
WELSH STATUTORY INSTRUMENTS

2001 No. 3911

The Water Supply (Water Quality) Regulations 2001

PART I
GENERAL

Citation, commencement and application

- 1.—(1) These Regulations may be cited as the Water Supply (Water Quality) Regulations 2001.
- (2) This regulation, regulations 2, 25, 27 to 29, 39, 40 and 41, paragraph (1) of regulation 43, and so much of regulation 33 as relates to any contravention of paragraph (9) of regulation 28 or any contravention of a provision of regulation 29, shall come into force on 1st January 2002.
- (3) Regulations 3 and 42 shall come into force on 1st June 2003.
- (4) Regulations 4 and 17 to 24, paragraphs (4) and (5) of regulation 30, and paragraph (2) of regulation 43, shall come into force on 25th December 2003.
- (5) All other provisions of these Regulations shall come into force on 1st January 2004.
- (6) Parts I to VIII, X and XI of these Regulations apply in relation to the supply of water by water undertakers whose areas are wholly or mainly in Wales.
- (7) Part IX of these Regulations applies to local authorities in Wales, as regards the discharge of functions under that Part in relation to water undertakers—
- (a) whose area is situated wholly in Wales; or
 - (b) whose area is situated partly in England and partly in Wales, as regards the part situated in Wales.

Interpretation

- 2.—(1) In these Regulations—
- “the Act” means the Water Industry Act 1991;
- “the 1989 Regulations” means the Water Supply (Water Quality) Regulations 1989⁽¹⁾;
- “appropriate local authority” and “appropriate health authority”, in relation to a departure authorised under regulation 20 or 21, or an application for any such authorisation, means the local authority and the health authority, respectively, whose area contains any part of the water supply zone to which the authorisation relates or, in the case of an application, would apply if a departure were authorised in the terms sought;
- “blending point” means a point at which water originating from two or more sources and treated for the purposes of their supply for regulation 4(1) purposes are combined under conditions that are designed to secure that, after such combination, the requirements of paragraph (2) of regulation 4 are met;

(1) S.I. 1989/1147, amended by S.I. 1989/1384, 1991/1837, and 2790, 1996/3001 and 1999/1524.

“Chapter III” means Chapter III (quality and sufficiency of supplies) of Part III (water supply) of the Act;

“consumer” means a person to whom water is supplied for regulation 4(1) purposes by a water undertaker in the discharge of its duties under Chapter III;

“disinfection” means a process which removes or renders inactive pathogenic micro-organisms so as to satisfy the requirements of Part III of these Regulations in respect of micro-organisms (other than parameters), parasites and the parameters listed in Table A in Schedule 1 to these Regulations; and “disinfected” shall be construed accordingly;

“groundwater” means water contained in underground strata; and section 221(3) of the Water Resources Act 1991⁽²⁾ shall have effect for the purpose of this definition as it has effect for the purpose of construing references in that Act to water contained in underground strata;

“health authority” means an authority established by Order under section 8 (health authorities) of the National Health Service Act 1977⁽³⁾ to act for an area in Wales;

“indicator parameter” means a parameter listed in Schedule 2;

“local authority” means any of the following—

- (a) in Wales, the council of a county or county borough, and
- (b) in England, a district council or the council of a county in which there are no district councils;

“parameter” means a property, element, organism or substance listed in the second column of Table A or Table B in Schedule 1 to these Regulations, or in Schedule 2, as read, where appropriate, with the notes to Schedule 2 and those Tables;

“pesticides and related products” means—

- (a) any organic insecticide;
- (b) any organic herbicide;
- (c) any organic fungicide;
- (d) any organic nematocide;
- (e) any organic acaricide;
- (f) any organic algicide;
- (g) any organic rodenticide;
- (h) any organic slimicide, and
- (i) any product related to any of (a) to (h) (including any growth regulator),

and includes their relevant metabolites, degradation and reaction products;

“prescribed concentration or value”, in relation to any parameter, means the maximum or minimum concentration or value specified in relation to that parameter in Table A or Table B in Schedule 1 as measured by reference to the unit of measurement so specified, and as read, where appropriate, with the notes to those Tables;

“regulation 4(1) purposes”, in relation to the supply of water, means a supply—

- (a) for such domestic purposes as consist in or include, cooking, drinking, food preparation or washing; or
- (b) for any of those domestic purposes, to premises in which food is produced;

(2) 1991 c. 57.

(3) 1977 c. 49. Section 8 was substituted by the Health Authorities Act 1995 (c. 17), section 1.

“relevant customer services committee”, in relation to a water undertaker, means the committee maintained under section 28 (customer service committees) of the Act⁽⁴⁾ and for the time being exercising functions in relation to that water undertaker or, where more than one committee exercises functions in relation to a particular water undertaker, the committee to which the water undertaker reports in relation to the matter in question;

“sampling point”—

- (a) in relation to water supplied from a distribution network, means a point, being a consumer’s tap, that is selected for the purposes of Part IV of these Regulations;
- (b) in relation to water supplied from a tanker, means the point at which the water emerges from the tanker;

“specification”, in relation to an indicator parameter, means the concentration, value or state, shown as applicable to that parameter in Schedule 2 as measured by reference to the unit of measurement so shown;

“state”, in relation to an indicator parameter, means the state specified in relation to that parameter in Schedule 2 as measured by reference to the unit of measurement so specified;

“supply point” means a blending point, service reservoir, treatment works or other point, not being a sampling point, which the National Assembly for Wales authorises for the purposes of regulation 6;

“water supply zone”, in relation to a water undertaker and a year, means an area designated for that year by the water undertaker in accordance with regulation 3; and

“year” means calendar year.

(2) Other expressions used both in these Regulations and in Council Directive [98/83/EC](#) (on the quality of water intended for human consumption)⁽⁵⁾ have the same meaning in these Regulations as they have in that Directive.

(3) Subject to paragraph (4), references in these Regulations to a service reservoir are references to any structure, other than a structure at a treatment works, in which a reserve of water that has been treated with a view to complying with the requirements of regulation 4 is contained and stored for the purpose of meeting a variable demand for the supply of water.

(4) Where references in these Regulations to a service reservoir would, but for this paragraph, include references to a structure comprising more than one compartment—

- (a) each compartment which has its own water inlet and water outlet and is not connected hydraulically to any other compartment shall be treated as a single service reservoir;
- (b) the compartments that are connected hydraulically shall be treated as a single service reservoir; and
- (c) unless all of the compartments are connected hydraulically, the structure as a whole shall not be treated as a service reservoir.

(4) See, as to the functions of customer services committees, section 29 of the Water Industry Act 1991.

(5) O.J. L330, 5.12.98, p.32.