
DRAFT STATUTORY INSTRUMENTS

2006 No.

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

PART XII

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

Construction of provision conferring powers by reference to undertakers' functions

304.—(1) Paragraphs (2) to (6) apply for the purpose of the construction of any statutory provision which, by reference to the functions of a relevant undertaker, confers any power on or in relation to that undertaker.

(2) The functions of every relevant undertaker shall be taken to include joining with or acting on behalf of—

- (a) DOE or DARD;
- (b) one or more other relevant undertakers; or
- (c) any two or more of those bodies,

for the purpose of carrying out any works or acquiring any land which at least one of the bodies with which it joins, or on whose behalf it acts, is authorised to carry out or acquire for the purposes of that body's functions under any statutory provision.

(3) The functions of every relevant undertaker shall be taken to include the protection against pollution—

- (a) of any waters, whether on the surface or underground, which belong to any water undertaker or from which any water undertaker is authorised to take water;
- (b) without prejudice to sub-paragraph (a), of any reservoir which belongs to or is operated by any water undertaker or which any water undertaker is proposing to acquire or construct for the purpose of being so operated; and
- (c) of any underground strata from which any water undertaker is for the time being authorised to abstract water.

(4) The functions of every relevant undertaker shall be taken to include the furtherance of research into matters in respect of which functions are conferred by or under this Order, the Drainage Order or the Water Order on DOE or DARD or on relevant undertakers.

(5) The functions of every relevant undertaker shall be taken to include the provision of houses and other buildings for the use of persons employed by that undertaker and the provision of recreation grounds for persons so employed.

(6) The functions of every water undertaker shall be taken to include the provision of supplies of water in bulk, whether or not such supplies are provided for the purposes of, or in connection with, the carrying out of any other function of that undertaker.