
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 365

**The Natural Mineral Water, Spring Water and Bottled
Drinking Water Regulations (Northern Ireland) 2015**

PART 6

Enforcement and miscellaneous provisions

Application of the Order: Improvement Notices

33.—(1) Articles 9(1) and (2) of the Order (improvement notices) apply subject to paragraphs (2) and (3) and with the modification (in the case of Article 9(1)) specified in Part 1 of Schedule 12 for the purposes of enabling an improvement notice to be served on a person requiring that person to comply with any of the provisions specified in that modification and making the failure to comply with an improvement notice an offence.

(2) An authorised officer must not serve an improvement notice under Article 9(1) of the Order, as applied and modified by this regulation and Part 1 of Schedule 12 if—

- (a) the improvement notice would relate to water bottled and labelled before 28th November 2015; and
- (b) the matters constituting the alleged contravention would not have constituted an offence under the Regulations listed in regulation 36.

(3) If water bottled and labelled as “spring water” or bottled drinking water does not meet the requirements of paragraph 1(c) of Part 1 of Schedule 7 an authorised officer must not serve an improvement notice under Article 9(1) of the Order as applied and modified by this regulation, as read with Schedule 12 if—

- (a) the water was bottled or sold in an EEA State ^{F1}...; and
- (b) the water complied with the law in that EEA State when it was bottled or sold.

(4) Paragraph (1) is without prejudice to the application of the Order to these Regulations for purposes other than those specified in paragraph 1.

F1 Words in reg. 33(3)(a) omitted (30.12.2020) by virtue of [The Food \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/286\)](#), regs. 1, **3(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015, Section 33.