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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 of, and the Schedule to, these Regulations amend the Water Supply (Water Quality) Regulations 2000 (“the 2000 Regulations”). The effect of the amendments set out in paragraph 1 of the Schedule is—

- (a) to bring regulation 25 (interpretation of Part VII) and regulation 39 (contraventions by water undertakers) of the 2000 Regulations into force on 5th September 2001;
- (b) with effect from 1st October 2001, to enable proceedings to be taken in respect of contraventions of paragraph (9) of regulation 28 of those Regulations. That paragraph prohibits the supply of water from treatment works for the purposes, or to the premises, referred to in regulation 4(1) of the 2000 Regulations unless it has been established that there is no significant risk of cryptosporidium oocysts in water supplied from the works or that, if there is such a risk, and treatment is required, that steps are being taken to comply with the requirements; and
- (c) to commence, on 1st January 2004, the revocation of provisions relating to the functions of English local authorities under the Water Supply (Water Quality) Regulations 1989.

The amendments set out in paragraphs 2 and 9(d) are related. Their effect is to require a water undertaker to give notice of any occurrence which gives rise, or may give rise, to a significant risk to health. Notice is to be given to each local authority and health authority in whose area reside persons to whose health there is or may be a significant risk, and to the relevant customer services committee (defined in regulation 2(1) of the 2000 Regulations).

The amendment set out in paragraph 3 provides that water will be regarded as unwholesome if it contains an indicator parameter (a parameter listed in Schedule 2 to the 2000 Regulations) at a concentration or value which would constitute a potential danger to human health. (Regulation 19(4) enables the Secretary of State to require water undertakers to take steps in relation to such matters.)

The amendment set out in paragraph 4 makes a technical change to the description of the hydrogen ion parameter. The amendment set out in paragraph 5 makes technical changes to the definitions of “precision” and “trustees” for the purposes of regulation 16 of the 2000 Regulations, which relates to the collection and analysis of samples.

The amendments set out in paragraphs 6, 7 and 8 correct errors in regulation 26 (treatment of raw water), regulation 30 (contamination from pipes), and regulation 34 (maintenance of records) of the 2000 Regulations.

The amendments set out in paragraph 9(a) to (c) relate to regulation 35 (provision of information) and make technical changes to the information to be given as regards microbiological parameters.

The amendments set out in paragraph 10 clarify the relationship between paragraph (6) of regulation 1 and the revocations and savings in regulation 43. The combined effect of those provisions is that the revocations have no effect in relation to water undertakers whose area is wholly or mainly in Wales, or to local authorities in Wales.

The amendments set out in paragraphs 11 to 14 insert additional entries in Schedule 2 and Tables 1 and 2 in Schedule 3, and make minor adjustments in those Tables and in Table 3 of that Schedule.

Regulation 3 amends regulation 29(1)(f) of, and Table 4B in Schedule 3 to, the Water Supply (Water Quality) Regulations 1989. The amendments correct errors in Schedule 5 to the 2000 Regulations.