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STATUTORY INSTRUMENTS

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**2006 No. 3336**

The Water and Sewerage Services  
(Northern Ireland) Order 2006

**PART IV**

WATER SUPPLY

CHAPTER III

QUALITY AND SUFFICIENCY OF SUPPLY

*Enforcement*

**Rights of entry**

**124.**—(1) Any person designated for the purpose by <sup>F1</sup>... DOE shall, on producing some duly authenticated document showing his authority, have a right at all reasonable hours to enter any premises for the purpose of ascertaining whether there is or has been any contravention of Article 112 in relation to any waterworks on those premises.

(2) Any person designated in writing for the purpose by DOE may—

(a) enter any premises for the purpose, in relation to any private supply, of—

(i) determining whether, and if so in what manner, any power or duty conferred or imposed on DOE by or under any of Articles 118 to 121 should be exercised or performed; or

(ii) exercising any such power or performing any such duty;

(b) carry out such inspections, measurements and tests on premises entered by that person or of articles found on any such premises, and take away such samples of water or of any land or articles, as DOE—

(i) considers appropriate for the purposes of any such power or duty; and

(ii) has authorised that person to carry out or take away.

(3) Any person designated in writing for the purpose by the Department may—

(a) enter any premises for the purpose of—

(i) ascertaining whether any provision contained in or made or having effect under this Order with respect to any water fittings, or with respect to the waste or misuse of water, is being or has been contravened;

(ii) determining whether, and if so in what manner, any power or duty conferred or imposed on any person by regulations under Article 114 should be exercised or performed; or

(iii) exercising any such power or performing any such duty; or

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**Changes to legislation:** *The Water and Sewerage Services (Northern Ireland) Order 2006, Section 124 is up to date with all changes known to be in force on or before 17 January 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) View outstanding changes*

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- (b) carry out such inspections, measurements and tests on premises entered by that person or on water fittings or other articles found on any such premises, and take away such samples of water or of any land and such water fittings and other articles, as that person has been authorised to carry out or take away in accordance with regulations under that Article.
- (4) Part I of Schedule 4 shall apply to the right of entry conferred by paragraph (1); but nothing in that paragraph or in that Part of that Schedule shall entitle any person designated for the purposes of that paragraph by DOE to have access to any waterworks belonging to a water undertaker.
- (5) Part II of Schedule 4 shall apply to the rights and powers conferred by paragraphs (2) and (3).
- (6) In this Article “waterworks” has the same meaning as in Article 112.

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**Textual Amendments**

- F1** Words in [art. 124\(1\)](#) repealed (12.4.2016) by [Environmental Better Regulation Act \(Northern Ireland\) 2016 \(c. 13\)](#), [ss. 19\(8\), 27\(1\)](#), [Sch. 2](#) (with S.I. 2006/3336 (N.I. 21), [art. 302A\(1\)\(3\)](#) (as inserted by 2016 c. 13 (N.I.), [s. 23](#)))

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**Commencement Information**

- II** Art. 124 wholly in operation at 1.4.2007, see [art. 1\(2\)](#) and [S.R. 2007/194](#), [art. 2\(2\)](#), [Sch. 1 Pt. II](#) (subject to [art. 3](#), [Sch. 2](#))

**Changes to legislation:**

The Water and Sewerage Services (Northern Ireland) Order 2006, Section 124 is up to date with all changes known to be in force on or before 17 January 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.

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 293(10A) inserted by [2015 c. 8 \(N.I.\) Sch. 3 para. 2\(b\)](#)