department of the Environment;
  - (b) district councils;
  - (c) the Northern Ireland Authority for Utility Regulation;
  - (d) any water undertaker (within the meaning of the 2006 Order);
  - (e) the General Consumer Council for Northern Ireland;
  - (f) such other persons as the Department thinks appropriate.
- (8) Regulations under subsection (1) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.