
WELSH STATUTORY INSTRUMENTS

2010 No. 994

The Water Supply (Water Quality) Regulations 2010

PART I

General

Title, commencement and application

1.—(1) The title of these Regulations is the Water Supply (Water Quality) Regulations 2010 and they come into force on 20 April 2010.

(2) Parts I to IX, XI and XII of these Regulations apply in relation to the supply of water by every—

- (a) water undertaker whose area is wholly or mainly in Wales; and
- (b) licensed water supplier so far as relating to licensed activities using the supply system of any water undertaker whose area is wholly or mainly in Wales.

(3) Part X of these Regulations applies to local authorities in Wales, as regards the discharge of functions under that Part, in relation to every—

- (a) water undertaker whose area is wholly in Wales;
- (b) water undertaker whose area is partly in Wales and partly in England, but only in respect of the part in Wales; and
- (c) licensed water supplier so far as relating to licensed activities using the supply system situated in Wales of any water undertaker.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Water Industry Act 1991(1);

“access agreement” means an agreement made or determined under section 66D(2) of the Act;

“appropriate local authority”, in relation to—

- (a) a departure authorised under regulation 22;
- (b) an application for any such authorisation; or
- (c) an event specified in regulation 35(6),

means a local authority whose area contains any part of the water supply zone to which the authorisation relates or, in the case of an application, would relate if a departure were authorised in the terms sought, or whose area is affected or is likely to be affected by the event;

“blending point” means a point at which water originating from two or more sources and treated for the purposes of their supply for regulation 4(1) purposes are combined under conditions

that are designed to secure that, after such combination, the requirements of paragraph (2) of regulation 4 are met;

“Chapter III” means Chapter III (quality and sufficiency of supplies) of Part III (water supply) of the Act;

“combined licensee” means a company which is the holder of a combined licence within the meaning of Chapter 1A of Part 2 of the Act;

“consumer” means a person to whom water is supplied for regulation 4(1) purposes by a relevant supplier in the discharge of its duties under Chapter III;

“disinfection” means a process of water treatment to—

- (a) remove; or
- (b) render harmless to human health,

every pathogenic micro-organism and pathogenic parasite that would otherwise be present in the water; and “disinfected” shall be construed accordingly;

“groundwater” means all the water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil; and section 221(3) of the Water Resources Act 1991 will have effect for the purpose of this definition as it has effect for the purpose of construing references in that Act to water contained in underground strata;

“Health Protection Agency” means the body established under section 1 of the Health Protection Agency Act 2004;

“indicator parameter” means a parameter listed in Schedule 2;

“local authority” means any of the following—

- (a) in Wales, the council of a county or county borough, and
- (b) in England, a district council or the council of a county in which there are no district councils;

“parameter” means a property, element, organism or substance listed in the second column of Table A or Table B in Schedule 1 to these Regulations, or in Schedule 2, as read, where appropriate, with the notes to Schedule 2 and those Tables;

“pesticides and related products” means—

- (a) any organic insecticide;
- (b) any organic herbicide;
- (c) any organic fungicide;
- (d) any organic nematocide;
- (e) any organic acaricide;
- (f) any organic algicide;
- (g) any organic rodenticide;
- (h) any organic slimicide, and
- (i) any product related to any of (a) to (h) (including any growth regulator),

and includes their relevant metabolites, degradation and reaction products;

“prescribed concentration or value”, in relation to any parameter, means the maximum or minimum concentration or value specified in relation to that parameter in Table A or Table B in Schedule 1 as measured by reference to the unit of measurement so specified, and as read, where appropriate, with the notes to those Tables;

“Public Health Wales National Health Service Trust” means a National Health Service Trust within the meaning of the National Health Service (Wales) Act 2006 if, and in so far as, it has the function of providing services in relation to public health in Wales;

“regulation 4(1) purposes”, in relation to the supply of water, means a supply—

- (a) for such domestic purposes as consist in or include, cooking, drinking, food preparation or washing; or
- (b) for any of those domestic purposes, to premises in which food is produced;

“relevant supplier” means a water undertaker or licensed water supplier;

“retail licensee” means a company which is the holder of a retail licence within the meaning of Chapter 1A of Part 2 of the Act;

“sampling point”—

- (a) in relation to water supplied from a distribution network, means a point, being a consumer’s tap, that is selected for the purposes of Part IV of these Regulations;
- (b) in relation to water supplied from a tanker, means the point at which the water emerges from the tanker;

“specification”, in relation to an indicator parameter, means the concentration, value or state, shown as applicable to that parameter in Schedule 2 as measured by reference to the unit of measurement so shown;

“state”, in relation to an indicator parameter, means the state specified in relation to that parameter in Schedule 2 as measured by reference to the unit of measurement so specified;

“supply point” means a blending point, service reservoir, treatment works or other point, not being a sampling point, which the Welsh Ministers authorise for the purposes of regulation 6;

“supply system” is to be construed in accordance with section 17B(5) of the Act;

“water supply zone”, in relation to a water undertaker and a year, means an area designated for that year by the water undertaker in accordance with regulation 3; and

“year” means calendar year.

(2) Other expressions used both in these Regulations and in Council Directive [98/83/EC](#) (on the quality of water intended for human consumption) have the same meaning in these Regulations as they have in that Directive.

(3) Subject to paragraph (4), references in these Regulations to a service reservoir are references to any structure, other than a structure at a treatment works, in which a reserve of water that has been treated with a view to complying with the requirements of regulation 4 is contained and stored for the purpose of meeting a variable demand for the supply of water.

(4) Where references in these Regulations to a service reservoir would, but for this paragraph, include references to a structure comprising more than one compartment—

- (a) each compartment which has its own water inlet and water outlet and is not connected hydraulically to any other compartment will be treated as a single service reservoir;
- (b) the compartments that are connected hydraulically will be treated as a single service reservoir; and
- (c) unless all of the compartments are connected hydraulically, the structure as a whole will not be treated as a service reservoir.