
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART IV

WATER SUPPLY

CHAPTER III

QUALITY AND SUFFICIENCY OF SUPPLY

Waste, contamination, misuse, etc.

Contamination of water sources

112.—(1) Subject to paragraphs (2) and (3), a person is guilty of an offence under this Article if he is guilty of any act or neglect whereby the water in any waterworks which is used or likely to be used—

- (a) for human consumption or domestic purposes; or
- (b) for manufacturing food or drink for human consumption,

is polluted or likely to be polluted.

(2) Nothing in this Article shall be construed as restricting or prohibiting any method of cultivation of land which is in accordance with the principles of good husbandry.

(3) Nothing in this Article shall be construed as restricting or prohibiting the reasonable use of oil or tar on any road so long as the Department takes all reasonable steps for preventing—

- (a) the oil or tar; and
- (b) any liquid or matter resulting from the use of the oil or tar,

from polluting the water in any waterworks.

(4) A person who is guilty of an offence under this Article shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum and, in the case of a continuing offence, to a further fine not exceeding £50 for every day during which the offence is continued after conviction;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(5) In this Article “waterworks” includes—

- (a) any spring, well, adit, borehole, service reservoir or tank; and
- (b) any main or other pipe or conduit of a water undertaker.