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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

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

**PART IV**

**WATER SUPPLY**

**CHAPTER I**

**GENERAL DUTIES OF WATER UNDERTAKERS**

*General water supply duties*

**Standards of performance in connection with water supply**

**66.**—(1) For the purpose—

- (a) of facilitating the determination of the extent to which breaches of the obligations imposed by the following provisions of this Part are to amount to breaches of the duty imposed by Article 65; or
- (b) of supplementing that duty by establishing overall standards of performance in relation to that duty,

the Department may, in accordance with Article 69, by regulations provide for contraventions of such requirements as may be prescribed to be treated for the purposes of this Order as breaches of that duty.

(2) The Department may, in accordance with Article 69, by regulations prescribe such standards of performance in connection with the provision of supplies of water as, in its opinion, ought to be achieved in individual cases.

(3) Regulations under paragraph (2) may provide that if a water undertaker fails to meet a prescribed standard it shall pay such amount as may be prescribed to any person who is affected by the failure and is of a prescribed description.

(4) Without prejudice to the generality of the power conferred by paragraph (2), regulations under that paragraph may—

- (a) include in a standard of performance a requirement for a water undertaker, in prescribed circumstances, to inform a person of his rights by virtue of any such regulations;
- (b) provide for any dispute under the regulations to be referred by either party to the dispute to the Authority;
- (c) make provision for the procedure to be followed in connection with any such reference and for the Authority's determination on such a reference to be enforceable in such manner as may be prescribed;
- (d) prescribe circumstances in which a water undertaker is to be exempted from requirements of the regulations.

(5) Where the Authority determines any dispute in accordance with regulations under this Article it shall, in such manner as may be specified in the regulations, give its reasons for reaching its decision with respect to the dispute.