
STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART II

FIRE AND RESCUE SERVICES

CHAPTER IV

WATER SUPPLIES, ETC.

Supply and use of water

Duty to secure water supply

15.—(1) The Board shall take all reasonable measures for securing that an adequate supply of water will be available for the Board's use for the purposes specified in paragraph (2).

(2) The purposes referred to in paragraph (1) are—

- (a) extinguishing fires;
- (b) protecting life and property in the event of fires;
- (c) rescuing persons in the event of road traffic accidents;
- (d) protecting persons from serious harm in the event of road traffic accidents;
- (e) carrying out any function conferred on the Board by an order under Article 7; and
- (f) complying with any directions given to the Board under Article 56.

Use of water

16.—(1) The Board may use any convenient or suitable supply of water for the purposes specified in Article 15(2).

(2) Subject to Article 35(2) of the Water and Sewerage Services (Northern Ireland) Order 1973 (NI 2), the Board shall pay reasonable compensation for water used by virtue of paragraph (1).

VALID FROM 01/04/2007

[^{F1}Supply of water by water undertakers

16A.—(1) The Board may enter into an agreement with a water undertaker for the purposes of Article 15.

(2) An agreement under paragraph (1) may include terms as to payment to be made to the undertaker, subject to Article 207 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Status: Point in time view as at 01/07/2006. This version of this chapter contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, CHAPTER IV. (See end of Document for details)

(3) A water undertaker shall enter into any agreement reasonably proposed by the Board under paragraph (1).

(4) An obligation of a water undertaker under an agreement under paragraph (1), or under paragraph (3), is enforceable by the Department for Regional Development under Article 30 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Textual Amendments

F1 Arts. 16A, 16B inserted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 49(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

VALID FROM 01/04/2007

Emergency supply by water undertakers

16B.—(1) If the Board requests a water undertaker to provide a supply and pressure of water for the purposes of extinguishing a fire that is greater than the undertaker would otherwise provide, the undertaker shall take all necessary steps in order to do so.

(2) For the purposes of complying with its obligation under paragraph (1) a water undertaker may shut off the water from the mains and pipes in any area.

(3) No authority or person shall be liable to any penalty or claim arising because of anything done by a water undertaker in complying with its obligation under paragraph (1).

(4) A water undertaker commits an offence if, without reasonable excuse, it fails to take any step which it is obliged to take under paragraph (1).

(5) A water undertaker guilty of an offence under paragraph (4) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.]

Textual Amendments

F1 Arts. 16A, 16B inserted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 49(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

Fire hydrants

Fire hydrants

17.—(1) The Board shall arrange with the Department for Regional Development—

- (a) for the provision and maintenance of such fire hydrants as are necessary for securing the efficient use of the available supply of water for the purposes specified in Article 15(2); and
- (b) for indicating by a notice or distinguishing mark, which may be placed on any wall or fence adjoining a road or public place, the locations of fire hydrants.

(2) A person commits an offence if he uses a fire hydrant otherwise than—

- (a) for the purposes specified in Article 15(2);

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- (b) for any other purpose of the Board; or
- (c) for any purpose authorised by the Department.

(3) A person commits an offence if he damages or obstructs a fire hydrant, otherwise than in consequence of use for the purposes mentioned in paragraph (2).

(4) A person guilty of an offence under paragraph (2) or (3) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

VALID FROM 01/04/2007

[^{F2}Notice of works affecting water supply and fire hydrants

17A.—(1) A person who proposes to carry out works for the purpose of supplying water shall give at least 6 weeks' notice in writing to the Board.

(2) A person who proposes to carry out works affecting a fire hydrant shall give at least 7 days' notice in writing to the Board.

(3) If it is not practicable for a person to give notice as required by paragraph (1) or (2), he shall be regarded as having given the notice required by that paragraph if he gives it as soon as practicable.

(4) A person commits an offence if, without reasonable excuse, he fails to give notice as required by paragraph (1) or (2).

(5) A person guilty of an offence under paragraph (4) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.]

Textual Amendments

F2 Arts. 17, 17A substituted for art. 17 (1.1.2007 for art. 17 for certain purposes, otherwise 1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2)(3) (e), 308(1), **Sch. 12 para. 49(3)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

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