

1. INTRODUCTION - A RANGE OF ACTIVITIES AND A RANGE OF JURISDICTIONS

The title "Water Chemist" could apply to people in a wide range of activities. They could be employers or employees or self-employed. They could be employed as consultants or analysts or as regulators. The purpose of this briefing note is to give Water Chemists an overview of the major pitfalls which could face them in the course of their professional activities. Obviously, such a briefing cannot be comprehensive nor cover all employment situations nor does it constitute legal advice.

The European Community (EC) is the source of much legislation in the environmental field. This will affect water chemists working in the UK as and when such legislation comes into effect at national level. An obvious example is the standards for drinking water which come from Directive 80/778/EEC but which are of course being revised at the time of writing.

The range of activities which water chemists could be involved with include: entering premises to take samples or to give advice, occupying premises as an employer or a consultant, analysing the samples, and giving oral or written reports. Each one of these involves a host of related activities. For example, analysing samples focuses attention on health and safety matters and the storage of chemicals.

This note deals with the law of England and Wales. Company law in Scotland and Northern Ireland will be broadly similar, though the reader should note that, for example, the Scots law of contract is different from its English equivalent. Once outside the UK, however, this note may be of limited relevance to the reader. In any event, it should not be construed as advice on any particular situation and is only intended to be illustrative of the broad nature of the problems facing water chemists in their professional duties. In the event of a specific problem, it is important to seek legal advice from a lawyer in the relevant jurisdiction.

It is important to realise that not all law is contained on the pages of Acts of Parliament. Large areas of law are "common law" - that is they have been created by judges over the centuries in cases they have decided. Also, interpretation of Acts by judges is the only interpretation that is legally valid.