
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 95

The Water Quality (Scotland) Regulations 2010

Amendment of the Water Supply (Water Quality) (Scotland) Regulations 2001

7.—(1) Regulation 17 of the 2001 Regulations (investigations: Schedule 1 parameters) is amended in accordance with paragraphs (2) to (6).

(2) In paragraph (2), after sub-paragraph (a) insert—

“(aa) whether the failure or as the case may be, the apprehended failure poses a risk to human health;”.

(3) In paragraph (5)—

(a) for “As soon as may be” substitute “Immediately”;

(b) after “the Scottish Ministers” insert “and (in the case of failures or apprehended failures affecting premises or establishments in which water is supplied to the public, such as schools, hospitals and restaurants) the local authority in whose area the premises or establishment is located”;

(c) after sub-paragraph (a) insert—

“(aa) whether those matters relate to premises or establishments in which water is supplied to the public;” and

(d) in sub-paragraph (c), omit “in relation to a failure which is attributable to the domestic distribution system or the maintenance of that system”.

(4) After paragraph (5), insert—

“(5A) Where the water authority has identified a failure which constitutes a potential risk to human health, it shall, at the same time as notice is given under paragraph (5)—

(a) by notice in writing (or in electronic form) to those of its consumers—

(i) to whom it supplies water for regulation 4(1) purposes; and

(ii) who are likely to be affected by the failure,

inform them of the nature of the failure and provide details of the steps (if any) that, in the opinion of the water authority, it is necessary or desirable for those consumers to take in the interests of their health; and

(b) send a copy of that notice to the Scottish Ministers and to each appropriate local authority.”

(5) In paragraph (6), after “maintenance of that system” insert “(and the failure does not require to be notified to consumers under paragraph (5A))”.

(6) In paragraph (7)—

(a) after “(5)” insert “, (5A)”; and

(b) after “requirements of” (where they second occur) insert “regulation 31(8) (insofar as they relate to a local authority notified under paragraph (5), (5A) or (6)) and”.