



# Water (Scotland) Act 1980

## 1980 CHAPTER 45

### [<sup>F1</sup>PART VIA

#### QUALITY OF WATER]

#### **76C Offence of supplying water unfit for human consumption.**

- (1) Subject to subsection (4) below, where a water authority supplies water by means of pipes to any premises and that water is unfit for human consumption the authority 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.
- (2) Where an offence under this section is proved to be attributable to any neglect on the part of an employee of the water authority, he as well as the water authority shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (3) For the purposes of subsection (2) above, the penalty on conviction on indictment shall include imprisonment (in addition to or instead of a fine) for a term not exceeding two years.
- (4) In any proceedings for an offence under this section it shall be a defence to show that—
  - (a) there were no reasonable grounds for suspecting that the water would be used for human consumption; or
  - (b) all reasonable steps had been taken and all due diligence exercised for securing that the water was fit for human consumption on leaving the pipes or was not used for human consumption.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

Water (Scotland) Act 1980, Section 76C is up to date with all changes known to be in force on or before 20 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.