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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive [98/83/EC](#) on the quality of water intended for human consumption (OJNo. 330, 5.12.1998, p. 32) in relation to private water supplies. A “private supply” is defined in section 93(1) of the Water Industry Act 1991 as a supply that is provided otherwise than by a water undertaker or a licensed water supplier.

Part 1 of the Regulations makes miscellaneous provision in relation to water standards for private supplies. It defines the circumstances in which water is to be regarded as “wholesome” (regulation 4 and Schedule 1). It also sets out the requirements which apply where water is disinfected (regulation 5) and imposes a duty on each local authority to carry out a risk assessment of every private supply in its area (regulation 6).

Part 2 of the Regulations places a duty on local authorities to monitor private supplies (regulations 7 to 10 and Schedule 2) and to ensure that each sample taken is analysed in the ways set out in Schedule 3 (regulation 11). It also requires the local authority to make and maintain records for every water supply in its area (regulation 12 and Schedule 4) and to send a copy of the records to the Drinking Water Inspectorate and the Welsh Ministers (regulation 13).

Part 3 of the Regulations sets out the procedures to be followed if the water is not wholesome. It requires local authorities to provide information to those people likely to consume the water (regulation 14) and to carry out an investigation (regulation 15). If the cause of the unwholesome water is in the pipework within a single dwelling local authorities must offer advice on measures necessary for the protection of human health. Otherwise, if it is not possible to solve the problem informally, local authorities may, in defined circumstances, grant an authorisation of different standards. If such an authorisation is not granted local authorities must (or, in the case of a supply to a single dwelling, may) serve improvement notices requiring the supply to be made wholesome (regulations 16 and 17).

Part 4 of the Regulations requires a notice to be served on the “relevant person” (as defined in section 80 of the Water Industry Act 1991) if any supply constitutes a potential danger to human health (regulation 18) and makes provision for appeals and penalties in connection with such notices (regulations 19 and 20).

Part 5 of the Regulations makes provision for the payment of fess (regulation 21 and Schedule 5) and revokes the Private Water Supplies Regulations 1991 ([S.I. 1991/2790](#)) in relation to Wales (regulation 22).

A full impact assessment has been prepared for these Regulations. A copy can be obtained from the Climate Change and Water Division of the Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.