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STATUTORY INSTRUMENTS

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**2016 No. 614**

**The Water Supply (Water Quality) Regulations 2016**

**PART 9**

**Records and information**

**Maintenance of records**

**34.**—(1) Every water undertaker or combined licensee must, in respect of each of the water supply zones which it uses for the purposes of supplying water to consumers, prepare and maintain a record containing—

- (a) the name of the zone;
- (b) the name of every water treatment works, service reservoir and other supply point from which water is supplied to premises within the zone;
- (c) an estimate of the population of the zone;
- (d) particulars of any departure authorised under Part 7 of these Regulations which applies to water supplied in the zone;
- (e) particulars of the action taken or required to be taken by the water undertaker or licensed water supplier to comply with—
  - (i) any enforcement order made under section 18 of the Act<sup>(1)</sup>;
  - (ii) any departure authorised under Part 7;
  - (iii) any notice under regulation 20(4);
- (f) particulars of the result of any analysis of samples taken in accordance with Part 4 of these Regulations or any of regulations 12 to 14, 17 and 28;
- (g) the results of any electronic monitoring where this is carried out in accordance with these Regulations;
- (h) particulars of all consumer contacts made in relation to the discharge of duties under these Regulations;
- (i) such other particulars as the water undertaker or licensed water supplier may determine.

(2) A retail licensee must, in respect of each of the water supply zones which it uses for the purposes of supplying to consumers, prepare and maintain a record containing—

- (a) the name of the water supply zone;
- (b) particulars of any departure authorised under Part 7 of these Regulations which applies to water supplied in the zone;
- (c) particulars of the action taken or required to be taken by the retail licensee to comply with—

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<sup>(1)</sup> Section 18 was amended by sections 36(2) and 49(2) of, and paragraph 4 of Schedule 8 to, the Water Act 2003 (c.37). It is prospectively amended by paragraph 26 of Schedule 7 to the Water Act 2014 (c.21) from a date to be appointed.

- (i) any enforcement order made under section 18 of the Act;
- (ii) any departure authorised under Part 7;
- (iii) any notice under regulation 20(4);
- (d) such other particulars as the retail licensee may determine.
- (3) A water undertaker or combined licensee must make entries in the record —
  - (a) in respect of the matters mentioned in paragraph (1)(a) to (d) and (e)(ii), as soon as reasonably practicable and no later than 3 months after the day on which it first introduces water into a supply system for the purposes of supplying water to consumers;
  - (b) in respect of the matters mentioned in paragraph (1)(e)(i) and (iii), within 28 days of the date of the order and notice respectively;
  - (c) relating to the results of the analysis of samples, within 28 days of the day on which the result is first known to the water undertaker or combined licensee.
- (4) A retail licensee must make—
  - (a) initial entries in the record in respect of the matters mentioned in paragraph (2)(a), (b) and (c)(ii) no later than 3 months after the day on which it first uses a supply system for the purposes of supplying water to consumers;
  - (b) entries in the record in respect of the matters mentioned in paragraph (2)(c)(i) and (iii) within 28 days of the date of the order and notice respectively.
- (5) Without prejudice to paragraph (3), the relevant supplier must at least once in each year review and update the record required to be kept under paragraph (1) or (2).
- (6) Nothing in this regulation requires a relevant supplier to retain a record—
  - (a) of information mentioned in any of sub-paragraphs (a), (b) and (f) of paragraph (1) or in sub-paragraph (a) of paragraph (2) at any time more than 30 years after the date on which the information was first entered in the record;
  - (b) of information mentioned in any other sub-paragraph of paragraph (1) or (2) at any time more than 5 years after the date on which the information was first entered in the record.

### **Provision of information**

**35.**—(1) Any person may request a relevant supplier to send them a copy of any record maintained by the relevant supplier under regulation 34, and the relevant supplier must, within 7 days of the receipt of the request, send a copy of the record requested to the person.

- (2) A relevant supplier must comply with a request under paragraph (1)—
  - (a) in the case of a request relating to a water supply zone, free of charge if the person receives a supply of water in the zone;
  - (b) in any other case, on payment of such reasonable charge as the relevant supplier may determine.
- (3) Paragraph (1) does not oblige a relevant supplier to comply with a request which is vexatious.
- (4) Where a relevant supplier has previously complied with a request made by any person, paragraph (1) does not oblige it to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the subsequent request.
- (5) A water undertaker must include in, or append to, at least one of the accounts sent to each customer in any year a statement setting out the rights of that customer under paragraph (1).

(6) As soon as possible after an event which, by reason of its effect or likely effect on the water supplied by a relevant supplier, gives rise or is likely to give rise to a significant risk to human health, the relevant supplier must notify—

- (a) in every case—
  - (i) every appropriate local authority,
  - (ii) Public Health England,
  - (iii) the Council, and
  - (iv) the Secretary of State; and
- (b) in any case where the event gives rise or is likely to give rise to a significant risk to human health in Wales—
  - (i) the National Public Health Service for Wales, and
  - (ii) the Welsh Ministers.

(7) Where a person has received a notification under paragraph (6), that person may require the relevant supplier to provide that person with such further information relating to the event and its consequences as that person may reasonably require.