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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 II

PROMOTION OF THE EFFICIENT USE OF WATER

**Power of the Authority to impose requirements on water undertakers**

**146.**—(1) The Authority may require a water undertaker, in its performance of its duty under Article 145, to—

- (a) take any such action; or
- (b) achieve any such overall standards of performance,

as the Authority may specify in the document imposing the requirement.

(2) Where the Authority, in the document imposing a requirement on a water undertaker under paragraph (1), stipulates that any contravention of the requirement by the undertaker will be a breach of its duty under Article 145, any contravention of that requirement by the undertaker shall be a breach of that duty.

(3) Without prejudice to the generality of paragraph (1), a requirement under that paragraph may—

- (a) require a water undertaker to make available to its customers or potential customers such facilities as may be specified in the document imposing the requirement;
- (b) require a water undertaker to provide or make available to its customers or potential customers such information as may be specified in the document imposing the requirement, and may specify the form in which, the times at which or the frequency with which any such information is to be provided or made available.

(4) In exercising its powers under this Article in relation to any water undertaker, the Authority shall have regard to the extent to which water resources are available to that undertaker.

(5) Before imposing any requirement on a water undertaker under paragraph (1) the Authority shall consult that undertaker.

(6) Nothing in this Article authorises the Authority to impose any requirement on a water undertaker which has or may have the effect of authorising or requiring that undertaker to impose any requirement on any of its customers or potential customers.