
STATUTORY INSTRUMENTS

2006 No. 3336

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART VIII

UNDERTAKERS' POWERS AND WORKS

CHAPTER I

UNDERTAKERS' POWERS

Powers to discharge water

Discharges for works purposes

226.—(1) Subject to the following provisions of this Article and to Article 227, where any water undertaker—

- (a) is exercising or about to exercise any power conferred by Article 219, 220, 222 or 224 (other than the power conferred by Article 222(3)); or
- (b) is carrying out, or is about to carry out, the construction, alteration, repair, cleaning, or examination of any reservoir, well, borehole, or other work belonging to or used by that undertaker for the purposes of, or in connection with, the carrying out of any of its functions,

the undertaker may cause the water in any relevant pipe or in any such reservoir, well, borehole or other work to be discharged into any available watercourse.

(2) Nothing in this Article shall authorise any discharge which—

- (a) damages or injuriously affects the works or property of any railway undertaking or navigation authority; or
- (b) floods or damages any road.

(3) If any water undertaker fails to take all necessary steps to secure that any water discharged by it under this Article is as free as may be reasonably practicable from—

- (a) mud and silt;
- (b) solid, polluting, offensive or injurious substances; and
- (c) any substances prejudicial to fish or spawn, or to spawning beds or food of fish,

the undertaker shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(4) In this Article “relevant pipe” means any water main (including a trunk main), resource main, discharge pipe or service pipe.

Changes to legislation: *The Water and Sewerage Services (Northern Ireland) Order 2006, Section 226 is up to date with all changes known to be in force on or before 25 July 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*

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Commencement Information

- II** [Art. 226](#) 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](#))

Changes to legislation:

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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\(b\)](#)