
WELSH STATUTORY INSTRUMENTS

2018 No. 647

The Water Supply (Water Quality) Regulations 2018

PART 7

Investigations, Authorisation of Departures and Remedial Action

Action by the Welsh Ministers

20.—(1) Where—

(a) a notification given in accordance with paragraph (6) of regulation 18 in the circumstances mentioned in paragraph (1) of that regulation (including that paragraph as read with paragraph (4)(a) of that regulation) discloses—

(i) a failure in respect of a parameter specified in Table B in Schedule 1, and

(ii) that the failure is not attributable to the domestic distribution system or the maintenance of that system, and

(b) it appears to the Welsh Ministers that the failure is not trivial and is likely to recur,

the Welsh Ministers may, by notice in writing to any relevant supplier which uses the supply system for the purposes of supplying water to consumers in respect of which the notification was given, require that relevant supplier to seek a departure in accordance with regulation 22.

(2) The exercise by the Welsh Ministers of the power conferred by paragraph (1) will not preclude the exercise by the Welsh Ministers of the power conferred by section 18 of the Act (orders for securing compliance with certain provisions)(1).

(3) Where—

(a) a notification given in accordance with regulation 18(5) in the circumstances mentioned in regulation 18(3)(b) discloses—

(i) a failure in relation to any parameter specified in Table B in Schedule 1, and

(ii) that the failure is not attributable to the domestic distribution system or the maintenance of that system, and

(b) it appears to the Welsh Ministers that the failure in respect of that parameter is not trivial and is likely to recur,

the Welsh Ministers must consider whether to vary the terms of an authorisation under regulation 22.

(4) Where—

(a) a notification given in accordance with regulation 19(2) discloses an inability to meet the specification applicable to an indicator parameter, and

(b) the Welsh Ministers consider that the inability poses a potential danger to human health,

the Welsh Ministers must, by notice in writing to any relevant supplier which uses the supply system for the purposes of supplying water to consumers in respect of which the notification was given,

(1) Section 18 was amended by sections 36(2) and 49(2) of, and paragraph 4 of Schedule 8 to, the Water Act 2003, and by paragraph 26 of Schedule 7 to the Water Act 2014.

require that relevant supplier to take such steps as may be determined by the Welsh Ministers and specified in the notice.

(5) A relevant supplier to whom a notice under paragraph (4) has been given must take the steps specified in the notice