
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 282

**The Water Intended for Human Consumption
(Private Supplies) (Scotland) Regulations 2017**

PART 3

RISK ASSESSMENT OF WATER SUPPLIES

Duties in relation to use of unused system

12.—(1) If part of a private water supply system has not been used to provide a supply of water in pipes (“the unused part”), no person may use the unused part to provide a supply of water to premises (“the intended use”) unless—

- (a) the unused part is recorded in the appropriate register;
- (b) a risk assessment has been carried out in relation to the supply system by the enforcing authority for the area in which the premises is situated;
- (c) the risk assessment—
 - (i) takes account of the intended use of the unused part and was carried out within the period of 8 weeks preceding the intended use of the unused part; or
 - (ii) has been reviewed and updated to take account of the intended use of the unused part within the period of 8 weeks preceding the intended use of the unused part; and
- (d) the enforcing authority has confirmed, by notice to the person, that it is satisfied that—
 - (i) the risk assessment does not identify any risk that the intended use of the unused part could constitute a potential danger to human health; and
 - (ii) the unused part may be used for the intended use.

(2) If the risk assessment does not take account of the intended use of the unused part, a person who wishes to use the unused part may request, in writing, that the enforcing authority review and update the risk assessment to take account of the intended use of the unused part.

(3) On receipt of a request under paragraph (2) and the payment of any fee charged under these Regulations, the enforcing authority must within a further period of 8 weeks beginning with the day the request was received or the day the payment was made (whichever is the later)—

- (a) review and, where necessary, update the risk assessment to take account of the intended use of the unused part; and
- (b) confirm, by notice to the person, whether it is satisfied as to the matters in paragraph (1) (d)(i) and (ii).