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water byelaws 2004

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**Scottish
Water**

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These byelaws are made by Scottish Water, (hereinafter referred to as the “the undertaker”) under section 70 of the Water (Scotland) Act 1980**(a)** for preventing waste, undue consumption, misuse or contamination of water supplied by them.

PART I

Preliminary

Citation, commencement and interpretation

1. (1) These Byelaws may be cited as the Scottish Water Byelaws 2004 and shall come into force on 30th August 2004 (“the date of commencement”).

(2) In these Byelaws –

“the Act” means the Water (Scotland) Act 1980;

“approved contractor” means a person who –

- (a) has been approved by the undertaker for the area where a water fitting is installed or used, or
- (b) has been certified as an approved contractor by an organisation specified under the Water Supply (Water Fittings) Regulations 1999**(b)**;

“the Directive” means Council Directive 89/106/EEC on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products**(c)**;

“EEA Agreement” means the agreement on the European Economic Area signed at Oporto on 2nd May 1992**(d)** as adjusted by the Protocol signed at Brussels on 17th March 1993**(e)** and by the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003**(f)**;

(a) Chapter 45, 1980

(b) S.I. 1000/1149, as amended by S.I. 1999/1506

(c) O.J. No. L 40, 11.2.89, p12

(d) Cmnd 2073

(e) Cmnd 2183

(f) Cmnd 5805

“EEA State” means a State which is a contracting party to the EEA Agreement;

“European technical approval” means a favourable technical assessment of the fitness for use of a construction product for an intended use, issued for the purposes of the Directive by a body authorised by an EEA State to issue European technical approvals for those purposes and notified by that State to the Commission of the European Economic Community;

“fluid category” means a category of fluid described in Schedule 1 to these Byelaws;

“harmonised standard” means a standard established as mentioned in the Directive by the European standards organisation on the basis of a mandate given by the Commission of the European Economic Community and published by the Commission in the Official Journal of the European Communities;

“material change of use” means a change in the purpose for which, or the circumstances in which, premises are used, such that after that change the premises are used (where previously they were not so used) –

- (i) as a dwelling;
- (ii) as an institution;
- (iii) as a public building; or
- (iv) for the purposes of the storage or use of substances which if mixed with water result in a fluid which is classified as either fluid category 4 or 5;

“supply pipe” means so much of any service pipe as is not vested in the undertaker;

and paragraph 1 of Schedule 2 to these Byelaws has effect for the purposes of that Schedule.

Application of Byelaws

2. (1) Subject to the following provisions of this Byelaw, these Byelaws apply to any water fitting installed or used, or to be installed or used, in premises to which water is or is to be supplied by the undertaker.
(2) These Byelaws do not apply to a water fitting installed or used, or to be installed or used, in connection with water supplied for purposes other than domestic or food production purposes, provided that –
 - (a) the water is metered;

- (b) the supply of the water is for a period not exceeding one month, or, with the written consent of the undertaker, three months; and
- (c) no water can return through the meter to any pipe vested in the undertaker.

(3) Except for the purposes of paragraph 14 of Schedule 2 (prevention of cross connection to unwholesome water), these Byelaws do not apply to water fittings which are not connected or to be connected to water supplied by the undertaker.

(4) Nothing in these Byelaws shall require any person to remove, replace, alter, disconnect or cease to use any water fitting which was lawfully installed or used, or capable of being used, before the date of commencement.

PART II

Requirements

Restriction on installation etc. of water fittings

3. (1) No person shall –
 - (a) install a water fitting to convey or receive water supplied by the undertaker, or alter, disconnect or use such a water fitting; or
 - (b) cause or permit such a water fitting to be installed, altered, disconnected or used,in contravention of the following provisions of this Part.
 - (2) No water fitting shall be installed, connected, arranged or used in such a manner that it causes or is likely to cause –
 - (i) waste, misuse, undue consumption or contamination of water supplied by the undertaker; or
 - (ii) the erroneous measurement of water supplied by the undertaker.
 - (3) No water fitting shall be installed, connected, arranged or used which by

reason of being damaged, worn or otherwise faulty, causes or is likely to cause –

- (i) waste, misuse, undue consumption or contamination of water supplied by the undertaker; or
- (ii) the erroneous measurement of water supplied by the undertaker.

(4) In this Byelaw, “use” excludes use as a water fitting in such a way as constitutes an offence under paragraph 30(1) of Schedule 4 to the Water (Scotland) Act 1980; and “used” shall be construed accordingly.

Requirements for water fittings etc.

4. (1) Every water fitting shall –
- (a) be of an appropriate quality and standard; and
 - (b) be suitable for the circumstances in which it is used.
- (2) For the purposes of this Byelaw, a water fitting is of an appropriate quality or standard only if –
- (a) it bears an appropriate CE marking in accordance with the Directive;
 - (b) it conforms to an appropriate harmonised standard or European technical approval;
 - (c) it conforms to an appropriate British Standard or some other national specification of an EEA State which provides an equivalent level of protection and performance; or
 - (d) it conforms with the terms of a specification approved under The Water Supply (Water Fittings) Regulations 1999.
- (3) Without prejudice to paragraph (2), every water fitting shall comply with the requirements of Schedule 2 to these Byelaws as it applies to that fitting.
- (4) Where any requirement of Schedule 2 relates to a water system, every water fitting which forms part of that system shall be fitted or, as the case may be, altered or replaced so as to comply with that requirement.
- (5) Every water fitting shall be installed, connected, altered, repaired or disconnected in a workmanlike manner

(6) For the purposes of this Byelaw, a water fitting is installed, connected, altered, repaired or disconnected in a workmanlike manner only if the work is carried out so as to conform –

- (a) to an appropriate British Standard, a European technical approval or some other national specification of an EEA State which provides an equivalent level of protection and performance;
- (b) it conforms with the terms of a specification approved under The Water Supply (Water Fittings) Regulations 1999; or
- (c) to a method of installation approved by the undertaker(a).

Notification

5. (1) Subject to paragraph (2), any person who proposes to install a water fitting in connection with any of the operations listed in the Table below –
- (a) shall give notice to the undertaker that that person proposes to begin work;
 - (b) shall not begin that work without the consent of the undertaker which shall not be withheld unreasonably; and
 - (c) shall comply with any conditions to which the undertaker’s consent is subject.

(a) At the time of the making of these Byelaws, the methods of installation described in the “Water Regulations Guide” published by the Water Regulations Advisory Service (ISBN 0-9539708-0-9) and materials appearing in the “Water Fittings and Materials Directory”, also published by the Water Regulations Advisory Service, have been approved by the undertaker for the purposes of Byelaw 4. Persons who wish to install a water fitting may contact the undertaker at Scottish Water, Castle House, 6 Castle Drive, Carnegie Campus, Dunfermline KY11 8GG.

TABLE

1.	The erection of a building or other structure, not being a pond or swimming pool.
2.	The extension or alteration of a water system on any premises other than a house
3.	A material change of use of any premises.
4.	<p>The installation of –</p> <ul style="list-style-type: none"> (a) a bath having a capacity, as measured to the centre line of overflow, of more than 230 litres; (b) a bidet with an ascending spray or flexible hose; (c) a single shower unit (which may consist of one or more shower heads within a single unit), not being a drench shower installed for reasons of safety or health, connected directly or indirectly to a supply pipe which is of a type which conforms with terms of a specification approved under the Water Supply (Water Fittings) Regulations 1999; (d) a pump or booster drawing more than 12 litres per minute, connected directly or indirectly to a supply pipe; (e) a unit which incorporates reverse osmosis; (f) a water treatment unit which produces a waste water discharge or which requires the use of water for regeneration or cleaning; (g) a reduced pressure zone valve assembly or other mechanical device for protection against a fluid which is in fluid category 4 or 5; (h) a garden watering system unless designed to be operated by hand; or (i) any water system laid outside a building and either less than 750mm or more than 1350mm below ground level.
5.	The construction of a pond or swimming pool with a capacity greater than 10,000 litres which is designed to be replenished by automatic means and is to be filled with water supplied by the undertaker.

(2) This Byelaw does not apply to the installation by an approved contractor of a water fitting falling within paragraph 2, 4(b) or 4(g) in the Table above.

- (3) The notice required by paragraph (1) shall include or be accompanied by –
- (a) the name and address of the person giving the notice, and (if different) the name and address of the person on whom notice may be served under paragraph (4) below;
 - (b) a description of the proposed work or material change of use, and
 - (c) particulars of the location of the premises to which the proposal relates, and the use or intended use of those premises;
 - (d) except in the case of a fitting falling within paragraph 4(a),(c), (h) or 5 in the Table above –
 - (i) a plan of those parts of the premises to which the proposal relates, and
 - (ii) a diagram showing the pipework and fitting to be installed; and
 - (e) where the work is to be carried out by an approved contractor, the name of the contractor.

(4) The undertaker may withhold consent required under paragraph (1), or grant it subject to conditions, by a notice given before the expiry of the period of ten working days commencing with the day on which notice under that paragraph was given.

(5) If no notice is given by the undertaker within the period mentioned in paragraph (4), the consent required under paragraph (1) shall be deemed to have been granted unconditionally.

Contractor’s certificate

6. (1) Where a water fitting is installed, altered, connected or disconnected by an approved contractor, the contractor shall upon completion of the work furnish a signed certificate stating whether the water fitting complies with the requirements of these Byelaws to the person who commissioned the work.

(2) In the case of a fitting for which notice is required under Byelaw 5 above, the contractor shall send a copy of the certificate to the undertaker.

PART III

Enforcement

Contravention of Byelaws and defences

7. (1) Subject to the following provisions of this byelaw, a person who –
- contravenes any of the provisions of Byelaw 3(1), (2) or (3) or 6(1) or (2);
 - commences an operation listed in the Table in Byelaw 5(1) without giving the notice required by that paragraph;
 - commences an operation listed in the Table in Byelaw 5(1) without the consent required by that paragraph; or
 - carries out an operation listed in the Table in Byelaw 5(1) in breach of a condition imposed under Byelaw 5(4);

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) In any proceedings against an owner or occupier for an offence under paragraph (1) which is based on the installation, alteration, repair, connection or disconnection of a water fitting, it shall be a defence to prove –

- that the work in question was carried out by or under the direction of an approved contractor, and
- that the contractor certified to the person who commissioned that work that the water fitting complied with the requirements of these Byelaws.

8. Not allocated.

Inspections, measurements and tests

9. Any person designated in writing for the purposes of section 38 of the Act, by the undertaker may 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 may consider necessary for the purposes for which those premises were entered.

10. Not allocated.

Relaxation of requirements

11. Where the undertaker considers that any requirement of these Byelaws would be inappropriate in relation to a particular case or class of cases, the undertaker may apply to the Scottish Ministers to authorise a relaxation of that requirement in accordance with section 70(4) of the Act.

Approval by the undertaker

12. (1) Where the undertaker approves a method of installation under Byelaw 4, the undertaker shall give notice of the approval to the Scottish Ministers and shall publish it in such manner as the undertaker considers appropriate.
- (2) This Byelaw applies to the revocation or modification of an approval as it applies to the giving of that approval.

Disputes

13. Any dispute between the undertaker and a person who has installed or proposes to install a water fitting –
- as to whether the undertaker has unreasonably withheld consent, or attached unreasonable conditions, under Byelaw 5 above; or
 - as to whether the undertaker has unreasonably refused to apply to the Scottish Ministers for a relaxation of the requirements of these Byelaws,
- shall be referred to arbitration by a single arbiter to be appointed by agreement between the parties or, in default of agreement, by the Scottish Ministers.

Revocation of Byelaws

14. The Byelaws made by:

West of Scotland Water Authority under section 70 of the Water (Scotland) Act 1980 on 11th June 1999 and confirmed by the Scottish Ministers on 3rd April 2000

North of Scotland Water Authority under section 70 of the Water (Scotland) Act 1980 on 11th January 2000 and confirmed by the Scottish Ministers on 4th April 2000; and

East of Scotland Water Authority under section 70 of the Water (Scotland) Act 1980 on 1st February 2000 and confirmed by the Scottish Ministers on 4th April 2000;

are hereby revoked.

Signed

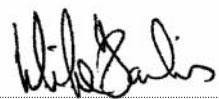


On behalf of Scottish Water

Date

13 JULY 2004

Signed



A member of the staff of the Scottish Ministers

Date

22 July 2004

Fluid categories

Fluid category 1

Wholesome water supplied by the undertaker and complying with the requirements of The Water Supply (Water Quality)(Scotland) Regulations 1990(a) and any amendment.(b)

Fluid category 2

Water in fluid category 1 whose aesthetic quality is impaired owing to –

- (a) a change in its temperature, or
- (b) the presence of substances or organisms causing a change in its taste, odour or appearance, including water in a hot water distribution system.

Fluid category 3

Fluid which represents a slight health hazard because of the concentration of substances of low toxicity, including any fluid which contains –

- (a) ethylene glycol, copper sulphate solution or similar chemical additives, or
- (b) sodium hypochlorite (chlorox and common disinfectants).

Fluid category 4

Fluid which represents a significant health hazard because of the concentration of toxic substances, including any fluid which contains –

- (a) chemical, carcinogenic substances or pesticides (including insecticides and herbicides), or
- (b) environmental organisms of potential health significance.

Fluid category 5

Fluid representing a serious health hazard because of the concentration of pathogenic organisms, radioactive or very toxic substances, including any fluid which contains –

- (a) faecal material or other human waste;
- (b) butchery or other animal waste; or
- (c) pathogens from any other source.

g. Aitkenhead
13/7/04

W. G. G. G.
22/7/04

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- (a) 1990/119 (S.11).
(b) S.S.I. 2001/207 as amended by S.S.I. 2001/238.

SCHEDULE 2 Byelaw 4(3)

Requirements for water fittings

Interpretation

1. In this Schedule –

“backflow” means flow upstream, that is in a direction contrary to the intended normal direction of flow, within or from a water fitting;

“cistern” means a fixed container for holding water at atmospheric pressure;

“combined feed and expansion cistern” means a cistern for supplying cold water to a hot water system without a separate expansion cistern;

“combined temperature and pressure relief valve” means a valve capable of performing the function of both a temperature relief valve and a pressure relief valve;

“contamination” includes any reduction in chemical or biological quality of water due to a change in temperature or the introduction of polluting substances;

“distributing pipe” means any pipe (other than a warning, overflow or flushing pipe) conveying water from a storage cistern, or from hot water apparatus supplied from a cistern and under pressure from that cistern;

“expansion cistern” or “expansion vessel” means a cistern or vessel connected to a water heating system which accommodates the increase in volume of water in the system when the water is heated from cold;

“expansion valve” means a pressure-activated valve designed to release expansion water from an unvented water heating system;

“flushing cistern” means a cistern provided with valve or device for controlling the discharge of the stored water into a water closet pan or urinal;

“overflow pipe” means a pipe from a cistern in which water flows only when the water level in the cistern exceeds a predetermined level;

“pressure relief valve” means a pressure-activated valve which opens automatically at a specified pressure to discharge fluid;

“primary circuit” means an assembly of water fittings in which water circulates between a boiler or other source of heat and a primary heat exchange inside a hot water storage vessel, and includes any space heating system;

“secondary circuit” means an assembly of water fittings in which water circulates in supply pipes or distributing pipes of a hot water storage system;

“secondary system” means an assembly of water fittings comprising the cold feed pipe, any hot water storage vessel, water heater and pipework from which hot water is conveyed to all points of draw-off;

“servicing valve” means a valve for shutting off for the purpose of maintenance or service the flow of water in a pipe connected to a water fitting;

“stopvalve” means a valve, other than a servicing valve, used for shutting off the flow of water in a pipe;

“storage cistern” means a cistern for storing water for subsequent use, not being a flushing cistern;

“temperature relief valve” means a valve which opens automatically at a specified temperature to discharge fluid;

“terminal fitting” means a water outlet device; and

“vent pipe” means a pipe open to the atmosphere which exposes the system to atmospheric pressure at its boundary.

Materials and substances in contact with water

2. (1) Subject to sub-paragraph (2) below, no material or substance, either alone or in combination with any other material or substance or with the contents of any water fitting of which it forms a part, which causes or is likely to cause contamination of water shall be used in the construction, installation, renewal, repair or replacement of any water fitting which conveys or receives, or may convey or receive, water supplied for domestic or food production purposes.

(2) This requirement does not apply to a water fitting downstream of a terminal fitting supplying wholesome water where –
 - (a) the use to which the water downstream is put does not require wholesome water; and
 - (b) a suitable arrangement or device to prevent backflow is installed.

Requirements for water fittings

3. Every water fitting shall –
 - (a) be immune to or protected from corrosion by galvanic action or by any other process which is likely to result in contamination or waste of water; and
 - (b) be constructed of materials of such strength and thickness as to resist damage from any external load, vibration, stress or settlement, pressure surges, or temperature fluctuation to which it is likely to be subjected.
4. Every water fitting shall –
 - (a) be watertight;
 - (b) be so constructed and installed as to –
 - (i) prevent ingress by contaminants, and
 - (ii) inhibit damage by freezing or any other cause;
 - (c) be so installed as to minimise the risk of permeation by, or deterioration from contact with, any substance which may cause contamination; and
 - (d) be adequately supported.
5. Every water fitting shall be capable of withstanding an internal water pressure not less than 1½ times the maximum pressure to which that fitting is designed to be subjected in operation.

6. No water fitting shall be installed, connected or used which is likely to have a detrimental effect on the quality or pressure of water in a water main or other pipe of a water undertaker.
7. (1) No water fitting shall be embedded in any wall or solid floor.

(2) No fitting which is designed to be operated or maintained, whether manually or electronically, or which consists of a joint, shall be a concealed water fitting.

(3) Any concealed water fitting or mechanical backflow prevention device, not being a terminal fitting, shall be made of gunmetal, or another material resistant to dezincification.

(4) Any water fitting laid below ground level shall have a depth of cover sufficient to prevent water freezing in the fitting.

(5) In this paragraph “concealed water fitting” means a water fitting which –
 - (a) is installed below ground;
 - (b) passes through or under any wall, footing or foundation;
 - (c) is enclosed in any chase or duct; or
 - (d) is in any other position which is inaccessible or renders access difficult.

Water system design and installation

8. No water fitting shall be installed in such a position, or pass through such surroundings, that it is likely to cause contamination or damage to the material of the fitting or the contamination of water supplied by the water undertaker.
9. Any pipe supplying cold water for domestic purposes to any tap shall be so installed that, so far as is reasonably practicable, the water is not warmed above 25°C.
10. (1) Every supply pipe or distributing pipe providing water to separate premises shall be fitted with a stopvalve conveniently located to enable the supply to those premises to be shut off without shutting off the supply to any other premises.

(2) Where a supply pipe or distributing pipe provides water in common to two or more premises, it shall be fitted with a stopvalve to which each occupier of those premises has access.

11. Water supply systems shall be capable of being drained down and be fitted with an adequate number of servicing valves and drain taps so as to minimise the discharge of water when water fittings are maintained or replaced. A sufficient number of stopvalves shall be installed for isolating parts of the pipework.

12. (1) The water system shall be capable of withstanding an internal water pressure not less than 1½ times the maximum pressure to which the installation or relevant part is designed to be subjected in operation (“the test pressure”).

- (2) This requirement shall be deemed to be satisfied -
- (a) in the case of a water system that does not include a pipe made of plastics, where -
 - (i) the whole system is subjected to the test pressure by pumping, after which the test continues for one hour without further pumping;
 - (ii) the pressure in the system is maintained for one hour; and
 - (iii) there is no visible leakage throughout the test;
 - (b) in any other case, where either of the following tests is satisfied -

TEST A	TEST B
(i) the whole system is subjected to the test pressure by pumping for 30 minutes, after which the test continues for 90 minutes without further pumping;	(i) the whole system is subjected to the test pressure by pumping for 30 minutes, after which the pressure is noted and the test continues for 150 minutes without further pumping;
(iii) the pressure is reduced to one third of the test pressure after 30 minutes;	(ii) the drop in pressure is less than 0.6 bar (60kPa) after the following 30 minutes, or 0.8 bar (80kPa) after the following 150 minutes; and
(iv) the pressure does not drop below one third of the test pressure over the following 90 minutes; and	(iii) there is no visible leakage throughout the test.
(iv) there is no visible leakage throughout the test.	

13. Every water system shall be tested, flushed and where necessary disinfected before it is first used.

Prevention of cross connection to unwholesome water

14. (1) Any water fitting conveying -

- (a) rain water, recycled water or any fluid other than water supplied by the undertaker; or
- (b) any fluid that is not wholesome water;

shall be clearly identified so as to be easily distinguished from any supply pipe or distributing pipe.

(2) No supply pipe, distributing pipe or pump delivery pipe drawing water from a supply pipe or distributing pipe shall convey, or be connected so that it can convey, any fluid falling within sub-paragraph (1), unless a device for preventing backflow is installed in accordance with paragraph 15.

Backflow prevention

15. (1) Subject to the following provisions of this paragraph, every water system shall contain an adequate device or devices for preventing backflow of fluid from any appliance, fitting or process from occurring.

- (2) Sub paragraph (1) does not apply to -
- (a) a water heater where the expanded water is permitted to flow back into a supply pipe, or
 - (b) a vented water storage vessel supplied from a storage cistern, where the temperature of the water in the supply pipe or the cistern does not exceed 25°C.

(3) The device used to prevent backflow shall be appropriate to the highest applicable fluid category to which the fitting is subject downstream before the next such device.

- (4) Backflow prevention shall be provided on any supply pipe or distributing pipe -
- (a) where it is necessary to prevent backflow between separately occupied premises, or

- (b) where the undertaker has given notice for the purposes of this Schedule that such prevention is needed for the whole or part of any premises.

(5) A backflow prevention device is adequate for the purposes of sub paragraph (1) if it conforms with the terms of a specification approved under The Water Supply (Water Fittings) Regulations 1999 for the purposes of this Schedule.

Cold water services

- 16.** (1) Every pipe supplying water connected to a storage cistern shall be fitted with an effective adjustable valve capable of shutting off the inflow of water at a suitable level below the overflowing level of the cistern.
- (2) Every inlet to a storage cistern, combined feed and expansion cistern, WC flushing cistern or urinal flushing cistern shall be fitted with a servicing valve on the inlet pipe adjacent to the cistern.
- (3) Every storage cistern, except one supplying water to the primary circuit of a heating system, shall be fitted with a servicing valve on the outlet pipe.
- (4) Every storage cistern shall be fitted with –
- (a) an overflow pipe, with a suitable means of warning of an impending overflow, which excludes insects;
 - (b) a cover positioned so as to exclude light and insects; and
 - (c) thermal insulation to minimise freezing or undue warming.
- (5) Every storage cistern shall be so installed as to minimise the risk of contamination of stored water. The cistern shall be of an appropriate size, and the pipe connections to the cistern shall be so positioned, as to allow free circulation and to prevent areas of stagnant water from developing.

Hot water services

- 17.** (1) Every unvented water heater, not being an instantaneous water heater with a capacity not greater than 15 litres, and every secondary coil contained in a primary system shall –
- (a) be fitted with a temperature control device and either a temperature relief valve or a combined temperature pressure and relief valve; or
 - (b) be capable of accommodating expansion within the secondary hot water system.
- (2) An expansion valve shall be fitted with provision to ensure that water is discharged in a correct manner in the event of a malfunction of the expansion vessel or system.
- 18.** Appropriate vent pipes, temperature control devices and combined temperature pressure and relief valves shall be provided to prevent the temperature of the water within a secondary hot water system from exceeding 100°C.
- 19.** Discharges from temperature relief valves, combined temperature pressure and relief valves and expansion valves shall be made in a safe and conspicuous manner.
- 20.** (1) No vent pipe from a primary circuit shall terminate over a storage cistern containing wholesome water for domestic supply or for supplying water to a secondary system.
- (2) No vent pipe from a secondary circuit shall terminate over any combined feed and expansion cistern connected to a primary circuit.
- 21.** Every expansion cistern or expansion vessel, and every cold water combined feed and expansion cistern connected to a primary circuit, shall be such as to accommodate any expansion water from that circuit during normal operation.
- 22.** (1) Every expansion valve, temperature relief valve or combined temperature and pressure relief valve connected to any fitting or appliance shall close automatically after a discharge of water.

- (2) Every expansion valve shall –
 - (a) be fitted on the supply pipe close to the hot water vessel and without any intervening valves; and
 - (b) only discharge water when subjected to a water pressure of not less than 0.5 bar (50 kPa) above the pressure to which the hot water vessel is, or is likely to be, subjected in normal operation.

23. (1) A temperature relief valve or combined temperature and pressure relief valve shall be provided on every unvented hot water storage vessel with a capacity greater than 15 litres.

- (2) The valve shall –
 - (a) be located directly on the vessel in an appropriate location, and have a sufficient discharge capacity, to ensure that the temperature of the stored water does not exceed 100°C; and
 - (b) only discharge water at below its operating temperature when subjected to a pressure of not less than 0.5 bar (50 kPa) in excess of the greater of the following –
 - (i) the maximum working pressure in the vessel in which it is fitted, or
 - (ii) the operating pressure of the expansion valve.

(3) In this paragraph “unvented hot water storage vessel” means a hot water storage vessel that does not have a vent pipe to the atmosphere.

24. No supply pipe or secondary circuit shall be permanently connected to a closed circuit for filling a heating system unless it incorporates a backflow prevention device which conforms with the terms of a specification approved under The Water Supply (Water Fittings) Regulations 1999 for the purposes of this Schedule.

WCs, flushing devices and urinals

25. (1) Subject to the following provisions of this paragraph –

- (a) every water closet pan shall be supplied with water from a flushing cistern, pressure flushing cistern or pressure flushing valve, and shall be so made and installed that after normal use its contents can be cleared effectively by a single flush of water, or, where the installation

is designed to receive flushes of different volumes, by the largest of those flushes;

- (b) no pressure flushing valve shall be installed –
 - (i) in a house, or
 - (ii) in any building not being a house where a minimum flow rate of 1.2 litres per second cannot be achieved at the appliance;
- (c) where a pressure flushing valve is connected to a supply pipe or distributing pipe, the flushing arrangement shall incorporate a backflow prevention device consisting of a permanently vented pipe interrupter located not less than 300mm above the spillover level of the WC pan or urinal;
- (d) no flushing device installed for use with a WC pan shall give a single flush exceeding 6 litres;
- (e) notwithstanding sub-paragraph (1)(d), a flushing cistern installed before the date of commencement may be replaced by a cistern which delivers a similar volume and which may be either single flush or dual flush; but a single flush cistern may not be so replaced by a dual flush cistern.
- (f) no flushing device designed to give flushes of different volumes shall have a lesser flush exceeding two-thirds of the largest flush volume;
- (g) every flushing cistern, other than a pressure flushing cistern, shall be clearly marked internally with an indelible line to show the intended volume of flush, together with an indication of that volume;
- (h) a flushing device designed to give flushes of different volumes –
 - (i) shall have a readily discernible method of actuating the flush at different volumes; and
 - (ii) shall have instructions, clearly and permanently marked on the cistern or displayed nearby, for operating it to obtain the different volumes of flush;
- (i) every flushing cistern, not being a pressure flushing cistern or a urinal cistern, shall be fitted with a warning pipe or with a no less effective device;
- (j) every urinal that is cleared by water after use shall be supplied with water from a flushing device which –
 - (i) in the case of a flushing cistern, is filled at a rate suitable for the installation;
 - (ii) in all cases, is designed or adapted to supply no more water than is necessary for effective flow over the internal surface of the urinal and for replacement of the fluid in the trap; and

- (k) except in the case of a urinal which is flushed manually, or which is flushed automatically by electronic means after use, every pipe which supplies water to a flushing cistern or trough used for flushing a urinal shall be fitted with an isolating valve controlled by a time switch and a lockable isolating valve, or with some other equally effective automatic device for regulating the periods during which the cistern may fill.

(2) Every water closet, and every flushing device designed for use with a water closet, shall conform with the terms of a specification approved under The Water Supply (Water Fittings) Regulations 1999 for the purposes of this Schedule.

(3) The requirements of sub-paragraphs (1) and (2) do not apply where faeces or urine are disposed of through an appliance that does not solely use fluid to remove the contents.

- (4) The requirement in sub-paragraph (1)(i) shall be deemed to be satisfied –
- (a) in the case of an automatically operated flushing cistern servicing urinals which is filled with water at a rate not exceeding –
 - (i) 10 litres per hour for a cistern serving a single urinal;
 - (ii) 7.5 litres per hour per urinal bowl or stall, or, as the case may be, for each 700mm width of urinal slab, for a cistern serving two or more urinals;
 - (b) in the case of a manually or automatically operated pressure flushing valve used for flushing urinals which delivers not more than 1.5 litres per bowl or position each time the device is operated.

(5) In this paragraph –

“pressure flushing cistern” means a WC flushing device that utilises the pressure of water within the cistern supply pipe to compress air and increase the pressure of water available for flushing a WC pan;

“pressure flushing valve” means a self-closing valve supplied with water directly from a supply pipe or a distributing pipe which when activated will discharge a pre-determined flush volume;

“trap” means a pipe fitting, or part of a sanitary appliance, that retains liquid to prevent the passage of foul air; and

“warning pipe” means an overflow pipe whose outlet is located in a position where the discharge of water can readily be seen.

Baths, sinks, showers and taps

26. All premises supplied with water for domestic purposes shall have at least one tap conveniently situated for the drawing of drinking water.

27. A drinking water tap shall be supplied with water from –

- (a) a supply pipe;
- (b) a pump delivery pipe drawing water from a supply pipe; or
- (c) a distributing pipe drawing water exclusively from a storage cistern supplying wholesome water.

28. (1) Subject to sub paragraph (2), every bath, wash basin, sink or similar appliance shall be provided with a watertight and readily accessible plug or other device capable of closing the waste outlet.

(2) This requirement does not apply to –

- (a) an appliance where the only taps provided are spray taps;
- (b) a washing trough or wash basin whose waste outlet is incapable of accepting a plug and to which water is delivered at a rate not exceeding 0.06 litres per second exclusively from a fitting designed or adapted for that purpose;
- (c) a wash basin or washing trough fitted with self-closing taps;
- (d) a shower bath or shower tray;
- (e) a drinking water fountain or similar facility; or
- (f) an appliance which is used in medical, dental or veterinary premises and is designed or adapted for use with an unplugged outlet.

Washing machines, dishwashers and other appliances

29. (1) Subject to sub paragraph (2), clothes washing machines, clothes washer-driers and dishwashers shall be economical in the use of water.

(2) The requirements of this paragraph shall be deemed to be satisfied in the case of machines having a water consumption per cycle of not greater

EXPLANATORY NOTE

(This Note is not part of the Byelaws)

These Byelaws mirror the requirements of the Water Supply (Water Fittings) Regulations 1999 which apply in England and Wales.

Byelaws 8 and 10 have not been allocated as the content of the similarly numbered Regulations in England and Wales refer to legislation not applicable in Scotland. However, the numbering of subsequent Byelaws has been retained to provide consistency of numbering with the Regulations in England and Wales.

Byelaw 2: This Byelaw makes provision for preventing contamination and waste of water supplied by a water undertaker. It does not apply to certain water fittings in connection with water supplied for non domestic purposes, or to water fittings lawfully installed before the date of commencement.

PART II of the Byelaws deals with the principal requirements.

Byelaws 3 and 4 impose general requirements in relation to water fittings. Water fittings must not be installed, connected, arranged or used in such a manner that they are likely to cause waste, misuse, undue consumption or contamination, or erroneous measurement, of the water supplied. They must be of an appropriate quality or standard, and be suitable for the circumstances in which they are used; and they must be installed, connected or disconnected in a workmanlike manner.

Byelaw 5 requires a person who proposes to install certain water fittings to notify the undertaker, and not to commence installation without the undertaker's consent. The undertaker may withhold consent or grant it on certain conditions. This requirement does not apply to some fittings which are installed by a contractor who is approved by the undertaker or certified by an organisation approved under the Water Supply (Water Fittings) Regulations 1999.

Byelaw 6: Where an approved contractor installs, alters, connects or disconnects a water fitting, he must provide a certificate that it complies with the Byelaws.

PART III of the Byelaws deals with enforcement, etc.

than the following –

- (a) for domestic horizontal axis washing machines, 27 litres per kilogram of washload for a standard 60°C cotton cycle;
- (b) for domestic washer-driers, 48 litres per kilogram of washload for a standard 60°C cotton cycle;
- (c) for domestic dishwashers, 4.5 litres per place setting.

Water for outside use

30. Every pipe which conveys water to a drinking vessel for animals or poultry shall be fitted with –

- (a) a float-operated valve, or some other no less effective device to control the inflow of water, which is –
 - (i) protected from damage and contamination; and
 - (ii) prevents contamination of the water supply; and
- (b) a stopvalve or servicing valve as appropriate.

31. Every pond, fountain or pool shall have an impervious lining or membrane to prevent the leakage or seepage of water.

Byelaw 7 provides a fine not exceeding level 5 on the standard scale for contravening the Byelaws. It is a defence to show that the work on a water fitting was done by or under the direction of an approved contractor, and that the contractor certified that it complied with the Byelaws.

Byelaw 9 enables the undertaker to enter premises to carry out inspections, measurements and tests for the purposes of the Byelaws.

Byelaw 11 enables the Scottish Ministers to relax the requirements of these Byelaws on the application of the undertaker.

Byelaw 12 requires Scottish Water to publicise any method of installation that they may approve under the Byelaws and notify the Scottish Ministers of their action.

Byelaw 13 provides for disputes arising under the Byelaws between the undertaker and a person who has installed or proposes to install a water fitting to be referred to arbitration.

These Byelaws have been notified to the European commission and the other member states in accordance with Directive 98/34/EC of the European Parliament and of the Council (O.J. No. 21.7.98 p.37) as amended by Directive 98/48/EC of the European Parliament and of the Council (O.J. No. L 217.5.8.98. p.18).

Water Services etc. (Scotland) Act 2005

Under the Water Services etc. (Scotland) Act 2005, the Operational Code sets out the processes by which Scottish Water can continue to enforce the Water Byelaws at non-household premises in Scotland. Scottish Water will visit such premises in order to conduct inspections to monitor compliance or investigate a complaint or report of non compliance with the Water Byelaws.

Businesses with any Water Byelaws enquiries or any concerns about this enforcement process and Scottish Water's statutory obligations should contact their Licensed Provider in the first instance.

THE SCOTTISH WATER BYELAWS 2004

Made under Section 70 of the Water (Scotland) Act 1980

