



Water (Scotland) Act 1980

1980 CHAPTER 45

PART V

HOUSES, ETC., TO BE SUPPLIED WITH WATER

63 Provision of water supply for new buildings and houses

- (1) Subject to the provisions of this section, it shall be the duty of any person erecting or causing to be erected a building the erection of which is begun after 15th May 1946 to make adequate provision to the satisfaction of the local authority for a sufficient supply of wholesome water in pipes for the domestic purposes of the persons occupying or using the building.
- (2) In the case of a building being a factory within the meaning of the Factories Act 1961, other than a factory in which the production or the preparation of food or drink for human consumption is carried on by way of trade, where the Secretary of State, after consulting the water authority is satisfied—
 - (a) that the authority would be unable to provide a sufficient supply of wholesome water in pipes for the purposes aforesaid without endangering their ability to meet existing obligations to supply water for any purpose or probable future requirements to supply water for domestic purposes or without having to incur unreasonable expense, and
 - (b) that it would not be reasonably practicable to obtain a sufficient supply as aforesaid from any other source,

it shall be a sufficient compliance with the requirements of this section if adequate provision is made to the satisfaction of the local authority for the installation of a sufficient supply of wholesome water in pipes for drinking, cooking and personal ablution and of a sufficient supply of suitable water in pipes for sanitary and other domestic purposes.

- (3) Subject to, and without prejudice to the generality of, the provisions of this section, no person shall after 15th May 1946 erect or cause to be erected a house or shall use or permit to be used as a house any building the erection of which is begun after that date,

Status: This is the original version (as it was originally enacted).

unless there is provided within the house or building a sufficient supply of wholesome water for domestic purposes in pipes.

- (4) For the purposes of this section a building or house shall be deemed to be erected where the building or house is re-erected after an outer wall of the building or house has been broken or pulled or burned down to within 10 feet of the surface of the ground adjoining the lowest storey.
- (5) If any person contravenes any of the provisions of this section, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50 and in the case of a house or building being occupied as a house contrary to the provisions of subsection (3) he shall be liable to a further fine not exceeding £25 for each day on which the house or building is occupied as a house after conviction; and without prejudice to proceedings for the recovery of any such fine, the local authority may institute civil proceedings for the purpose of interdicting the occupation of any building in the case of which the provisions of subsection (1) are not complied with, or the occupation of a house as a house or the use of a building as a house in the case of which the provisions of subsection (3) are not complied with.
- (6) In this section " local authority " has the same meaning as in the Building (Scotland) Act 1959.