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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 209**

**The Private Water Supplies (Scotland) Regulations 2006**

**PART IV**

**WHOLESOMENESS**

**Wholesomeness: Private Water Supplies**

7.—(1) Water supplied to any premises from a private water supply for human consumption purposes shall be regarded as wholesome for the purposes of Part VIA of the 1980 Act, as it applies to the supply of water for those purposes, if—

- (a) in respect of a Type A supply, the requirements of paragraph (2) are satisfied; or
- (b) in respect of a Type B supply, the requirements of paragraph (3) are satisfied.

(2) The requirements of this paragraph are—

- (a) that the water does not contain—
  - (i) any micro-organism (other than a parameter) or parasite; or
  - (ii) any substance (other than a parameter),

at a concentration or value which would constitute a potential danger to human health;

- (b) that the water does not contain any substance (whether or not a parameter) at a concentration or value which, in conjunction with any other substance it contains (whether or not a parameter), would constitute a potential danger to human health;
- (c) that the water does not contain concentrations or values of the parameters listed in the second column of Tables A and B in Schedule 1 in excess of or, as the case may be, less than the prescribed concentration or values; and
- (d) that the water satisfies the formula  $[\text{nitrate}]/50 + [\text{nitrite}]/3 \leq 1$ , where the square brackets signify the concentrations in mg/l for nitrate (NO<sub>3</sub>) and nitrite (NO<sub>2</sub>).

(3) The requirements of this paragraph are—

- (a) that the water does not contain—
  - (i) any micro-organism (other than a parameter) or parasite; or
  - (ii) any substance (other than a parameter),

at a concentration or value which would constitute a potential danger to human health;

- (b) that the water does not contain any substance (whether or not a parameter) at a concentration or value which, in conjunction with any other substance it contains (whether or not a parameter), would constitute a potential danger to human health; and
- (c) that the water does not contain concentrations or values of the parameters listed in the second column of Table D in Schedule 1 in excess of or, as the case may be, less than the prescribed concentration or values.

(4) The point at which the requirements of paragraph (2) are to be complied with is—

- (a) in the case of water supplied from a tanker or an intermittent short term supply, the point at which the water emerges from the tanker or the supply;
  - (b) in the case of water supplied for use in a food production undertaking, the point where the water is used in that undertaking;
  - (c) in the case of water supplied from a distribution network, at the point, within premises or an establishment, at which it emerges from the tap or taps that are normally used for human consumption purposes; and
  - (d) in any other case, the point which, in the reasonable opinion of the monitoring local authority, is representative of the quality of water consumed or available for consumption throughout the year and which would otherwise be available at any of the points of compliance referred to at sub-paragraphs (a) to (c).
- (5) The point at which the requirements of paragraph (3) are to be complied with are those specified in sub-paragraphs (a), (c) and (d) of paragraph (4).