



Water Supplies and Sewerage Act (Northern Ireland) 1945

1945 CHAPTER 17

An Act to make better provision as to water supplies, sewerage and sewage disposal; and for other purposes connected with the matters aforesaid. [13th December 1945]

Ss.1-3 rep. by 1973 NI 2

4 New houses to be provided with sufficient water supply.

- (1) Where plans of a house are, in accordance with [^{F1} building regulations], deposited with a [^{F2} district council, the council] shall reject the plans unless there is put before them a proposal which appears to them to be satisfactory for providing the occupants of the house with a supply of wholesome water sufficient for their domestic purposes—
- (a) by connecting the house to a supply of water in pipes provided by [^{F3} any water undertaker]^{F4}; or
 - (b) if in all the circumstances it is not reasonable to require the house to be connected as aforesaid, by otherwise taking water into the house by means of a pipe; or
 - (c) if in all the circumstances neither of the preceding alternatives can reasonably be required, by providing a supply of water within a reasonable distance of the house;

and the [^{F2} council] are satisfied that the proposal can and will be carried into effect.

Any question arising under this sub-section between a [^{F2} district council] and the person by whom, or on whose behalf, plans are deposited as to whether the [^{F2} district council] ought to pass the plans may on the application of that person be determined [^{F5}by the Water Appeals Commission] .

- (2) If after any such plans as aforesaid have been passed it appears to the [^{F2} district council] that the proposal for providing a supply of water has not been carried into effect, or has not resulted in a supply of wholesome water sufficient for the domestic purposes of the occupants, the [^{F2} council] shall give notice to the owner of the house, prohibiting him from occupying it or permitting it to be occupied until the [^{F2} council],

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being satisfied that such a supply has been provided, have granted a certificate to that effect; and, until such a certificate has been granted, he shall not occupy the house or permit it to be occupied:

Provided that any person aggrieved by the refusal of the [^{F2} council] to grant such a certificate may apply to the County Court for an order authorising the occupation of the house and, if the court is of opinion that a certificate ought to have been granted, the court may make an order authorising the occupation of the house, and such an order shall have the like effect as a certificate of the [^{F2} district council].

- (3) Any person who contravenes the provisions of the last preceding sub-section shall on summary conviction be liable to a fine not exceeding [^{F6} level 3 on the standard scale] and to a further fine not exceeding [^{F7} £10] for each day on which the offence continues after conviction therefor.

[^{F8}(4) Article 107(1) of the Water and Sewerage Services (Northern Ireland) Order 2006 (standards of wholesomeness of water) and any regulations made under that paragraph shall apply for the purposes of this section as they apply for the purposes of Chapter III of Part IV of that Order.]

- F1** 1979 NI 16
F2 SRO (NI) 1973/285
F3 Words in s. 4(1)(a) substituted (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(1), **Sch. 12 para. 2(1)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, {art. 2(2)}, Sch. 1 Pt. II (subject to art. 3, Sch. 2)
F4 Functions transf., SRO (NI) 1973/504
F5 Words in s. 4(1) substituted (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(1), **Sch. 12 para. 2(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)
F6 1984 NI 3
F7 1967 c.29 (NI)
F8 S. 4(4) added "at the end" of s. 4 (1.4.2007) by virtue of [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(1), **Sch. 12 para. 2(3)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, {art. 2(2)}, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

S. 5 rep. by 1993 NI 16

Ss.6#11 rep. by 1973 NI 2

S.12 rep. by 1953 c.13 (NI); 1973 NI 2

Ss.13#15 rep. by 1973 NI 2

16 Interpretation.

- (1) In this Act the following expressions shall, subject to any express provision or anything in the context to the contrary, have the meanings hereby respectively assigned to them, that is to say—

Definitions rep. by 1973 NI 2

“contravene” in relation to any provision includes failing to comply with that provision;

^{F9}
 ...

Definitions rep. by 1973 NI 2

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“house” means dwelling-house, whether privately owned or not;

Definition rep. by 1973 NI 2

“Ministry”^{F10} has the meaning assigned to that expression by section one of this Act;

Definitions rep. by 1973 NI 2

Subs.(2)(3) rep. by 1954 c.33 (NI); subs.(4) rep. by 1973 NI 2

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| <p>F9 Words in s. 16(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 44, Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p> <p>F10 SRO (NI) 1964/205; 1973/504</p> |
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17 Short title.

This Act may be cited as the Water Supplies and Sewerage Act (Northern Ireland), 1945.

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First and Second Schedules rep. by 1973 NI 2

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