
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

The Public Water Supplies (Scotland) Regulations 2014

PART 4

MONITORING OF PUBLIC WATER SUPPLIES

Authorisation of samples from alternative points

8.—(1) The Scottish Ministers may in relation to any parameter in Table A, Table B or Table C, on the application in writing (or in electronic form) of Scottish Water, authorise the use (for the purposes of regulation 6) of samples taken for a water supply zone otherwise than from a sampling point, and any such authorisation may extend to all samples in relation to that parameter or to such number or proportion of those samples as is specified in the authorisation.

(2) The Scottish Ministers must not grant an authorisation under paragraph (1) unless they are satisfied that analysis of samples taken from any point to be so authorised (“supply point”) will produce data in respect of the parameter in question which are unlikely to differ in any material respect from the data that would be produced in respect of that parameter from analysis of samples obtained from any sampling point within the same water supply zone.

(3) Subject to paragraph (4), the Scottish Ministers may at any time modify or revoke an authorisation under paragraph (1).

(4) Unless it appears to the Scottish Ministers that an immediate modification or revocation of an authorisation under paragraph (1) is required in the interests of public health, they must not modify or revoke such an authorisation without giving to Scottish Water at least 6 weeks’ notice of their intention to modify or revoke.

(5) Scottish Water must notify the Scottish Ministers as soon as it has reasonable grounds for believing that an analysis of samples taken for a water supply zone from a supply point would produce data in respect of the parameter in question which would differ in a material respect from the data produced by an analysis of samples taken from any sampling point within that zone.

(6) The Scottish Ministers must, on being notified under paragraph (5) and without the need for prior notice to Scottish Water, revoke the authorisation.

(7) In this regulation, “sampling point” means—

- (a) in the case of water supplied from a distribution network, a consumer’s tap; and
- (b) in the case of water supplied from a tanker, the point at which it emerges from the tanker.