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## STATUTORY INSTRUMENTS

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# 2006 No. 3336

## The Water and Sewerage Services (Northern Ireland) Order 2006

### PART III

#### APPOINTMENT AND REGULATION OF UNDERTAKERS

##### CHAPTER IV

##### MISCELLANEOUS AND SUPPLEMENTARY

##### *Supplementary*

#### **Interpretation of Part III**

**64.**—(1) References in this Part to an appointment or variation replacing a company as a relevant undertaker are references to the following—

- (a) the appointment of a company to be the water undertaker or sewerage undertaker for any area which is or includes the whole or any part of any area for which another company already holds an appointment as water undertaker or, as the case may be, sewerage undertaker; or
- (b) a variation by virtue of which the area for which a company holds an appointment under Chapter I is modified so as to include the whole or any part of an area for which another company already holds an appointment as water undertaker or, as the case may be, sewerage undertaker.

(2) For the purposes of this Part premises in a part of an area are served by a company holding an appointment under Chapter I—

- (a) in relation to an appointment or variation by virtue of which that company would be replaced as the water undertaker for that part of that area, if those premises are supplied with water by means of a connection with a distribution main of that company; and
- (b) in relation to an appointment or variation by virtue of which that company would be replaced as the sewerage undertaker for that part of that area, if those premises are drained by means of a relevant sewer or drain.

(3) In this Article—

- (a) “distribution main” means a water main that is not a trunk main; and
- (b) “relevant sewer or drain”, in relation to any appointment or variation which would replace a company as a sewerage undertaker, means any of the following—
  - (i) a public sewer or lateral drain vested in that company;
  - (ii) a sewer or lateral drain in relation to which that company has made a declaration of vesting under Article 159 which has not yet taken effect;

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**Changes to legislation:** *The Water and Sewerage Services (Northern Ireland) Order 2006, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 07 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(iii) a sewer or lateral drain in relation to which that company has entered into an agreement under Article 161.

(4) In this Part “the 1984 Order” means the General Consumer Council (Northern Ireland) Order 1984 (NI 12).

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**Commencement Information**

**II** [Art. 64](#) wholly in operation at 1.4.2007, see [art. 1\(2\)](#) and S.R. 2007/194, [art. 2\(2\)](#), Sch. 1 Pt. II (subject to [art. 3](#), [Sch. 2](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 293(10A) inserted by [2015 c. 8 \(N.I.\) Sch. 3 para. 2\(b\)](#)