
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 282

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

PART 8

ENFORCEMENT

Emergency action and notices

32.—(1) Where an enforcing authority reasonably believes in relation to a supply of water to a point of compliance in its area—

- (a) that a person—
 - (i) has contravened or is contravening a requirement of these Regulations; or
 - (ii) has failed to comply with, or is failing to comply with a requirement of these Regulations;
- (b) that as a result of the contravention or failure to comply there is a significant risk to—
 - (i) public health; or
 - (ii) the quality of a supply of water; and
- (c) that urgent action is necessary to reduce or remove that risk,

the enforcing authority may take action in accordance with this regulation.

(2) The enforcing authority may serve on the person an emergency notice requiring the person, by such date as the notice may specify, to take such steps as the notice may specify, being steps which the enforcing authority considers necessary for the purposes of reducing or removing the risk referred to in paragraph (1)(b).

(3) Without prejudice to paragraph (2), the enforcing authority may—

- (a) enter any premises and carry out such work as the enforcing authority considers necessary for the purposes mentioned in that paragraph; and
- (b) recover from the person any expenses which the enforcing authority reasonably incurs in carrying out, or securing the carrying out, of that work.

(4) The expenses which may be recovered under paragraph (3)(b) include such proportion of the enforcing authority's administrative expenses (including expenses incurred in establishing the contravention or the failure to comply, and in connection with the emergency notice) as the enforcing authority considers appropriate.