
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART V

USE OF WATER

CHAPTER I

DROUGHT

Drought orders

Provisions of drought order restricting use of water

139.—(1) The following provisions apply where a drought order contains a provision authorising a water undertaker to prohibit or limit the use of water—

- (a) the power may be exercised in relation to consumers generally, a class of consumer or a particular consumer;
- (b) the water undertaker shall take such steps as it thinks appropriate for bringing the prohibition or limitation to the attention of the persons to whom the prohibition or limitation will apply and, in particular, shall (as the undertaker thinks appropriate)—
 - (i) cause notice of the prohibition or limitation to be published in at least two newspapers circulating within that part of the water undertaker's area which would be affected by the provision of the order; or
 - (ii) send notice of the prohibition or limitation to the persons to whom the prohibition or limitation will apply;
- (c) the prohibition or limitation shall not come into operation until the end of the period of 72 hours beginning with the day on which the notice is published or, as the case may be, sent to the person in question.

(2) Where any purpose set out in a direction given for the purposes of Article 138(1)(b) will cease, by virtue of the variation or revocation of the direction, to be one which may be specified in a drought order, the Department shall (without an application having been made to it) exercise its power to vary or revoke drought orders, in so far as any orders in operation will be affected by the variation or revocation of the direction, so as to make those orders conform to the variation or reflect the revocation.

(3) The revocation or variation of a direction given for the purposes of Article 138(1)(b) by a further direction shall not affect either—

- (a) the validity of anything done in pursuance of a drought order before the giving of the further direction; or
- (b) any obligation or liability accrued or incurred before the giving of the further direction.