
STATUTORY INSTRUMENTS

2016 No. 614

The Water Supply (Water Quality) Regulations 2016

PART 8

Water treatment

Offences

33.—(1) A water undertaker or combined licensee which contravenes regulation 26(1) or (4) or the terms of a notice served under regulation 28(4)(d) is guilty of an offence and liable on summary conviction, or on conviction on indictment, to a fine.

(2) In any proceedings against a water undertaker or combined licensee for an offence under paragraph (1), it is a defence for that water undertaker or combined licensee to show that it took all reasonable steps and exercised all due diligence to avoid the commission of the offence.

(3) A water undertaker or combined licensee which—

(a) applies or introduces any substance or product in contravention of regulation 31(1) or a notice given under regulation 31(8), or

(b) uses any process in contravention of a prohibition imposed under regulation 32(1) or without complying with a condition imposed by virtue of regulation 32(2),

is guilty of an offence and liable on summary conviction, or on conviction on indictment, to a fine.

(4) If any person, in furnishing any information or making an application under regulation 31 or 32, makes any statement which that person knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, that person is guilty of an offence and liable on summary conviction, or on conviction on indictment, to a fine.

(5) Proceedings for an offence under paragraph (4) must not be instituted except by or with the consent of the Secretary of State or the Director of Public Prosecutions.