

---

DRAFT STATUTORY INSTRUMENTS

---

**2006 No.**

The Water and Sewerage Services  
(Northern Ireland) Order 2006

PART VI

SEWERAGE SERVICES

CHAPTER III

TRADE EFFLUENT

*References and reviews relating to special category effluent*

**Effect of determination on reference or review**

**191.**—(1) Where a notice under Article 190 has been served on a sewerage undertaker, it shall be the duty

- (a) of the undertaker; and
- (b) in relation to that undertaker, of the Authority,

so to exercise the powers to which this Article applies as to secure compliance with the provisions of the notice.

(2) This paragraph applies to the following powers, that is to say

- (a) in relation to a sewerage undertaker, its power to give a consent under this Chapter, any of its powers under Article 179 or 182 and any power to enter into or vary an agreement under Article 187; and
- (b) in relation to the Authority, any of its powers under this Chapter.

(3) Nothing in paragraph (1) or (2) of Article 179 shall be construed as restricting the power of a sewerage undertaker, for the purpose of complying with this Article, to impose any condition specified in a notice under Article 190.

(4) A sewerage undertaker which fails to perform its duty under paragraph (1) shall be guilty of an offence and liable

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine.

(5) DOE may, for the purpose of securing compliance with the provisions of a notice under Article 190, by serving notice on the sewerage undertaker in question and on the person specified in Article 190(2)(a)(ii), vary or revoke

- (a) any consent given under this Chapter to make discharges of any special category effluent;  
or
- (b) any agreement under Article 187.