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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

The Water and Sewerage Services  
(Northern Ireland) Order 2006

PART VI

SEWERAGE SERVICES

CHAPTER II

PROVISION OF SEWERAGE SERVICES

*Provisions protecting public sewers*

**Restrictions on use of public sewers**

**168.**—(1) Subject to the provisions of Chapter III of this Part, no person shall throw, empty or turn, or suffer or permit to be thrown or emptied or to pass, into any public sewer, or into any drain or sewer communicating with a public sewer or into any waste water treatment works—

- (a) any matter likely to—
  - (i) injure the sewer, drain or works,
  - (ii) interfere with the free flow of its contents or
  - (iii) affect prejudicially the treatment and disposal of its contents,either alone or in combination with the contents of the sewer, drain or works; or
- (b) any such chemical refuse or waste steam, or any such liquid of a temperature higher than 43 degrees Celsius, as is by virtue of paragraph (2) a prohibited substance; or
- (c) any petroleum spirit or carbide of calcium.

(2) For the purposes of paragraph (1), chemical refuse, waste steam or a liquid of a temperature higher than that mentioned in that paragraph is a prohibited substance if (either alone or in combination with the contents of the sewer, drain or works in question) it is or, in the case of the liquid, is when so heated—

- (a) dangerous;
- (b) the cause of a nuisance; or
- (c) injurious, or likely to cause injury, to health.

(3) A person who contravenes any of the provisions of this Article shall be guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum and to a further fine not exceeding £50 for each day on which the offence continues after conviction;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(4) For the purposes of so much of paragraph (3) as makes provision for the imposition of a daily penalty—

- (a) the court by which a person is convicted of the original offence may fix a reasonable date from the date of conviction for compliance by the defendant with any directions given by the court; and
- (b) where a court has fixed such a period, the daily penalty shall not be imposed in respect of any day before the end of that period.

(5) In this Article the expression “petroleum spirit” means any such—

- (a) crude petroleum;
- (b) oil made from petroleum or from coal, shale, peat or other bituminous substances; or
- (c) product of petroleum or mixture containing petroleum,

as, when tested in the manner prescribed by or under the Petroleum (Consolidation) Act (Northern Ireland) 1929 (c. 13), gives off an inflammable vapour at a temperature of less than 23 degrees Celsius.