

---

STATUTORY INSTRUMENTS

---

**2016 No. 614**

**The Water Supply (Water Quality) Regulations 2016**

**PART 8**

Water treatment

**Procedure following risk assessment and prohibition of supply**

**28.**—(1) As soon as reasonably practicable after a water undertaker or [<sup>F1</sup>wholesale licensee] has carried out a risk assessment or review of such assessment under regulation 27, it must submit to the Secretary of State a report of the assessment or review.

(2) The report must contain—

- (a) a description of the methods used to carry out the assessment or review;
- (b) where the assessment or review establishes that there is no significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, a statement confirming this;
- (c) where the assessment or review establishes that measures have been taken to remove a significant risk of supplying water that could constitute a potential danger to human health or be unwholesome—
  - (i) monitoring data which verifies this;
  - (ii) details of those measures.

(3) Where the assessment or review establishes that there is a significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, the report must—

- (a) contain a full explanation including details of every property, organism or substance that has been identified as contributing to the risk;
- (b) specify the measures to mitigate the risk that the water undertaker or [<sup>F1</sup>wholesale licensee]—
  - (i) has made operational as at the date of the report, and
  - (ii) intends to make operational.

(4) Where the Secretary of State has received a report which states that there is or has been a significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, the Secretary of State may, by notice served on the water undertaker or [<sup>F1</sup>wholesale licensee], require the water undertaker or [<sup>F1</sup>wholesale licensee]—

- (a) to maintain such specified measures for such period of time as the Secretary of State considers appropriate to mitigate the risk;
- (b) to review, revise or make operational such specified measures by such date as the Secretary of State considers appropriate to mitigate the risk;
- (c) to audit whether the measures have been effective by such means as may be specified;

- (d) not to supply water for regulation 4(1) purposes from specified treatment works or supply systems, or not to so supply unless specified conditions are satisfied;
  - (e) to give the Secretary of State such information as the Secretary of State may require to monitor progress towards mitigation of that risk.
- (5) In paragraph (4), “specified” means specified in the notice served under that paragraph.
- (6) The Secretary of State may, by notice served on the relevant undertaker or [<sup>F2</sup>water supply licensee], revoke or vary a notice served under paragraph (4).
- (7) On the coming into force of these Regulations, a notice given under regulation 28(4) of the 2000 Regulations which had effect immediately before the coming into force of these Regulations is taken to be a notice given under paragraph (4) of this regulation.

---

**Textual Amendments**

- F1** Words in regs. 26-28 substituted (31.3.2017) by [The Water Act 2014 \(Consequential Amendments etc.\) Order 2017 \(S.I. 2017/506\)](#), arts. 1(1), **32(4)**
- F2** Words in reg. 28(6) substituted (31.3.2017) by [The Water Act 2014 \(Consequential Amendments etc.\) Order 2017 \(S.I. 2017/506\)](#), arts. 1(1), **32(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Supply (Water Quality) Regulations 2016, Section 28.