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**Changes to legislation:** *Water Act 2003, Paragraph 18 is up to date with all changes known to be in force on or before 23 May 2023. 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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## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS: LICENSING OF WATER SUPPLIERS ETC

##### *Water Industry Act 1991 (c. 56)*

- 18 (1) Section 68 (water quality) is amended as follows.
- (2) In subsection (1)—
- (a) after “water undertaker” there is inserted “ where its supply system is used for the purpose of supplying water to any premises for domestic or food production purposes ”,
  - (b) in paragraph (a), for the words from the beginning to “which” there is substituted “ to ensure that any water so supplied ”,
  - (c) in paragraph (b), for the words from “that undertaker” to “purposes” there is substituted “ water is so supplied ”, and
  - (d) after that paragraph, there is inserted— “ and this section and section 69 below apply, in relation to the duty of an undertaker, whether or not the water supplied using the undertaker’s supply system is supplied by the undertaker. ”
- (3) After that subsection, there is inserted—
- “(1A) It shall be the duty of a licensed water supplier—
- (a) when supplying water to any premises for domestic or food production purposes, in accordance with its retail authorisation, to ensure that the water is wholesome at the time of supply; and
  - (b) so far as reasonably practicable, to ensure, in relation to each source or combination of sources from which that supplier supplies water to premises for domestic or food production purposes, in accordance with its retail authorisation, that there is, in general, no deterioration in the quality of the water which is supplied from time to time from that source or combination of sources,
- and references in this subsection to the retail authorisation shall be construed in accordance with section 17A(2) above.”
- (4) In subsection (2), for “water supplied by a water undertaker” there is substituted “ where a water undertaker’s supply system is used for the purpose of supplying water to any premises, any water so supplied ”.
- (5) In subsection (3)—
- (a) for the words from “this section” to “premises” there is substituted “ subsection (1) above where a water undertaker’s supply system is used for the purpose of supplying water to any premises, and the water so supplied ”; and

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(b) in paragraph (b), for “supplying the water, to take such steps” there is substituted “the water is supplied, to ensure that such steps are taken”.

(6) After that subsection there is inserted—

“(3A) For the purposes of subsection (1A) above where water supplied by a licensed water supplier to any premises would not otherwise be regarded as unwholesome at the time of supply, that water shall be regarded as unwholesome at that time if—

- (a) it has ceased to be wholesome after leaving the relevant pipes but while in a pipe which is subject to water pressure from a water main or which would be so subject but for the closing of some valve; and
- (b) it has so ceased in consequence of the failure of the supplier, before supplying the water, to ensure that such steps are taken as may be prescribed for the purpose of securing the elimination, or reduction to a minimum, of any prescribed risk that the water would cease to be wholesome after leaving the relevant pipes.

(3B) In subsection (3A) above “relevant pipes” means the pipes of the water undertaker whose supply system is used for the purpose of the supply made by the licensed water supplier.”

(7) In subsection (5), after “undertaker” there is inserted “and licensed water supplier”.

(8) In the sidenote (and the italic heading immediately preceding it), after “undertakers” there is inserted “and licensed water suppliers”.

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**Commencement Information**

**II** Sch. 8 para. 18 in force at 1.12.2005 by S.I. 2005/2714, art. 3(c) (with Sch. para. 8)

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

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

- s. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)