



Water Industry Act 1991

1991 CHAPTER 56

PART III

WATER SUPPLY

CHAPTER III

QUALITY AND SUFFICIENCY OF SUPPLIES

Local authority functions

78 Local authority functions in relation to undertakers' supplies.

(1) It shall be the duty of a local authority to notify any water undertaker of anything appearing to the authority to suggest—

- (a) that any supply by that undertaker [^{F1}, or by a [^{F2}water supply licensee] using that undertaker's supply system,] of water for domestic or food production purposes to any premises in the area of that authority is, has been or is likely to become unwholesome or (so far as any such premises are concerned) insufficient for domestic purposes;
- (b) that the unwholesomeness or insufficiency of any such supply is, was or is likely to be such as to cause a danger to life or health; or
- (c) that the duty imposed on that undertaker by virtue of section 68(1)(b) above is being, has been or is likely to be so contravened as to affect any supply of water to premises in that area.

(2) Where a local authority have notified a water undertaker of any such matter as is mentioned in subsection (1) above, it shall be the duty of that authority, if they are not satisfied that all such remedial action as is appropriate will be taken by the undertaker, to inform the Secretary of State about the contents of the notification.

[^{F3}(3) In subsection (1)(a) above, the reference to the water undertaker's supply system shall be construed in accordance with [^{F4}section 17B] above.]

Status: Point in time view as at 17/05/2024.

Changes to legislation: Water Industry Act 1991, Section 78 is up to date with all changes known to be in force on or before 20 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 78(1)(a) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 26(2)**; S.I. 2005/2714, {art. 3(c)} (with Sch. para. 8)
- F2** Words in s. 78(1)(a) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 74(2)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(n)** (with **Sch. 2**) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F3** S. 78(3) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 26(3)**; S.I. 2005/2714, {art. 3(c)} (with Sch. para. 8)
- F4** Words in s. 78(3) substituted (1.4.2017) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 74(3)**; S.I. 2017/462, art. 3(k)(ix)

Modifications etc. (not altering text)

- C1** Ss. 77-79 modified (6.4.2010) by [The Cowes Port Health Authority Order 2010 \(S.I. 2010/1216\)](#), arts. 1(1), 4, **Sch.**
- C2** Ss. 77-79 modified (6.4.2010) by [The Portsmouth Port Health Authority Order 2010 \(S.I. 2010/1217\)](#), arts. 1(1), 4, **Sch.**

Status:

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