## DRAFT STATUTORY INSTRUMENTS

# 2006 No.

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

## PART VI

### SEWERAGE SERVICES

#### CHAPTER I

#### GENERAL FUNCTIONS OF SEWERAGE UNDERTAKERS

*Principal duties and standards of performance*

**General duty to provide sewerage system**

**149.**—(1)  It shall be the duty of every sewerage undertaker—

(a)  to provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain those sewers and any lateral drains which belong to or vest in the undertaker as to ensure that that area is and continues to be effectually drained; and

(b)  to make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of waste water treatment works or otherwise, with the contents of those sewers.

(2)  It shall be the duty of a sewerage undertaker in performing its duty under paragraph (1) to have regard—

(a)  to its existing and likely future obligations to allow for the discharge of trade effluent into its public sewers; and

(b)  to the need to provide for the disposal of trade effluent which is so discharged.

(3)  The duty of a sewerage undertaker under paragraph (1) shall be enforceable under Article 30—

(a)  by the Department; or

(b)  with the consent of or in accordance with a general authorisation given by the Department, by the Authority.

(4)  The obligations imposed on a sewerage undertaker by the following Chapters of this Part, and the remedies available in respect of contraventions of those obligations, shall be in addition to any duty imposed or remedy available by virtue of any provision of this Article or Article 150 and shall not be in any way qualified by any such provision.

(5)  In this Article "trade effluent" has the same meaning as in Chapter III of this Part; and, accordingly, Article 198 shall have effect for the purposes of this Article as it has effect for the purposes of Chapter III of this Part.