
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 364

The Public Water Supplies (Scotland) Regulations 2014

PART 6

INVESTIGATION AND REMEDIAL ACTION

Powers to require further action by Scottish Water

22.—(1) Where—

- (a) an investigation under regulation 17(1) establishes that the failure in question is due to a failure to satisfy the prescribed concentration or value for a parameter in Table B; and
- (b) the Drinking Water Quality Regulator for Scotland considers that the failure in respect of that parameter is not trivial and is likely to recur,

the Regulator may, by notice given to Scottish Water, require it to apply for a departure in accordance with regulation 24(1).

(2) Where the Drinking Water Quality Regulator for Scotland considers that a failure to which a report under regulation 19(1) relates is not trivial, it may by notice given to Scottish Water require Scottish Water to take such action as the Regulator may specify in the notice to—

- (a) restore, as soon as possible, the quality of the water in question so that it satisfies the requirements of regulation 4(2);
 - (b) protect human health until the quality of the water is restored; and
 - (c) minimise the risk of the water failing to satisfy any such requirement.
- (3) Scottish Water must comply with a notice given to it under paragraph (1) or (2).

(4) The exercise by the Drinking Water Quality Regulator for Scotland of the power conferred by paragraph (2) does not preclude the exercise by the Regulator, in relation to the same circumstances, of powers conferred by Part 2 of the Water Industry (Scotland) Act 2002(1).