
STATUTORY INSTRUMENTS

2006 No. 3336

**The Water and Sewerage Services
(Northern Ireland) Order 2006**

PART VI

SEWERAGE SERVICES

CHAPTER II

PROVISION OF SEWERAGE SERVICES

Requisition of public sewer or lateral drain

Duty to comply with sewer and lateral drain requisition

154.—(1) It shall be the duty of a sewerage undertaker (in accordance with Article 156) to provide a public sewer to be used for the drainage for domestic purposes of premises in a particular locality in its area if—

- (a) the undertaker is required to provide the sewer by a notice served on the undertaker by the owner or occupier of any premises in that locality;
- (b) the premises in that locality the drainage of which would be by means of that sewer are—
 - (i) premises on which there are buildings; or
 - (ii) premises on which there will be buildings when proposals made by any person for the erection of any buildings are carried out; and
- (c) the conditions specified in Article 155 are satisfied in relation to that requirement.

(2) It shall be the duty of a sewerage undertaker (in accordance with Article 156) to provide a lateral drain to communicate with a public sewer and to be used for the drainage for domestic purposes of premises in its area if—

- (a) the undertaker is required to provide the lateral drain by a notice served on the undertaker by the owner or occupier of premises the drainage of which would be by means of that lateral drain;
- (b) the premises the drainage of which would be by means of that lateral drain are—
 - (i) premises on which there are buildings; or
 - (ii) premises on which there will be buildings when proposals made by any person for the erection of any buildings are carried out; and
- (c) the conditions specified in Article 155 are satisfied in relation to that requirement.

(3) The duty of a sewerage undertaker under this Article to provide a public sewer or a lateral drain shall be owed to the person who requires the provision of the sewer or lateral drain or, as the case may be, to each of the persons who joins in doing so.

Changes to legislation: *The Water and Sewerage Services (Northern Ireland) Order 2006, Section 154 is up to date with all changes known to be in force on or before 27 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) Where a duty is owed by virtue of paragraph (3) to any person, any breach of that duty which causes that person to sustain loss or damage shall be actionable at the suit of that person; but, in any proceedings brought against a sewerage undertaker in pursuance of this paragraph, it shall be a defence for the undertaker to show that it took all reasonable steps and exercised all due diligence to avoid the breach.

(5) In this Article the reference to domestic purposes, in relation to the drainage of premises to which a requirement under this Article relates, is a reference—

- (a) where there are buildings on those premises, to such domestic sewerage purposes as are specified in relation to those buildings in the requirement; and
- (b) where any person is proposing to erect buildings on those premises, to such domestic sewerage purposes as are so specified in relation to the buildings and to times after the erection of the buildings.

Commencement Information

II [Art. 154](#) wholly in operation at 1.4.2007, see [art. 1\(2\)](#) and [S.R. 2007/194](#), [art. 2\(2\)](#), [Sch. 1 Pt. II](#) (subject to [art. 3](#), [Sch. 2](#))

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 23(6) inserted by [2024 c. 13 Sch. 30 para. 41\(4\)](#)
- art. 27(11) inserted by [2024 c. 13 Sch. 30 para. 42\(4\)](#)
- art. 29(11) inserted by [2024 c. 13 Sch. 29 para. 4](#)
- art. 265(5)(u) inserted by [2024 c. 13 Sch. 30 para. 43\(b\)](#)
- art. 293(10A) inserted by [2015 c. 8 \(N.I.\) Sch. 3 para. 2\(b\)](#)