
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 209

The Private Water Supplies (Scotland) Regulations 2006

PART II

RELEVANT PERSONS

Determination and notification of relevant person

4.—(1) A local authority shall, in relation to each private water supply to any premises within its area, determine, for their respective interests, those persons who—

- (a) provide the supply;
- (b) occupy the land from, or on which, the supply is obtained or located; or
- (c) exercise powers of management or control in relation to the supply,

and a person so determined shall, in these Regulations, be referred to as a “relevant person”.

(2) As soon as reasonably practicable after making a determination under paragraph (1), the local authority shall notify each relevant person in writing of its determination and the reasons for it.

Appeal against determination of relevant person

5.—(1) A person aggrieved by a decision of a local authority to determine that person to be a relevant person may appeal to the sheriff against that determination, and the decision of the sheriff in that matter shall be final.

(2) An appeal to the sheriff under paragraph (1) shall be by way of summary application.

(3) The period within which an appeal under paragraph (1) may be brought shall be 21 days from the date on which notification of the local authority's determination was served on the person desiring to appeal.

(4) Where a person has been determined to be a relevant person under regulation 4(1), that determination shall not have effect until the period within which an appeal may be brought has expired or until an appeal which has been brought has been disposed of or is withdrawn.

[^{F1}Duty of relevant person in relation to disinfection

5A. Where a relevant person disinfects a private water supply for human consumption purposes, the relevant person must—

- (a) where necessary, subject the water to sufficient preliminary treatment to prepare the water for disinfection; and
- (b) design, operate and maintain the disinfection process so as to keep disinfection by-products as low as possible without compromising the performance of the disinfection process.]

F1 Reg. 5A inserted (20.4.2010) by [The Water Quality \(Scotland\) Regulations 2010 \(S.S.I. 2010/95\)](#), regs. 1(1), 15

[^{F2}Application and introduction of substances and products

5B. Where a relevant person, in the preparation or distribution of a private water supply for human consumption purposes, applies any substance or product to, or introduces any substance or product into, the water which is to be supplied for those purposes, the person must take all measures necessary to ensure that, in doing so, the water supplied does not, at its point of use, contain the substance or product, or any impurity associated with the substance or product, at a concentration or value which would make the water unwholesome.]

F2 Reg. 5B inserted (28.11.2015) by [The Private and Public Water Supplies \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/346\)](#), regs. 1(1), **4**

Changes to legislation:

There are currently no known outstanding effects for the The Private Water Supplies (Scotland) Regulations 2006, PART II.