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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Water and Sewerage Services  
(Northern Ireland) Order 2006**

**PART V**

**USE OF WATER**

**CHAPTER I**

**DROUGHT**

*Drought orders*

**Provisions and duration of drought order**

- 138.**—(1) A drought order may contain any of the following provisions—
- (a) provision authorising any person (including a water undertaker) to take water from any source specified in the order subject to any conditions or restrictions so specified;
  - (b) provision authorising a water undertaker to prohibit or limit the use of water for any purpose specified in the order, being a purpose for the time being set out in a direction given by the Department to water undertakers generally as a purpose which may be specified by virtue of this sub-paragraph in any drought order;
  - (c) provision authorising a water undertaker to discharge water to any place specified in the order subject to any conditions or restrictions so specified;
  - (d) provision authorising DOE to prohibit or limit the taking by any person of water from a source specified in the order if DOE is satisfied that the taking of water from that source seriously affects the supplies available to a water undertaker;
  - (e) provision suspending or modifying, subject to any conditions specified in the order, any restriction or obligation to which a water undertaker or a sewerage undertaker or any other person is subject as respects—
    - (i) the taking of water from any source;
    - (ii) the discharge of water;
    - (iii) the supply of water (whether in point of quantity, pressure, quality, means of supply or otherwise); or
    - (iv) the filtration or other treatment of water;
  - (f) provision authorising DOE to suspend or vary, or attach conditions to, any consent specified in the order for the discharge of any effluent by any person, including any relevant undertaker.
- (2) The period for which—
- (a) an authorisation given by or under a drought order;

- (b) a prohibition or limitation imposed by or under a drought order; or
- (c) a suspension or modification effected by or under a drought order,

has effect shall expire before the end of the period of 3 months beginning with the day on which the order comes into operation, unless that period of 3 months is extended, in relation to that order, by virtue of the exercise by the Department of its power (subject to paragraph (3)) to amend the order.

(3) The power of the Department to amend a drought order shall not be exercised so as to extend the period of 3 months mentioned in paragraph (2) beyond the end of the period of 9 months beginning with the day on which that order came into operation.

- (4) Without prejudice to the following provisions of this Chapter, a drought order may—
- (a) make different provision for different cases, including different provision in relation to different persons, circumstances or localities; and
  - (b) contain such supplemental, consequential and transitional provision as the Department considers appropriate.