



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART IV

#### SEWERAGE SERVICES

### CHAPTER II

#### PROVISION OF SEWERAGE SERVICES

##### *Communication of drains and private sewers with public sewers*

#### **109 Unlawful communications**

- (1) Any person who causes a drain or sewer to communicate with a public sewer—
  - (a) in contravention of any of the provisions of section 106 or 108 above; or
  - (b) before the end of the period mentioned in subsection (4) of that section 106, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.
- (2) Whether proceedings have or have not been taken by a sewerage undertaker in respect of an offence under this section, such an undertaker may—
  - (a) close any communication made in contravention of any of the provisions of section 106 or 108 above; and
  - (b) recover from the offender any expenses reasonably incurred by the undertaker in so doing.
- (3) Sections 291, 293 and 294 of the Public Health Act 1936 (which provide for the means of, and for limitations on, the recovery of expenses incurred by a local authority) shall apply in relation to the recovery by a sewerage undertaker of any sums under this section as they apply in relation to the recovery of expenses under that Act by a local authority.