
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART IV
WATER SUPPLY
CHAPTER II
SUPPLY DUTIES

Major supplies

Determination of completion date and routes for requisitioned main

78.—(1) A water undertaker shall not be in breach of a duty imposed by Article 76 in relation to any locality unless—

- (a) the period of 3 months beginning with the relevant day has expired; and
- (b) the water undertaker has not, before the end of that period, so laid the water main to be provided as to enable (as the case may be)—
 - (i) service pipes to premises in that locality; or
 - (ii) a water main which is the subject of an agreement under Article 86 (“the self-laid main”),

to connect with the main at the place or places determined under paragraph (3).

- (2) The period mentioned in paragraph (1)(a) may be extended in any case—
 - (a) by agreement between the water undertaker and the person or persons who required the provision of the main; or
 - (b) where there is a dispute as to whether the period should be extended, by the Authority on a reference under paragraph (4).
- (3) The places mentioned in paragraph (1)(b) shall be—
 - (a) such places as are determined by agreement between the water undertaker and the person or persons who required the provision of the water main; or
 - (b) in default of agreement, such places as are determined by the Authority, on a reference under paragraph (4), to be the places at which it is reasonable, in all the circumstances, for service pipes to premises in the locality in question, or (as the case may be) the self-laid main, to connect with the water main.

(4) A reference for the purposes of paragraph (2) or (3) may be made to the Authority for determination under Article 61 by either party to the dispute.

(5) In this Article “relevant day”, in relation to a requirement to provide a water main, means the day after whichever is the later of the following—

- (a) the day on which the conditions specified in Article 77 are satisfied in relation to the requirement; and
- (b) the day on which the place or places where (as the case may be)—
 - (i) service pipes to premises in the locality in question; or
 - (ii) the self-laid main,will connect with the main are determined under paragraph (3).