



LAWS OF  
ST. VINCENT AND THE GRENADINES

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CHAPTER 403  
*CENTRAL WATER & SEWERAGE AUTHORITY ACT*

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•Act•Subsidiary•Legislation•

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*Act No. 17 of 1991*  
*Amended by*  
*Act No. 38 of 2007*



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**CHAPTER 403**  
**CENTRAL WATER AND SEWERAGE AUTHORITY ACT**

**An Act to make better provision for the conservation, control, apportionment and use of the water resources of Saint Vincent and the Grenadines, and for purposes incidental thereto and connected therewith.**

**Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the House of Assembly of Saint Vincent and the Grenadines and by the authority of the same, as follows.**

*[Act No. 17 of 1991 amended by Act No. 38 of 2007.]*

*[Date of commencement: 10th December, 1991.]*

**PART I**  
*Preliminary*

**1. SHORT TITLE AND COMMENCEMENT**

This Act may be cited as the Central Water and Sewerage Authority Act, 1991, and shall come into operation on such date as the Governor-General may, by Proclamation, appoint.

**2. INTERPRETATION**

In this Act, unless the context otherwise requires—

“**agricultural purposes**”, when used in relation to the supply of water, does not include water used for the purpose of watering household gardens;

“**aquifer**” means a geological structure or formation or an artificial land-fill permeated or capable of being permeated permanently or intermittently with water;

“**Authority**” means the Central Water and Sewerage Authority established under section 3 of this Act;

“**Board**” means the Board of management constituted by section 6(1) of this Act;

“**body of water**” includes ground water and water contained or flowing in a spring, stream, river, natural lake or swamp, or in or beneath a watercourse, or in a zone below the water table where the interstices are filled with groundwater, water diverted or abstracted from any of the foregoing, or stored therein, by means of works, but does not include the water in any spring which is situated wholly within the boundaries of land owned by any one landowner and which does not naturally discharge into a watercourse extending beyond the boundaries of such land or abutting on the boundaries of such land;

“**bore**” means any bore, hole, well excavation or other opening in the ground or any natural or artificially constructed or improved underground cavity used for the purpose of intercepting, collecting, obtaining or using groundwater or for the purpose of disposing of any water or waste below the surface of the ground, or which extends to an aquifer;

“**business plan**”, for a financial year, means—

- (a) the business plan approved under section 23B; and
- (b) all amendments to the business plan approved under that section, for the financial year;

[Definition of “business plan” inserted by Act No. 38 of 2007.]

**“Chairman”** means the Chairman of the Board;

**“domestic purposes”**, when used in relation to the supplying of water, does not include—

- (a) a supply of water for animals other than domestic animals or for washing motor vehicles that are kept for hire; and
- (b) a supply of water for any profession, trade or business or for use in fountains;

**“financial year”** means the financial year referred to in section 23A; [Definition of “financial year” inserted by Act No. 38 of 2007.]

**“functions”** includes powers and duties;

**“groundwater”** includes all water occurring or obtained from below the surface of the ground other than water contained in works (not being a bore) for the distribution, reticulation, transportation, storage or treatment of water or waste and water occurring in or obtained from any bore or aquifer;

**“industrial or commercial purposes”**, when used in relation to the supply of water, means water used in connection with any profession, trade, business or industrial or commercial enterprise;

**“landholder”** means the Government, any local authority, the registered owner of the land, or the person in whom the land is vested by law, or any person—

- (a) lawfully holding or occupying land in accordance with the provisions of any law empowering the allotment of land upon a promise of title, subject to the fulfilment by the allottee of conditions;
- (b) who by any established right, custom or estate



whatsoever is, or is entitled to be, the holder or possessor of land;

“**Manager**” means the person appointed by the Board under section 7(1) of this Act;

“**Minister**” means the Minister responsible for water and sewerage services;

“**pollute**” means directly or indirectly to alter the physical, thermal, chemical, biological or radioactive properties of any water so as to render such water less fit for any beneficial purpose for which it is, or may reasonably be used, or to cause a condition which is hazardous or potentially hazardous to public health, safety or welfare, or to animals, birds, fish or aquatic life or other organisms or to plants;

“**sewage**” means matter conveyed in any sewer;

“**sewerage**” means drainage by means of any sewer or system of sewer;

“**waste**” includes sewage and any other matter or thing whether wholly or partly in solid, liquid or gaseous state, which if added to any water, may cause pollution;

“**water**”, for the purposes of this Act, means—

- (a) water flowing or situated upon the surface of any land;
- (b) water flowing or contained in—
  - (i) any river, stream, spring, creek or other natural course for water,
  - (ii) any lake, swamp or marsh,  
whether or not it has been altered or artificially

- improved;
- (c) groundwater;
- (d) any water at any time contained by works acquired, constructed, improved or operated—
  - (i) by any person pursuant to Part IV,
  - (ii) pursuant to Part VI,
  - (iii) by or on behalf of the Authority pursuant to this Act;

“**works**” means any works which are related to or may affect the investigation, use, control, management or administration of water or waste and includes any works excavations or bores—

- (a) whereby water or waste may be used, extracted, diverted, stored, conducted, regulated, controlled, supplied, discharged, treated or measured;
- (b) whereby land may be drained or flooding or erosion of land or siltation of water prevented or mitigated;
- (c) partly or wholly situated within or on the bed or banks of any watercourse or other source of water;
- (d) whereby any other works may be constructed or protected.

## **PART II**

### *The Central Water and Sewerage Authority*

#### **3. ESTABLISHMENT OF THE CENTRAL WATER AND SEWERAGE AUTHORITY**

(1) There is hereby established a body to be known as the Central Water and Sewerage Authority.

(2) The Authority shall be a body corporate, with perpetual succession and a common seal and with power to sue and to be

sued in that name and which shall exercise such functions as are conferred and imposed on it by this Act.

#### **4. FUNCTIONS OF THE AUTHORITY**

The functions of the Authority shall be to—

- (a) investigate the water resources of Saint Vincent and the Grenadines; and to advise and make recommendations to the Minister relating to the improvement, preservation, conservation, utilisation and apportionment of those resources, and as to the provision of additional water supplies;
- (b) carry out surveys concerning the consumption of, and demand for water supplies and the water resources and sewerage facilities of this Island;
- (c) prepare estimates of the future water supply or sewerage disposal requirements of any district or area of this Island;
- (d) formulate proposals for meeting the existing and future water supply or sewage disposal requirements of any district or area;
- (e) furnish to the Minister such information relating to water resources or water supplies or sewerage facilities as is available;
- (f) construct, operate and maintain works in connection with the supply of water or the disposal of sewage;
- (g) examine any surface or underground waters in this Island to determine whether pollution exists and the causes thereof;
- (h) investigate, and advise and make recommendations

to the Minister relating to the improvement, preservation, operation and utilisation of the sewerage facilities and as to the provision of additional sewerage facilities;

- (i) with the approval of the Minister fix from time to time, and levy and collect rates and charges for water supplied, and for all other services performed and facilities provided, by the Authority;
- (j) with the concurrence of and subject to such limitations as may be imposed by the Treasury, if necessary to borrow money or obtain credit either in Saint Vincent and the Grenadines abroad for the performance of its functions in carrying out the provisions of this Act;
- (k) create, make, draw, accept, endorse, execute, issue, discount, buy, sell, negotiate and deal in bills, notes, warrants, coupons, stock, debentures and other negotiable or transferable instruments.

## **5. EXEMPTION FROM LIABILITY**

Notwithstanding the provisions of this Act, the Authority shall not be bound to supply or to continue to supply water to any person and no action, suit, prosecution or other legal proceedings shall be brought against it in this regard.

## **PART III**

### *Administration*

## **6. ESTABLISHMENT OF BOARD**

(1) There shall be a Board of management which shall be

responsible for the exercise of the functions conferred and imposed on the Authority by this Act.

(2) The provisions of the Schedule shall have affect as to the constitution of the Board and otherwise in relation thereto.

(3) The seal of the Authority shall be affixed by the chairman, or by any other member of the Board duly authorised by the Board to do so, and by the Manager, and a document so sealed shall be authenticated by the signatures of the chairman or such other member and the Manager and shall, if it purports to have been so authenticated, be officially and judicially noticed.

## **7. APPOINTMENT OF MANAGER AND OTHER EMPLOYEES**

(1) The Board shall appoint and employ a Manager of the Authority and such other officers and employees as may be necessary or desirable for the proper carrying out of the functions of the Act at such remuneration and on such terms and conditions as the Board may determine:

Provided that—

- (a) no salary in excess of the prescribed rate shall be assigned to any post without the prior approval of the Minister; and
- (b) no appointment shall be made to any post to which a salary in excess of the prescribed rate is assigned without the prior approval of the Minister.

(2) For the purposes of subsection (1), the “prescribed rate” means a rate of (twenty thousand) dollars per annum or such higher rate as the Minister may, by order, prescribe.

(3) Notwithstanding subsection (1) of this section the Board may subject to such conditions as shall be specified by it in writing, delegate to the Manager the power to appoint, remove, suspend, dismiss, and revoke the appointment of staff which it is the duty of the Board to appoint under that subsection.

(4) The Board may employ or engage the services of any professionally or otherwise suitably qualified person as it considers necessary or expedient for the purpose of assisting the Board or the Authority in the performance of any of its functions under this Act.

(5) Every officer or employee shall, subject to this Act, perform the functions assigned to him by the Manager.

## **8. POLICY DIRECTIONS**

The Minister may, after consultation with the Chairman of the Board give to the Board directions of a general or specific nature relating to the policy to be followed by the Board in the performance of the functions of the Authority, and the Board shall give effect to such directions.

## **9. DUTIES OF THE MANAGER**

The Manager shall—

- (a) act as secretary of the Board;
- (b) comply with such general or special instructions as may be given to him by the Board;
- (c) exercise general supervision over the conduct and operation of the activities of the Authority;
- (d) exercise control over the staff, subject to such

conditions or restrictions as may be imposed in that regard by the Board in writing;

- (e) furnish the Board with such reports, at such regular intervals as the Board shall determine, relating to the financial position and to the carrying out of the functions of the Authority.

## **10. TRANSFER OF OFFICERS AND PRESERVATIONS OF PENSIONS**

(1) The Public Service Commission may at the request of the Authority and subject to such conditions as it may impose at any time permit and give effect to the transfer of an officer from the public service to the Authority, and vice versa.

(2) The transfer, in pursuance of subsection (1) of this section, of any officer shall for the purposes of the Pension Act, 1948, be treated as a transfer to which Part III of that Act applies and his service with the Authority shall be deemed to be a pensionable office.

(3) The Authority shall, in respect of any officer transferred under subsection (1) of this section, contribute to the Consolidated Fund such amount by way of pensionable emoluments and personal allowances for the purposes of the Pensions Act, 1948, as the Minister responsible for finance with the approval of Cabinet may at any time determine.

## **PART IV**

### *Water and Sewerage Works*

## **11. WATER VESTED IN GOVERNMENT**

Every body of water in Saint Vincent and the Grenadines is vested in the Government in trust for the people of Saint Vincent and the Grenadines.

## **12. CONTROL OF WATER**

The control of such water for the public benefit shall be exercised in a manner not inconsistent with this Act by the Authority and in particular the use of water for—

- (a) domestic and stock purposes;
- (b) irrigation, agriculture, industrial and commercial purposes;
- (c) hydro-electric and geo-thermal purposes;
- (d) navigation and fishing;
- (e) the preservation of flora and fauna and other beneficial purposes;
- (f) the prevention and mitigation of the effects of erosion, drainage, pollution and flooding.

## **13. REGULATION OF RIGHTS**

- (1) Notwithstanding any law to the contrary, no right to—
  - (a) use any water;
  - (b) construct or operate any works in or adjacent to any water or bore;
  - (c) cause, or permit waste to come into contact directly or indirectly with any water, shall or be acquired otherwise than by virtue of this Act.



(2) As from the commencement of this Act where the doing of any act is prohibited or regulated by or under this Act, nothing in any other statute or in any lease, mortgage or other instrument creating an interest in land, whether made or executed before or after the commencement of this Act, shall be construed—

- (a) as authorising any person to do that act; or
- (b) as authorising any person to do that act otherwise than in accordance with this Act.

#### **14. UNAUTHORISED USAGE OF WATER PROHIBITED**

(1) No person shall use water in contravention of the provisions of this Act.

(2) In any proceedings for an offence against subsection (1), proof of the existence on any land of any pipe, channel, tank or other means whereby water is capable of being used in a manner contrary to the provisions of this Act is prima facie evidence that water was so used at the time such means is proved to have existed.

(3) Subsection (1) shall not apply to the use of water for or in connection with the construction of a public road.

#### **15. ACQUISITION OF LAND**

(1) If the Board is satisfied that it is in the public interest to do so, the Authority may, subject to the provisions of section 6 of the Constitution, and with the approval in writing of the Cabinet, purchase by private treaty or acquire compulsorily any land or interest in land or other property in accordance with the provisions of the Land Acquisition Act for any purpose connected with the

discharge of its functions and in particular land or other property may be purchased or acquired for the conservation, improvement, installation or use of water and sewerage facilities.

(2) The acquisition of property under subsection (1) of this section shall be deemed to be an acquisition for a public purpose under any law for the time being in force relating to the compulsory acquisition of land.

(3) The Authority may under this section purchase by private treaty or acquire compulsorily a right to place pipes and sewers across land, whether above or below ground, and to repair and maintain such pipes and sewers, without purchasing any other interest in the land.

(4) A right purchased or acquired under subsection (3) shall include a right on the part of the Authority and persons acting under its authority—

- (a) to the user of the land for the laying of tunnels, conduits, aqueducts, channels, drains, outfalls for water mains, pipes or other structures and appliances, and accessories thereto;
- (b) of access to and of opening up such land from time to time for the inspection, renewal, repair, replacement or removal of any such works and of restoring any such land, without in any such case affecting the ownership of such land.

(5) In relation to the purchase or acquisition of any right in land under this section the law in force relating to the compulsory acquisition of land shall have effect and shall be so construed where the context so requires, as if references made therein to land were

a reference made to any right purchased or acquired under this section.

(6) In this section, “land” includes easements and other rights over land.

## **16. POWER TO ENTER PREMISES**

(1) The Authority or any competent person duly authorised by it in writing may enter upon any premises after giving reasonable notice to the owner or occupier or other responsible person—

- (a) to take such measures as may be thought fit for the purposes of the conservation, regulation, preservation from pollution or prevention of diversion or waste of water;
- (b) to inspect pipes, fixtures or fittings;
- (c) in relation to any matter concerning sewage or sewerage facilities:

Provided that compensation shall be paid to the owner of any property to which actual injury is caused by measures taken under the powers conferred by this subsection, other than measures for—

- (a) the prevention of waste;
- (b) the stopping or removal of any unauthorised diversions, abstraction or obstruction of water; or
- (c) the prevention of pollution,

and if any parties cannot agree as to the amount of compensation payable under this section, that amount shall be determined by arbitration.

(2) In exercise of the powers conferred by subsection (1) the Authority may give directions to the owner or occupier of any premises so entered to take steps to remedy any default and on

failure to do so within the time specified by the Authority, the Authority may undertake the necessary action required and recover the costs thereof from the owner or occupier of the property.

(3) An authorised person may enter premises without giving notice if he—

- (a) has reasonable cause to believe that some provision of this Act or subsidiary legislation made thereunder has been or is about to be contravened;
- (b) is unable to give notice within a reasonable time having regard to all the circumstances; or
- (c) has reasonable grounds for not giving notice, and any person so entering shall cause as little damage as possible in the exercise of his powers under subsection (1) of this section.

(4) Any person who prevents, hinders or obstructs any authorised person from entering upon any premises in accordance with this section or from lawfully carrying out his functions under subsection (1) thereof, commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or in default of payment, to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

## **17. POWER TO CONSTRUCT WORKS ON PREMISES**

(1) The Authority may, after reasonable notice to the landholder concerned, if it appears to the Authority to be in the public interest to do so, construct and maintain upon any land such works as may be necessary or desirable for any of the following purposes—

- (a) the protection of the source or course of any body of water;

- (b) the disposal or control of flood water;
- (c) the conservation and storage of water;
- (d) the distribution, apportionment or measurement of water;
- (e) the provision of sewerage facilities.

(2) The Authority shall pay compensation to the owner of the land on which such works are constructed, but in assessing the amount of such compensation, the Authority shall take into consideration any benefit or betterment which has accrued to such land by the construction of those works, or any adverse effects on such land caused by such works as the case may be.

(3) The cost of construction and maintenance of works under this section may with the written consent of the Minister responsible for finance be charged on the Consolidated Fund.

(4) “Reasonable notice” under subsection (1) means—

- (a) notice in writing to the owner or occupier of premises or road authority, as the case may be, of its intention not later than seven days before the work commences; or
- (b) in the case of an emergency, notice soon as possible after the necessity for the action has arisen or after the action has begun.

## **18. AUTHORITY LIABLE FOR COMPENSATION**

The Authority shall be liable for and shall pay compensation for damage to any public works which may be occasioned by reason of the works of the Authority—

- (a) breaking or being defective in construction; or

- (b) being out of repair or of insufficient capacity, and, in the event of such public works not being repaired or replaced after notice to do so has been served on the Authority by the Treasury, the Minister for the time being responsible for public works shall cause such damage to be repaired or the works replaced and may cause the cost of so doing to be recovered in any court.

## **19. WATER RATE OR CHARGE UPON PERSON BENEFITING**

(1) Where the cost of works constructed under section 17(1) of this Act has been paid out of the Consolidation Fund any person who in the opinion of the Authority has benefited by the construction of such works shall, if so decided by resolution of the Board, pay to the Authority a water rate or other charge for such benefit, the amount of which shall be decided by the Board.

(2) Any person who is grieved by a decision made under the provisions of this section may appeal to the Minister whose decision shall be final.

## **20. WATER RATE OR CHARGE IN CONNECTION WITH COMMUNITY PROJECT**

When the cost of works constructed under section 17(1) of this Act has been paid out of the Consolidated Fund and such works are required or used for the purpose of a community project, a water rate or other charge the amount of which shall be decided by the Board shall if so decided by resolution of the Board be payable to the Authority by all persons who in the opinion of the Authority

have benefited or may benefit as a result of such works.

## **21. PROTECTED AREAS**

(1) Where the Minister, after consultation with, or on the advice of, the Authority, is satisfied that special measures are necessary for the protection of the water resources in, or derived from any specified area, he may by notice in the Gazette specify and declare such area or any part thereof, to be a protected area and may, if he considers it necessary for the protection of such area or for the protection of the water supply obtained therefrom by the same notice, require, regulate or prohibit the doing by any person in such specified area, or part thereof, of any act.

(2) Any person who knowingly contravenes the provisions of any such notice commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding two years, or to both such fine and imprisonment.

## **22. OFFENCE**

A person who hinders or obstructs an employee or agent of the Authority in the performance of his functions under this Part commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to a term of imprisonment not exceeding two years, or to both such fine and imprisonment.

**PART V**  
**Financial**

**23. FUNDS**

The funds of the Authority shall include—

- (a) such sums of money as may be placed at the disposal of the Authority by Parliament;
- (b) all amounts which at the date of commencement of this Act, are at the disposal of or belong to the Central Water and Sewerage Authority established by section 3 of the Central Water Authority Act, 1978;
- (c) all sums accruing to the Authority by virtue of the exercise of its functions under section 4(i) of this Act;
- (d) all monies, if any, borrowed under section 4(j) of this Act;
- (e) such monies as the Treasury may from time to time approve as funds of the Authority.

**23A. FINANCIAL YEAR**

The financial year of the Authority is the twelve month period beginning on the 1st day of January and ending the 31st day of December.

[Section 23A inserted by Act No. 38 of 2007.]

**23B. ANNUAL BUSINESS PLAN**

(1) The Board shall, not later than four months before the



commencement of each financial year and in such form as the Minister requires, prepare in respect of the financial year, and submit to the Minister, a proposal for a business plan for the financial year that must contain—

- (a) a statement of the Authority's objectives and priorities in carrying out its responsibilities for the financial year and the following two financial years;
- (b) a comprehensive financial plan that—
  - (i) shows how resources, including but limited to financial resources, will be allocated to meeting the objectives and priorities of the Authority for the financial year, and
  - (ii) includes pro forma financial statements as required by the Minister;
- (c) a comparison of the pro forma financial statements with the actual financial statements for the previous financial year;
- (d) a statement as to how the Board proposes to measure its performance in carrying out its responsibilities in the financial year; and
- (e) any other information required by the Minister by written notice to the Board.

(2) The Minister may, on the request of the Board, extend the time for submitting a proposal for a business plan.

(3) The Minister shall, as soon as practicable, consider the proposal for a business plan and may, after consulting with the Minister of Finance—

- (a) approve the proposal as submitted;
- (b) with the approval of the Board, amend the proposal and approve it as amended; or
- (c) refer the proposal back to the Board with directions

that the Board take any further action with respect to it that the Minister considers appropriate.

(4) Where the Minister refers the proposal for a business plan back to the Board under subsection (3)(c), he shall provide the Board with his reasons for not approving it.

(5) A proposal for a business plan that is referred back to the Board under subsection (3)(c) must be resubmitted to the Minister as directed by the Minister and, when it is resubmitted, subsections (3) and (4) apply.

(6) When a proposal in relation to a financial year is approved by the Minister, it becomes the business plan for that financial year.

(7) The Board—

- (a) may, of its own motion, submit to the Minister a proposal to amend an approved business plan; and
- (b) shall, on the request of the Minister and within the time requires by the Minister, submit to the Minister a proposal to amend an approved business plan.

(8) Subsections (3), (4), (5) and (6) apply to a proposal submitted to the Minister under subsection (7).

[Section 23B inserted by Act No. 38 of 2007.]

### **23C. BOARD OBLIGATED TO IMPLEMENT BUSINESS PLAN**

The Board—

- (a) shall in each financial year implement the business plan for that financial year; and
- (b) shall establish a mechanism for monitoring the

implantation of the financial plan.  
[Section 23C inserted by Act No. 38 of 2007.]

## 24. ACCOUNTS

(1) The Board shall—

- (a) keep proper books of account of its income and other receipts and expenditures; and
- (b) ensure that—
  - (i) all money received is promptly and properly brought to account,
  - (ii) all payments out of its money are correctly made and properly authorised, and
  - (iii) adequate control is maintained over its property and over the incurring of liabilities by the Authority.

(2) The books of account kept under subsection (1) shall—

- (a) be sufficient to record and explain the Authority's transactions;
- (b) enable the Authority's financial position to be determined with reasonable accuracy at any time; and
- (c) be sufficient to enable financial statements to be prepared and audited in accordance with this section.

(3) Within three months after the end of each financial year, the Board shall cause to be prepared—

- (a) the following financial statements together with proper and adequate explanatory notes—
  - (i) a statement of the assets and liabilities of the Authority at the end of the financial year,

- (ii) a statement of the revenue and expenditure of the Authority during the financial year,
- (iii) such other financial statements for the financial year as may be specified in writing by the Minister; and
- (b) an annual report of the Authority on the implementation of the business plan and such other matters as the Board considers advisable or the Minister directs.

(4) Without delay after the completion of the financial statements and the annual report, the Board shall furnish a copy of each to the Director of Audit.

[Section 24 substituted by Act No. 38 of 2007.]

## **25. ESTIMATES**

(1) Not later than three months after receipt of the financial statements and annual report from the Board, the Director of Audit shall audit the financial statements in accordance with the Audit Act.

(2) Without delay after the completion of his audit of the Authority, the Director of Audit shall submit a copy of his report together with the financial statements and annual report to the Minister, the Minister of Finance and the Board.

(3) The Minister of Finance shall, not later than seven days after the House of Assembly first meets after he has received the report together with the financial statements and annual report of the Authority, lay it before the House.

(4) If the Minister fails to lay the report together with the financial

statements and the annual report of the Authority before the House of Assembly in accordance with subsection (3), the Director of Audit shall transmit the report, the financial statements and the annual report to the Speaker who shall, as soon as practicable, present them to the House of Assembly.

(5) As soon as reasonably practicable after the report together with the financial statements and the annual report of the Authority have been laid before the House of Assembly, the Board shall cause the report, the financial statements and the annual report of the Authority to be published in the Gazette.

[Section 25 substituted by Act No. 38 of 2007.]

## **26. EXEMPTION FROM INCOME TAX**

The Authority shall be exempt from liability for any income tax, duty, levy or other charge.

## **PART VI**

### *Rates and Charges*

## **27. ESTABLISHMENT OF WATER SUPPLY AND SEWERAGE DISTRICTS**

(1) For the purposes of the exercise of its functions under section 4(d) of this Act, the Authority shall recommend to the Minister the establishment of water supply and sewerage districts in Saint Vincent and the Grenadines by reference to defined limits or some specific description.

(2) The Minister shall, by order, establish water supply and

sewerage districts recommended to him under subsection (1) of this section, and every such order shall contain reference to the defined limits or specific description of the district concerned.

(3) The Minister on the recommendation of the Authority, may from time to time, by order, vary the limits or description of any district established under subsection (2) of this section, or abolish any district.

## **28. DETERMINING RATES AND CHARGES**

In determining the rates and charges to be levied for the services of the Authority, the Board may take into consideration in respect of any relevant period, any or all of the following matters—

- (a) whether the Authority's revenue derived during the relevant period from all its sources is sufficient to cover the Authority's expenses;
- (b) the interest payments to be made by the Authority;
- (c) the repayments of principal to be made on any loan secured under this Act;
- (d) the amounts that the Board thinks ought to be set aside for the Authority's purposes, including amounts for depreciation and reserve funds;
- (e) the uses to which water supplied by the Authority is to be applied.

## **29. PUBLIC FIRE SERVICE**

There shall be no charge for water used by the fire services in cases of fire.

### **30. PUBLIC STANDPIPES**

So long as there is no charge for water used by the public from public standpipes this service shall be considered an obligation of the Government payable from funds appropriated for the purpose.

### **31. OWNER OCCUPIER LIABILITY**

(1) Notwithstanding any agreement between the owner and the occupier of premises, the Authority may recover any rates or charges payable in respect of such premises, from the owner and occupier jointly or severally.

(2) The Authority may by notice in writing (a copy of which shall be sent to the owner liable) require the occupier to pay to the Authority out of any amount held in respect of rent—

- (a) such portion of the amount held as specified in the notice;
- (b) the total amount held; or
- (c) an amount specified in the notice periodically until the total sum for which the owner is liable is paid.

(3) The occupier so notified shall be deemed to have made such payments on the authority of the owner and shall be indemnified in respect of such payments by virtue of this section.

(4) Unpaid rates and charges are a lien and charges against the premises in respect of which the debt is incurred.

## **PART VII**

### *Miscellaneous*

### **32. FINANCIAL ASSISTANCE**

The Minister may, with the approval of the Cabinet establish a fund out of monies voted for the purpose by Parliament, to assist low income earning families to finance in-house water and sewerage installations, and may make regulations governing the operation of that fund.

### **33. REGULATIONS**

(1) The Authority may with the approval of the Minister make regulations and the Minister may by order in relation to such matters as he shall specify therein require the Authority to make Regulations generally for the purposes of this Act and in particular in relation to the following matters—

- (a) regulating and controlling—
  - (i) the types, specifications, locations, construction, repair, removal or alteration of mains, service pipes, valves, hydrants, stand pipes and all other work in or upon any premises that form part of or are connected with water works,
  - (ii) the manner in which the service pipes of consumers are to be connected with the mains of the water works supplying the water,
  - (iii) the location, construction, repair, removal or alteration of sewers, drain pipes, manholes, gully traps and all other works in or upon any premises, that form part of or are connected with sewerage works,
  - (iv) the content of sewage entering sewerage



- works,
- (v) the use of water from any source of supply;
- (b) requiring the connection of building sewers to sewerage works and regulating and controlling the manner in which building sewers are to be connected;
- (c)
  - (i) prescribing standards of quality for potable and other water supplies, sewage and industrial waste effluents, receiving streams and water courses,
  - (ii) operating standards for water works or sewerage works,
  - (iii) measures for ensuring the purity of water supply,
  - (iv) the manner of effecting the supply of water or sewerage services to premises and the charges for connecting premises to the Authority's mains,
  - (v) installing meters for the purpose of measuring the quantity of water supplied to any property, to enter upon any property for the purpose of installing, reading, inspecting or testing any such meter,
  - (vi) the amount of the security to be furnished by persons applying for the supply of water or sewerage services,
  - (vii) the rates and charges payable in respect of water supply and sewerage services,
  - (viii) the special rates and charges payable in respect of water supplied for specified purposes, including water supplied for agriculture, industrial or commercial purposes;

- (d) the inspection of works, land and premises;
- (e) the execution and maintenance of any works for the purpose of sewerage or sewage disposal, or for the purpose of draining land, or for soil conservation or for more effectively collecting, conveying or preserving water or preserving the purity or quantity thereof;
- (f) the issue of permits authorising any diversion, abstraction, or obstruction of any water supply, or the use of water, according to such terms and conditions as may be specified in such permit, regard being had to the extent to which the authorisation of such permit may interfere with the domestic requirements of other consumers or with the water, as the case may be;
- (g) forms to be used under this Act or the regulations made under this subsection;
- (h) regulating or restricting the supply of water or sewerage services to premises;
- (i) exempting certain classes of persons from the payment of rates and charges for the supply of water or sewerage services;
- (j) granting discounts or rebates in consideration of prompt payment of any rates or charges levied or imposed by or under the provisions of this Act;
- (k) requiring certain classes of industries or particular operations to enter into trade waste agreements before their wastes are discharged, whether to water, land or into sewers of the Authority;
- (l) imposing conditions on the storage of potentially polluting substances on land, which may affect the water by seepage;
- (m) regulating the power to enter into land to give

- directions to landowners to repair defective private sewage treatment works and septic tanks and to execute works in default of action by the land owner and to recover the cost from the landowner;
- (n) the advertisement and declaration of new areas into which water supplies and sewage are to be carried;
  - (o) the construction, operation and maintenance of works;
  - (p) the compulsory connection of lands to drains and sewers of the Authority;
  - (q) the establishment of codes of workmanship specifying technical requirements for connections and fittings;
  - (r) in regard to requiring capital contributions from landowners benefiting from new works;
  - (s) the vesting of all existing water supply and sewerage works in the Authority;
  - (t) the construction, maintenance and operation of both water supply and sewerage service throughout the country;
  - (u) empowering the Authority, after reasonable demand made by it in writing, to disconnect the supply of water to any property in respect of which there remains unpaid, any water or sewerage rates; and
  - (v) any other matter or thing, for the purpose of the better carrying out of the purposes and provisions of this Act or of paragraphs (a) to inclusive of this subsection.

(2) Regulations made under subsection (1) of this section may be made applicable either generally or with respect to any water supply or sewerage district established under section 27(2) of this Act, or to any part thereof, and for the purposes of this subsection,

“district” includes any such district the limits or description of which have been varied in accordance with section 27(3) of this Act.

(3) If within three months after an order made by the Minister under subsection (1) of this section the Authority has not made regulations satisfactory to the Minister in relation to all or any of the matters specified in the order the Minister may amend or revoke any regulation with which he is not satisfied, and may make new regulations as he considers necessary.

(4) Regulations made by the Minister under subsection (3) of this section shall have effect as if they had been made by the Authority.

(5) Regulations made under this section shall, subject to subsection (6), bind the Crown.

(6) The Minister, acting upon the advice of the Authority, may by order exempt persons from any regulations made under this section or any provision thereof.

(7) Regulations made under this section may include provision for—

- (a) the alteration, repair or replacement of any installation or fitting which contravenes the regulations;
- (b) the disconnection of the water supply to any property in respect of which any contravention of these Regulations has occurred.

(8) Regulations made under this section may fix separate charges for separate services or facilities, or combine charges for more than one service or facility and nothing in any enactment or in

any agreement or arrangement shall so operate in relation to the Authority, as to oblige it to fix separate charges for separate services or facilities.

(9) There may be annexed to the contravention of any of the regulations made under this section such penalty, not exceeding five thousand dollars or such terms of imprisonment not exceeding two years or both such fine and such imprisonment as the Authority making the regulations may think fit; and in the case of a continuing offence, a further fine not exceeding five hundred dollars for each day during which the offence continues.

#### **34. OFFENCE IN RESPECT OF PROTECTED AREA**

Any person who in an area protected under section 21—

- (a) swims or bathes;
- (b) places, deposits, discharges or allows any material of any kind that is likely to impair the quality of the water to remain therein;
- (c) does any act or takes water so that the amount of water in the area is unduly diminished, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment, and to a further fine of one hundred dollars for each day during which the offence continues.

#### **35. PENALTY FOR OFFENCE WHERE NONE PROVIDED**

Any person who contravenes any provision of this Act, or of any

regulations made thereunder for which no penalty is specified shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

### **36. REPEAL**

The Central Water and Sewerage Authority Act, 1978, is hereby repealed.

## Schedule

[Section 6(2).]

### 1. *Constitution of Board*

(1) The Board shall consist of eight members as under—

- (a) the Director of Planning, Ministry of Finance who shall be an ex officio member;
- (b) the following members to be appointed by the Minister by instrument in writing—
  - (i) a chairman,
  - (ii) a deputy chairman,
  - (iii) a representative of the Ministry of Health,
  - (iv) a representative of the Ministry of Agriculture,
  - (v) a resident of Kingstown,
  - (vi) a resident of a district other than Kingstown,
  - (vii) a representative of the business community or hotel industry.

(2) In the case of the inability of any member to act, the Minister may appoint a person to act temporarily in the place of that member.

### 2. *Tenure of office*

Subject to paragraphs 4, 5 and 6 a member shall hold office for a term of two years, but that member is eligible for re-appointment.

### 3. *Filling of vacancy*

A person who is appointed to fill a vacancy created by the death, resignation or removal from office of a member shall hold office

only for the unexpired term of that former member.

#### *4. Resignation*

A member other than the Chairman or Deputy Chairman may at any time resign his office by instrument in writing addressed to the Chairman who shall forthwith forward it to the Minister; and the member shall cease to be a member of the Board upon the date of the receipt by the Minister of the instrument.

#### *5. Resignation of Chairman and Deputy Chairman*

The chairman or Deputy Chairman may at any time resign his office by instrument in writing addressed to the Minister and upon the date of the receipt by the Minister of the instrument, shall cease to be Chairman or Deputy Chairman, as the case may be, and a member of the Board.

#### *6. Vacancy*

A vacancy in the membership of the Board shall occur—

- (a) on the death or resignation of a member;
- (b) on the revocation by the Minister of the appointment of a member; or
- (c) on the absence of a member from three consecutive meetings of the Board without the Minister's approval.

#### *7. Gazetting appointments*

The Chairman shall cause to be published in the Gazette the fact of the appointment, removal, resignation or death of a member.



8. *Procedure at meetings*

(1) Meetings of the Board shall be held at least once every month, and such other times as the chairman considers necessary or expedient for the transaction of the business of the Authority.

(2) The Chairman, or in the event of his absence from Saint Vincent and the Grenadines or his inability to act as such, the deputy chairman, may at any time call a special meeting of the Board and shall call such a meeting within seven days of the receipt by him of a request for that purpose addressed to him in writing and signed by not less than two members.

(3) Subject to subparagraph (4), the Chairman or in his absence the Deputy Chairman shall preside at all meetings of the Board.

(4) In the absence of both the Chairman and the Deputy Chairman, the members present and constituting a quorum shall elect a Chairman from among their number to preside at the meeting.

(5) Five members of the Board form a quorum.

(6) The decisions of the Board shall be by a majority of votes cast by members present at the meeting, and in any case in which the voting is equal the chairman or other person presiding at the meeting in addition to having an original vote, shall have a casting vote.

(7) Minutes of each meeting shall be kept by the Secretary to the Board or by such other officer as the Board appoints for the purpose and shall be confirmed by the Board and signed by the chairman or deputy chairman at the next meeting of the Board.

(8) Certified copies of the confirmed minutes of each meeting shall be forwarded to the Minister.

(9) Subject to the foregoing the Board shall have power to regulate its own proceedings.

### 9. *Appointment of committee*

(1) The Board may—

- (a) appoint such committees composed of Directors and other persons for the purpose of assisting and advising the Board on the proper performance of the functions of the Authority; and
- (b) with the approval of the Minister, delegate to the Committees such functions as it considers necessary.

(2) A person co-opted, under subparagraph (1) is not entitled to vote at any meeting of the Board.

### 10. *Validity of proceedings*

Any act done or proceeding taken by the Board under this Act or the regulations, may not be questioned on the ground of—

- (a) the existence of any vacancy in the membership of, or of any defect in the constitution of the Board;
- (b) the contravention by a member of paragraph 11;
- (c) any omission, defect or irregularity that does not affect the merit of the proceedings.

### 11. *Disclosure interest*

(1) A member who is in any way, whether directly or indirectly,

interested in a contract or proposed contract with the Authority, shall declare in writing to the Secretary for the information of the Board, the nature and extent of his interest.

(2) A member shall not participate in any proceedings or discussions nor vote in respect of any contract in which he is interested.

### *12. Protection of other members*

(1) No action, suit, proceeding or proceedings shall be brought or instituted personally against any member of the Board in respect of any act done bona fide in pursuance or execution of the provisions of this Act.

(2) Where any member of the Board is exempt from liability by reason only of the provisions of this paragraph, the Authority shall be liable to the extent that it would be if the said member were a servant or agent of the Authority.

### *13. Reservation of members*

A member of the Board shall be entitled to receive such allowances, if any, as may be recommended by the Board and approved by the Minister, and such travelling and other expenses as he may necessarily and reasonably incur in the performance of his duties as such member.

**CHAPTER 403**  
**CENTRAL WATER AND SEWERAGE AUTHORITY ACT**

**SUBSIDIARY LEGISLATION**

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List of Subsidiary Legislation

1. Central Water and Sewerage Authority (Water Supply) Regulations
  2. Central Water and Sewerage Authority (Sewerage) Regulations
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**Central Water and Sewerage Authority (Water Supply)  
Regulations**

Act No. 29 of 1991

Amended by

SRO 31 of 2007

ARRANGEMENT OF REGULATIONS

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**CENTRAL WATER AND SEWERAGE AUTHORITY  
(WATER SUPPLY) REGULATIONS**

**In exercise of the powers conferred by section 33 of the Central Water and Sewerage Authority Act, 1991 (No. 17 of 1991) the Central Water and Sewerage Authority with the approval of the Minister, makes the following Regulations.**

*[Act No. 29 of 1991 amended by SRO 31 of 2007.]*

*[Date of commencement: 10<sup>th</sup> December, 1991.]*

**PART I**  
*Preliminary*

**1. CITATION AND COMMENCEMENT**

These Regulations may be cited as the Central Water and Sewerage Authority (Water Supply) Regulations, 1991, and shall come into operation on the 10th day of December, 1991.

**2. INTERPRETATION**

In these Regulations, unless the context otherwise requires—

“**authorised officer**” means any officer or servant of the Authority;

“**construct**” includes alter, improve and repair;

“**environment**” includes the physical, biological, economic, cultural, social and all other aspects of the surroundings of man;



“**main**” means a main pipe forming part of the water supply system vested in or constructed by the Authority and includes any valves, valve chambers, meters, hydrants, access shafts, chambers and other fittings as may be necessary for the proper functioning of such system;

“**premises**” includes land;

“**prescribed**” means prescribed by regulations;

“**private water pipe**”, in relation to premises, means any pipe on the premises provided by the owner or occupier for the receipt of a supply of water under these regulations, but does not include a water service pipe or main;

“**water service pipe**”, in relation to premises, means a connection provided by the Authority or at its direction, at or near the boundary of the premises for the conveyance of a water supply between a main and any private water pipe constructed on those premises.

### **3. DESIGNATION OF AREAS**

The Authority may by declaration designate any area to be an area to which these Regulations apply and may amend or revoke any such declaration.

### **4. SUPPLY OF WATER NOT COMPULSORY**

Notwithstanding any provision of these Regulations or of any agreement to which the Authority is a party, it is not compulsory

for the Authority to supply or to continue to supply water to any person or public authority and the Authority is not liable to any penalty or to damages for not supplying water to any person.

## **PART II**

### *Approval of Works*

#### **5. INSTALLATION OF WATER SERVICE PIPE**

No person shall—

- (a) construct or cause to be constructed any water service pipe;
- (b) connect or cause any water service pipe to be connected to a main or any other work belonging to the Authority, without first obtaining consent from the Authority.

#### **6. APPLICATIONS FOR WATER SERVICE PIPES**

(1) A person seeking the Authority's consent for the installation of a water service pipe shall apply on the appropriate form prescribed by the Authority.

(2) The Authority may consent to any application on such conditions as it sees fit, or may refuse its consent.

#### **7. CONDITIONS FOR CONSENT**

(1) Unless the Authority determines otherwise, any works for which the Authority's consent is required shall only be performed

in the presence of, and in accordance with any directions given by an authorised officer.

(2) As a condition of granting its consent the Authority may require that the work specified be done by the Authority at the cost of the applicant.

## **8. FEES**

(1) Where pursuant to regulation 7(2) work is to be undertaken by the Authority, the Authority shall not commence the work until the applicant has paid such minimum charge for executing the work as is prescribed in the First Schedule.

(2) Were no minimum charge for work done by the Authority is established by regulations, on completion of the work and before water is supplied to him, the applicant shall pay to the Authority the actual cost of the work as determined by the Manager.

(3) If the actual cost of the work exceeds the minimum charge paid to the Authority under subregulation (1), when the work is completed and before water is supplied to him the applicant shall pay to the Authority the balance of the actual cost of the work, as determined by the Manager.

## **PART III**

### *Agreements to Supply Water*

## **9. APPLICATION FOR WATER SUPPLY**

(1) Where a water service pipe has been provided for any premises

under these Regulations, a person seeking a supply of water must apply on the appropriate form prescribed by the Authority.

(2) The Authority may agree to supply the applicant with water on such conditions as it sees fit or may refuse to supply the applicant.

(3) The Authority shall not supply the applicant with water until the applicant has paid to the Authority the fee prescribed in the Sixth Schedule.

## **10. SECURITY DEPOSIT**

(1) Before an applicant is supplied with water, he shall pay to the Authority such deposit as is prescribed in the Second Schedule as security for regular payment of water charges.

(2) Any deposit paid to the Authority under this regulation shall be refunded in full when the supply agreement is terminated or the water supply is disconnected or restricted under regulation 21 or 28, less such amounts as the Authority may deduct to meet—

- (a) any outstanding charges for water supplied;
- (b) the type or class of premises supplied, as prescribed

in the Second Schedule.

(3) Where differing deposits are fixed in the Second Schedule and either—

- (a) water supplied is used for more than one purpose;
- (b) the premises supplied may be regarded as falling into more than one type or class,  
the Manager in his sole discretion, shall determine which of the differing deposits shall be paid.

## **PART IV**

### *Metering*

#### **11. INSTALLATION OF METERS**

(1) The Authority may install a meter for the purpose of measuring the amount of water supplied by it to any person or class of persons or to any premises.

(2) A meter shall not be installed unless it has first been tested by the Authority and found to be accurate.

(3) A meter shall be rated accurate if upon testing it registers within five per cent above or below the amount of water actually passed through it during the test.

(4) The Authority shall keep a record of each meter installed which shall include each date on which it is tested and the result of each test.

(5) Any meter installed under this regulation remains the property of the Authority.

(6) No rent shall be charged for a meter supplied under this regulation.

#### **12. POSITIONING OF METERS**

(1) The Manager shall after consultation with the owner of the premises to which water is to be supplied, determine where a meter is to be positioned.

(2) A person wishing to remove or alter the position of a meter shall give seven days notice in writing to the Authority and pay to the Authority either—

- (a) such charge as is prescribed in the Third Schedule;
- or
- (b) the actual cost of removing or altering the meter, as the Manager determines.

(3) A meter shall not be removed or altered until it has been read by an authorised officer.

(4) No person other than an authorised officer shall remove, disconnect, re-connect, alter the position of, or in any way interfere with a meter.

(5) Anyone contravening the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months.

(6) No charge shall be made for installing a meter in a water service pipe which is unmetered at the commencement of these Regulations.

### **13. POWER TO ENTER PREMISES**

(1) An authorised officer may enter any premises for the purpose of installing, maintaining, repairing, replacing, removing, testing or reading any meter and may take such action and do such things as may be reasonably necessary for any of these purposes.

(2) The conditions for the supply of water in respect of which a

meter is installed are—

- (a) that the person supplied shall not cause or permit the meter to be tampered with, altered, damaged or destroyed;
- (b) that the meter is properly protected and remains accessible to an authorised officer and free from soil, plants or other vegetation or other obstruction.

(3) If a person fails to comply with the conditions at subregulation (2), an authorised officer may enter the premises where the meter is situated and repair any damage or remove any obstruction or alter the position of the meter and recover the cost involved from that person.

#### **14. TESTING METERS**

(1) Where a meter has been installed under regulation 11, the person supplied may request the Authority in writing to test the meter and on receipt of the request and the fee prescribed in the Third Schedule, the Authority shall test the meter.

(2) If the meter registers above five per cent more water than was actually passed through the meter at the test, the Authority shall return the fee and repair the meter.

(3) If the meter registers not more than five per cent more water than was actually passed through the meter at the test, then the meter shall be deemed to register correctly and the Authority may retain the fee:

Provided that the Manager may remit the fee where its payment would cause undue hardship.

## **15. ESTIMATING WATER CONSUMPTION**

If any meter becomes defective, registers incorrectly, is tampered with or damaged, or is removed from a water service pipe for any reason, the Authority may estimate the correct registration in any of the following ways—

- (a) by comparison with the quantity of water supplied under similar conditions during some other period; or
- (b) by comparison with the quantity of water supplied after the meter has been restored to proper order; or
- (c) by comparison with the registration of a substitute meter used temporarily in place of the defective meter; or
- (d) by applying a correction factor if the meter is found to have a consistent error of registration.

## **16. READING METERS**

(1) Each meter shall be read by an authorised officer at such time as the Manager directs.

(2) The Authority shall notify any person supplied with water through a meter of each reading obtained from the meter and of the immediately preceding reading.

(3) A meter installed under regulation 11 shall be deemed to be accurate within the meaning of that regulation until the contrary is proved.



**PART V**  
*Temporary Supplies*

**17. TEMPORARY SUPPLIES FOR CONSTRUCTION PURPOSES**

- (1) A person seeking a supply of water on any premises for the purpose of constructing any building or other works shall apply on the appropriate form prescribed by the Authority.
- (2) The person shall undertake in writing—
  - (a) to pay for all water supplied through the temporary service; and
  - (b) to pay the appropriate fees for connecting and disconnecting the temporary service.
- (3) The Authority may consent to any application on such conditions as it sees fit to impose, or may refuse its consent.
- (4) A person shall deposit with the Authority such sums of money as the Authority may request—
  - (a) to meet the minimum charges prescribed for connecting and disconnecting a temporary supply for construction purposes; and
  - (b) as security for the safe-keeping of the meter.
- (5) A sum as security under subregulation 4(b) shall be refunded in full to the person if the meter is returned to the Authority in good condition, but where the meter is returned damaged or unserviceable the Authority may deduct the cost of repairing or replacing it.

**PART VI**  
*Water Charges*

**18. METERED SUPPLIES**

Charges for all metered supplies shall be by the measure of the quantity of water consumed.

**19. CHARGES FOR UNMETERED SUPPLIES**

The Authority may supply water other than by measure by meter to any person for any purpose.

**20. DIFFERING CHARGES FOR WATER**

(1) Charges for water supplied which differ according to—

- (a) the volume of water supplied;
- (b) the purpose for, which the water is used;
- (c) the type or class of premises supplied,

shall be prescribed in the Fourth Schedule.

(2) Where differing charges are fixed under subregulation (1) and either—

- (a) water supplied is used for more than one purpose;
  - or
  - (b) the premises supplied may be regarded as falling into more than one type or class,
- the Manager, in his sole discretion, may either require that more than one water service pipe and more than one meter be installed for

supplying the premises or determine which of the different charges prescribed in the Fourth Schedule applies to all water supplied.

## **21. RECOVERY OF OUTSTANDING CHARGES**

Without prejudice to any other remedy available to the Authority, where any rate, charge or fee or any interest or penalty payable thereon in respect of any water supplied by the Authority or any sewerage services relating to premises to which water is supplied by the Authority, is outstanding the Authority may—

- (a) after a period of twenty-one days from the day on which it became due, notify the owner or occupier of the premises in question in writing that, if the sum outstanding is not paid to the Authority before the expiration of thirty days from the due date the supply of water to the premises will be restricted or disconnected; and
- (b) after a period of thirty days from the due date restrict or disconnect the supply of water to the premises in question, if the amount due remains unpaid.

## **22. PENALTIES PAYABLE ON OVERDUE ACCOUNTS**

Where any rate, charge or fee in respect of any water supplied by the Authority is outstanding for a period in excess of thirty days from the day on which it became due, the person liable to pay the rate, charge or fee is also liable to pay to the Authority a penalty equal to ten per cent of the outstanding amount.

### **23. RECOVERY OF ADMINISTRATIVE CHARGES**

Wherever a cheque proffered in payment of any sum due to the Authority is not honoured by the paying bank, the Authority may recover from either the drawer or from the owner or occupier of the premises in respect of which the cheque was proffered the sum prescribed in the Fifth Schedule to cover bank charges and administrative costs incurred by the Authority.

### **24. REMISSION OF CHARGES**

The Authority may wholly or partially remit any rate, charge, fee or penalty or may extend the date upon which it falls due, on the ground—

- (a) that the person is not able to pay the same because of poverty; or
- (b) that its payment would cause undue hardship.

## **PART VII**

### *Interruption to Supply*

### **25. WATER RESTRICTIONS**

(1) The Authority may, in any district supplied under the provisions of these Regulations, regulate or restrict in such manner and for such period as it may specify, the consumption of water supplied by issuing a notice which shall be broadcast by radio in the district.

(2) A notice issued and broadcast under subregulation (1) shall specify—

- (a) the period during which;
- (b) the manner in which; and
- (c) the purpose in respect of which,  
the use of water is to be restricted or regulated.

(3) A person shall not fail to comply with, or cause or allow any person to fail to comply with a notice issued and broadcast under this regulation.

(4) In any proceedings for an offence against subregulation (3) a certificate, signed by the person who was at the time of the broadcast in charge of the radio station from which it was made, stating that the broadcast—

- (a) was made at the time or times specified; and
- (b) included a statement that the restrictions specified were to be observed during the periods and in the areas specified in the certificate,  
shall be evidence of the broadcast of the matter so certified.

## **26. POWER TEMPORARILY TO INTERRUPT SUPPLY**

(1) The Authority may, at any time and for such period as it thinks fit, interrupt the supply of water to any district or premises when, in the opinion of the Authority, it is expedient to do so in order to—

- (a) conserve water;
- (b) install, maintain or repair any works;
- (c) make any connection to or disconnection from the Authority's works;
- (d) prevent the waste of any water.

(2) Before interrupting the supply of water under this regulation

the Authority shall, whenever practical, give due notice of the likely duration of the interruption to all consumers of water who are likely to be affected thereby.

## **27. POWER TO DISCONNECT OR RESTRICT SUPPLY**

If any person supplied with water by the Authority contravenes or causes anyone to contravene the provisions of the Act, or these Regulations or any conditions of supply relating to the prevention of waste, misuse, undue consumption or contamination of water, the Authority may disconnect or restrict the supply of water to that person or for his use either temporarily or permanently, as the Authority sees fit.

## **28. OUTSTANDING AMOUNTS TO BE PAID BEFORE RECONNECTION**

Whenever a supply of water has been disconnected or restricted under regulation 21 or 27, the Authority shall restore supply to the premises until payment has been made of a reconnection fee at the rates prescribed in the Sixth Schedule and in addition—

- (a) any outstanding rates, charges, fees, interest or penalties payable to the Authority in respect of any water supplied or sewerage services to the premises;
- (b) any security deposit required to be paid under regulation 10.

## **29. NO REBATES ALLOWABLE FOR INTERRUPTIONS TO SUPPLY**

Whenever a supply of water has been temporarily interrupted

pursuant to regulation 26, or water restrictions imposed pursuant to regulation 25, no rebate or reduction will be made of any rate, charge or fee which would otherwise be payable to the Authority in respect of the period of interruption or restriction.

### **30. TEMPORARY DISCONNECTIONS**

(1) A person seeking the temporary disconnection of the water supply to any premises shall give the Authority at least seven days notice in writing of the date upon which—

- (a) disconnection is required; and
- (b) reconnection is required.

(2) The Authority may, in the case of a temporary disconnection under subregulation (1), require the payment of the fee prescribed in the Sixth Schedule before reconnecting the water supply.

## **PART VIII**

### *Waste or Misuse of Water*

### **31. DUTY TO AVOID WASTE AND POLLUTION**

(1) A person shall not cause or allow any pipe, fitting or apparatus to be out of repair, used or contrived so that—

- (a) water supplied by the Authority is likely to be wasted, misused or unduly consumed; or
- (b) any water contained in mains vested in the Authority or pipes connected to the water supply is or is likely to be polluted.

(2) Anyone acting in contravention of this regulation commits an

offence and on summary conviction is liable to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding three months.

(3) The occupier of premises supplied with water by the Authority shall immediately report to the Authority any break, leak or damage occurring to any pipe, tank, tap, fitting or appliance connected to the water supply.

(4) An authorised person may enter upon any premises where water supplied by the Authority is or is likely to be wasted, misused, unduly consumed or polluted contrary to this regulation and take such action as may be required to prevent such waste, misuse, undue consumption or pollution.

(5) The Authority may recover the cost of taking any action pursuant to paragraph (4) from the occupier of the land.

### **32. PROHIBITION OF UNAUTHORISED USE**

(1) A person shall not take or use water from any main or other work vested in the Authority except in accordance with the Act and regulations.

(2) Anyone acting in contravention of this regulation commits an offence and on summary conviction is liable to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding twelve months.

(3) A person who, in the opinion of the Manager, takes or uses water in contravention of subregulation (1) shall, in addition to any penalty which may be payable under subregulation (2) pay to the



Authority a sum determined by the Manager as compensation for water so used or taken.

(4) A person shall pay to the Authority any sum determined by the Manager under subregulation (3), whether or not that person is or has been prosecuted for or convicted of an offence against subregulation (1).

(5) Whenever a person whose supply of water has been disconnected or restricted under regulation 21 or 27 reconnects or restores the supply of water from the Authority without the prior consent of the Authority, that person shall, in addition to any penalty payable for an offence against these Regulations, pay to the Authority a sum equivalent to double the amount of water charges which would be payable in respect of the class of premises concerned for an unmetered supply pursuant to the Fourth Schedule, from the date upon which the supply was initially disconnected or restricted until the date upon which the unauthorised supply is disconnected by the Authority.

(6) A person shall pay to the Authority any sum which he is liable to pay under subregulation (5), whether or not that person is or has been prosecuted for or convicted of an offence against subregulation (1).

### **33. LIABILITY FOR DAMAGE**

(1) The Authority is not liable for any physical injury or any damage to the real or personal property of any person as a result of interference, damage or injury to, or the failure of, any meter or water service pipe.

(2) Where it is necessary for the Authority to repair a meter or water service pipe which, in the opinion of the Authority, has been interfered with, damaged or injured as a result of the wilful or negligent act of any person, the Authority may recover the cost of any such repair from the occupier of the land upon which the meter or water service pipe is fixed.

### **34. MAXIMUM CAPACITY OF STORAGE TANKS**

Where water supplied by the Authority is stored on any premises, the total capacity of any tank or other storages on those premises shall not exceed two thousand gallons.

### **35. BUILDING OVER MAINS SEWERS**

(1) A person shall not, unless he is authorised by or under these Regulations, erect any building or structure, or cause, or allow any person to erect any building or structure within four meters of the centre-line of any main or other works vested in the Authority.

(2) Any person who contravenes the provision of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding three months.

(3) The Authority may, of its own motion, or on an application by a person in the prescribed manner and form—

- (a) approve the doing of anything referred to in subregulation (1) subject to such conditions as it may specify;
- (b) refuse the application; or

- (c) with the consent of the application, divert or relocate the works referred to in subregulation (1) at the cost of the applicant and subject to such conditions as the Authority may specify.

(4) Where any building or structure on any land does not comply with the provisions of this regulation the Authority may, by notice in writing served on the owner or occupier of the premises, require the owner or occupier to alter, remove or re-locate such building or structure as is specified in the notice, whether or not such building or structure was erected by or on behalf of the owner or occupier.

(5) Any approval given by the Authority under subregulation (3) and all conditions attached thereto shall be binding upon the applicant, his heirs, successors and assignees and the owner or occupier for the time being of premises to which the approval relates, whether or not such person has notice of the approval or the conditions thereof.

(6) a person shall not contravene or fail to comply with or cause or allow any person to contravene or fail to comply with—

- (a) any conditions specified under subregulation (3); or
- (b) any requirement of a notice served on that person under subregulation (4).

(7) Any person who contravenes the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding twelve months.

(8) Where at the commencement of these Regulations any main, pipe or other works (other than a water service pipe) which are part of a water supply operated by the Authority are on or in private

premises, the main, pipe or other works shall be taken to have been installed with the consent of the owner for the time being of the premises at the time they were installed and pursuant to a sufficient interest in the premises created by that owner in favour of the Authority to enable it to enter the premises in order to repair, maintain, alter, extend, replace or remove such main, pipe or other works in perpetuity.

### **36. TREES AND SHRUBS**

(1) Where trees, crops or shrubs are wholly or partly located within four meters of the center-line of any main, pipe or other works vested in the Authority and the Authority requires access to those works, an authorised officer may without notice to the owner or occupier of the land upon which such trees, crops or shrubs are wholly or partly located, cause them to be removed.

(2) Where any main, pipe or other works vested in the Authority is damaged or blocked by any tree or shrub or the roots thereof an authorised officer may require the owner or occupier of the premises on which the tree or shrub is located—

- (a) to remove the tree or shrub and the roots thereof;
- (b) to make good any damage or blockage to such works; and
- (c) to restore the land surface, in such manner as may be prescribed, at the expense of that owner or occupier.

### **37. TAMPERING WITH WORKS**

(1) No person shall—

- (a) uncover or expose any main, pipe, meter or other works vested in the Authority;
- (b) wilfully or negligently break, damage, injure, open, alter or obstruct any main pipe, meter or other works vested in the Authority;
- (c) alter the index of any meter or prevent or impede any meter from duly registering the quantity of water supplied, except with the permission of the Authority.

(2) Any person who contravenes the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months.

(3) Where any person is convicted of an offence under subregulation (2) or regulation 12, 31, 32 or 39 the court may, in addition to imposing the prescribed penalty, order that person—

- (a) to meet the cost of making good any damage so caused;
- (b) to compensate for any losses which the Authority may have sustained as a result of such offence.

### **38. OBSTRUCTION OF AUTHORISED OFFICERS**

(1) No person shall assault, threaten, obstruct, or hinder, any authorised officer, in the performance of his functions under these Regulations.

(2) Any person who contravenes the provisions of subregulation (1) commits an offence and on summary conviction is liable to a fine not exceeding five thousand dollars or to imprisonment for a

term not exceeding twelve months.

(3) Where a person is convicted of an offence against subregulation (1) the court may, in addition to the prescribed penalty, order the offender to pay by way of compensation a sum sufficient to cover any damage which any authorised officer or other agent of the Authority may have suffered in the performance of his functions and any sum so awarded may be recovered in the same manner as the penalty.

### **39. UNLAWFUL CONNECTIONS**

(1) No person shall—

- (a) connect or cause or allow any person to connect any water service pipe or other device to any main, pipe or other works of the Authority except in accordance with these Regulations;
- (b) knowingly use or cause or allow any person to use water which comes from a water service pipe or other device unlawfully connected to a main, pipe or other work of the Authority;
- (c) sell water supplied by the Authority to any other person;
- (d) alter or cause or allow any person to alter any connection or water service pipe without first obtaining the consent of the Authority;
- (e) take or use, cause or allow any person to take or use water from a standpipe, except for human and domestic consumption or such other purposes as may be prescribed by the Authority from time to time.

(2) Any person contravening the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding twelve months.

#### **40. PUBLIC HEALTH**

(1) No person shall—

- (a) wash any part of a human, animal or any thing at any public standpipe;
- (b) put his mouth to any public standpipe;
- (c) rest any thing upon a public standpipe.

(2) A person who contravenes the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding twelve months.

(3) A person shall not cause or allow—

- (a) any waste to come into contact with any water within the works of the Authority;
- (b) any water within the works of the Authority to be polluted, either directly or indirectly.

(4) A person who contravenes the provisions of subregulation (3) commits an offence and is liable on summary conviction in respect of each offence to a fine of not less than five hundred dollars or more than five thousand dollars or to a term of imprisonment not exceeding two years, or to both such fine and imprisonment, and to a further fine not exceeding five hundred dollars for each day the offence continues; and in the case of a body corporate to a fine of not less than two thousand dollars and not more than five thousand

dollars and to a further fine not exceeding one thousand dollars for each day the offence continues.

(5) In any proceedings for an offence against subregulation (3) proof of the existence on any premises of any drain, pond, dump or other means whereby any waste is capable of being conveyed, retained or deposited in such manner as to come in contact directly or indirectly with any water within the works of the Authority is prima facie evidence that waste come into contact with such water in contravention of that paragraph at the time that such drain, pond, dump or other means is proved to have existed.

(6) where a person contravenes subregulation (3) and damage is caused which would not have occurred without that contravention, that person is liable, whether charged with or convicted of an offence under this regulation or not—

- (a) to pay to the Authority the cost of remedying all damages so caused and of reinstating the environment so far as is possible to its previous state;
- (b) to pay to any other person damages for any loss sustained.

(7) In any proceedings against a person for an offence against this regulation the court may, on the application of the Authority, require that person on summary conviction to pay into Court in addition to the prescribed penalty a sum being not less than eighty per centum of the costs estimated by the Authority for remedying all damages caused by the contravention of this regulation and of reinstating the environment so far as possible to its previous state.



#### **41. PROVIDING FALSE INFORMATION**

(1) No person shall in making any application to the Authority under these Regulations provide any information which is false or misleading in any material particular.

(2) Any person who contravenes the provisions of this regulation commits an offence and on summary conviction is liable to a fine not exceeding three thousand dollars or to imprisonment for a term not exceeding six months.

#### **42. OFFENCES**

A person who contravenes any provision of these Regulations for which no penalty is expressly provided, is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

#### **43. REPEAL**

The Central Water and Sewerage Authority Regulations, 1973, are revoked.

### **First Schedule**

[Regulation 8(1).]

#### *Installation or Relocation of Water Connections*

<i>Diameter of Water Service Pipe</i>	<i>Minimum Charge</i>
¾ inch	\$55.00
1 inch	\$60.00
1½ inch	\$70.00
2 inches	\$80.00
2½ inches	\$100.00
3 inches	\$150.00
4 inches	Not less than \$350.00 and not more than \$400.00
Over 4 inches	Determined by the Manager

### **Second Schedule**

[Regulation 10(4).]

#### *Security Deposits for Payment of Charges*

Domestic premises, whether metered or unmetered	\$100.00
Industrial or commercial premises, whether metered or unmetered	\$500.00 or an amount equivalent to the cost of one month's consumption as estimated by the Manager, whichever is the greater.

### **Third Schedule**

[Regulations 12(2) and 14(1).]

Minimum fee for altering position of meter	\$75.00
Fee for testing meters	\$100.00

## Fourth Schedule

[Regulation 21(1). Fourth Schedule amended by SRO 31 of 2007.]  
*Charges for Unmetered Premises*

Class of premises	Rate per connection per month
(a) Domestic—	
House with 1 tap	\$6.00
House with 2 - 3taps	\$10.00
House with 4 - 5 taps	\$20.00
House with 6 - 7 taps	\$30.00
House with more than 7 taps	\$35.00
(b) Commercial—	
(Number of employees, including proprietor)	
1 - 5	\$50.00
6 - 15	\$90.00
16 - 29	\$155.00
30 or more	\$175.00
(c) Commercial premises in the Grenadines—	
Water delivered by Ship	\$10.00 per 1,000 gallons or part thereof
<i>(This rate does not apply to water supplied for the use of shipping)</i>	

### *Charges for Metered Premises*

#### **1. BASIC CHARGE**

- (a) Monthly charge applicable to domestic premises  
\$12.00
- (b) Monthly charge applicable to industrial or  
commercial premises \$15.00

## 2. ADDITIONAL CHARGES

In addition to the basic charge, the following monthly charges apply for water consumed—

Class of premises	Fee per 1,000 gallons or part thereof
(a) Domestic—	
0 - 2,500 gallons	\$5.50
2,501 - 5,000 gallons	\$6.50
5,001 - 10,000 gallons	\$11.00
10,001 - 15,000 gallons	\$15.00
Over 15,000 gallons	\$20.00
(b) Industrial or Commercial—	
<i>Small;</i>	
20 employees or less	\$15.00
<i>Medium;</i>	
more than 20 employees but less than 50 employees	\$15.00
Large;	
50 or more employees	\$20.00
(c) Ships	\$40.00
(d) Government—	
Standpipes and public baths	\$4.00
Public buildings and offices	\$8.00

### Fifth Schedule

[Regulation 24.]

Fee for dishonoured cheques	\$15.00 plus bank fee paid by the Authority
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## Sixth Schedule

[Regulations 8, 9 and 28.]

Fee for—

- |     |  |          |
|-----|--|----------|
| (a) | establishing a supply; or                                    |          |
| (b) | restoring a supply which has been restricted or disconnected | \$100.00 |

# Central Water and Sewerage Authority (Sewerage) Regulations

Act No. 30 of 1991

Amended by

SRO 32 of 2007

## ARRANGEMENT OF REGULATIONS

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Fifth Schedule Wastes Subjects to Trade Waste Agreements  
Sixth Schedule Premises Requiring Approved Grease Traps  
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Eighth Schedule      Sewerage Charges

**CENTRAL WATER AND SEWERAGE AUTHORITY  
(SEWERAGE) REGULATIONS**

**In exercise of the powers conferred under section 33 of the  
Central Water and Sewerage Act, 1991, the Central Water and  
Sewerage Authority with the approval of the Minister makes the  
following Regulations.**

*[Act No. 30 of 1991 amended by SRO 32 of 2007.]*

*[Date of commencement: 10th December, 1991.]*

**PART I**

*Preliminary*

**1. CITATION**

These Regulations may be cited as the Central Water and Sewerage Authority (Sewerage) Regulations, 1991, and shall come into force on the 10th day of December, 1991.

**2. INTERPRETATION**

In these Regulations, unless the contrary intention appears—

“**authorised officer**” means any officer or servant of the Authority;

“**building sewer**”, in relation to land, includes any drain on such land provided by the owner or occupier thereof for the conveyance of sewage or trade waste to a sewer or a sewer property service and any drain for draining any group or block of buildings by a combined operation by order of the Authority, but shall not include a sewer or sewer property service;

“**connected works or fittings**” includes water closet, urinal sink, slop sink, lavatory, bath, cistern or other sanitary fitting;

“**construct**” includes alter, improve and repair;

“**declared area**” means an area declared under regulation 3;

“**domestic sewage**” means all faecal matter, urine, household slops and liquid household refuse;

“**environment**” includes the physical, biological, economic, cultural and social aspects and all aspects of the surroundings of man;

“**premises**” includes land;

“**private sewer**” means any sewer constructed for private purposes pursuant to regulations 23;

“**sewer**” means a pipe conduit or underground gutter or channel, not being a building sewer or sewer property service, which is or is intended to be used for the conveyance of sewage or trade waste as part of a public sewerage system vested in or constructed by the Authority;

“**sewer property service**”, in relation to land, means a connection provided by the Authority or its direction for the conveyance of sewage or trade waster between a building sewer constructed on that land and a sewer, at or near the boundary of such land;

“**trade waste**” means liquid waste other than domestic sewage;

“**trade waste agreement**” means an agreement made by the Authority under Part IV;

“waste” includes sewage and any other matter or thing whether wholly or partly in solid, liquid or gaseous state which if added to any water may cause pollution.

### **3. DECLARATION OF AREAS**

The Authority may declare any area to be an area to which these Regulations apply and may amend or revoke any such declaration.

### **4. SUPPLY OF SERVICES NOT COMPULSORY**

Notwithstanding any provision of these Regulations or of any agreement to which the Authority is a party, it is not compulsory for the Authority to provide or to continue to provide sewerage services to any person or public authority and the Authority is not liable to any penalty or damages for not supplying sewerage services to any persons or public authority.

## **PART II**

### *Approval of Works*

#### **CONSTRUCTION OF WORKS**

### **5. POWER TO CONSTRUCT SEWERAGE WORKS**

(1) The Authority may construct sewers and associated works to serve any premises within any area declared under regulation 3 and may recover the cost or any part of the cost of construction from owners of premises within the area, together with an amount

assessed by the Manager to be a fair and reasonable contribution towards the cost of outfall, sewage disposal systems, treatment works and other associated works.

(2) Where the authority intends to construct works under this regulation, it shall cause a scheme for their construction to be prepared.

(3) Every such scheme shall include—

- (a) a description of the proposed works together with such specifications, maps, plans sections and elevations as the Manager thinks necessary;
- (b) an estimate of the cost of executing the same;
- (c) a description of the premises which will be supplied with sewerage services, sufficient to identify those premises;
- (d) a statement of the portion of the cost of execution of the scheme which is to be recovered from the owners of such premises and the estimated amount to be recovered from each owner;
- (e) such other particulars as the Manager considers necessary or expedient.

(4) In determining the respective amount to be recovered from each owner the Authority shall take into consideration the extent to which the costs of the proposed scheme is increased as a result of—

- (a) the premises of any owner having special requirements for the supply of sewerage service;
- (b) increasing the extent of works to provide for premises outside the boundary of the scheme.

(5) The Authority may include in the estimate of the cost of the scheme the following costs—

- (a) the cost of the provision by the Authority of any material, plan, labour, compensation and insurance charges;
- (b) payments to contractors employed in the execution of the scheme;
- (c) the cost of investigation, design, plans, specifications and contract documents;
- (d) the cost of supervising the works and inspecting the materials used;
- (e) the cost of acquiring any interest in premises;
- (f) the cost of administration associated with the investigation and implementation of the scheme.

(6) A copy of the scheme shall be kept in the office of the Authority and in some other convenient location near or within the area to which the scheme applies and shall be available for inspection by any person interested or affected by the scheme until the scheme is finally executed or abandoned.

(7) The authority shall cause a notice in writing to be served on every owner of premises described in the scheme stating—

- (a) that the scheme has been prepared and may be inspected at the office of the Authority or some other convenient location;
- (b) the estimated amount which is to be recovered from the owner as his share of the costs of the scheme and by way of any contribution assessed by the Authority;
- (c) that within one month of the service of the notice, the owner may by notice in writing to the Authority object to the scheme or any part thereof;
- (d) the grounds on which any objections may be made.

(8) The owner of the premises described in the scheme may within one month after the service of the notice under regulation 7 object to the scheme in writing on any of the following grounds—

- (a) that the amount to be recovered from him is excessive or has been incorrectly calculated;
- (b) that the owner intended to be made liable under the scheme should not be so liable or that any owner not intended to be made liable under the scheme should be liable;
- (c) that the portion of the cost of the scheme which is to be recovered from owners is excessive or unreasonable.

(9) The Authority, not earlier than one month after serving the last notice—

- (a) shall consider the scheme and all objections made thereto;
- (b) may adopt the scheme with or without modifications.

## **6. POWER TO RELOCATE SEWERS**

(1) The Authority may—

- (a) alter the capacity or location of any sewer;
- (b) temporarily or permanently discontinue or prohibit the use of any sewer either generally or for any specified purpose.

(2) The Authority shall not temporarily discontinue or prohibit the use of any sewer unless it is expedient to do so in order to—

- (a) install, construct or maintain any works;
- (b) make any connection or disconnection from a

- sewer;
- (c) prevent the escape of sewage or pollution of any water;
- (d) prevent a danger to public health.

(3) Before temporarily discontinuing or prohibiting the use of any sewer the Authority shall, whenever practicable, give due notice of the likely duration of the interruption to all persons who are likely to be affected thereby.

(4) Before permanently discontinuing or prohibiting the use of any existing sewer the Authority shall ensure—

- (a) that an alternative sewer exists capable of serving all premises previously served by the existing sewer;
- (b) that all such premises have been provided with a sewer property service connected to the alternative sewer, at the expense of the Authority, connect of premises to Sewerage Works.

## **7. DECLARATION OF COMPLETED SEWERAGE WORKS**

(1) Whenever, pursuant to any existing work constructed under this Part, it becomes possible to provide sewerage to premises within any area, the Authority may declare such works to be effective in relation to that area.

(2) On and from the date of making a declaration under subregulation (1)—

- (a) the owner of any premises in the area is liable to such charges as may be prescribed by the Authority, whether or not the premises—
  - (i) are connected to the works declared to be



- effective,
- (ii) are occupied,
  - (b) the Authority may, by notice in writing, direct the owner of any premises in the area to connect the premises to the works so declared in the manner prescribed by these Regulations and within such time as is specified in the notice;
  - (c) the Authority may, of its own motion or on an application by the owner of premises in the area, agree to connect the premises to the works on such terms and conditions and in such manner as is prescribed.

(3) A person served with a notice under subregulation (2)(b) shall on failure to comply with that notice, be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months and to a further fine not exceeding five hundred dollars for each day the offence continues.

(4) Within one month of receiving a direction under subregulation (2)(b) the owner shall submit to the Authority a plan for providing the premises with a building sewer and any connection works and fittings in the manner prescribed by regulation 12.

(5) If within one month or such other time as the Authority may specify the owner fails to execute work directed by the Authority under subregulation (2)(b) or approved by the Authority pursuant to regulation 14, the Authority may undertake the work and recover the cost thereof from the owner.

## **8. PENALTY FOR NON-COMPLIANCE**

(1) An owner of premises who refuses or fails to execute any works or take any action required of him pursuant to this Part commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or imprisonment for a term not exceeding twelve months and to a further fine of five hundred dollars for each day the offence continues.

(2) Whenever the owner of land fails to undertake any work required of him pursuant to this Part, the Authority may cause such work to be executed and may recover the cost thereof from the owner and where the amount remains outstanding for a period in excess of thirty days may charge interest thereon at the rate of ten per cent per annum until the payment is made, or may recover the same in a summary way from the owner.

## **9. GROUP DRAINAGE**

(1) If it appears to the Authority that contiguous or adjacent buildings or land may be connected to a sewer more economically or advantageously in combination than separately, the Authority may require that such buildings or land be so connected by a combined operation.

(2) The Authority may apportion the cost or expenses to be paid between the owners of land connected to a sewer by a combined operation in such manner as the Authority considers just and reasonable.

## **PART III**

### *Private Sewerage Works*

#### **BUILDING SEWERS AND CONNECTED WORKS OR FITTINGS**

##### **10. NEW BUILDINGS TO HAVE APPROVED BUILDING SEWERS AND FITTINGS**

A person shall not erect or re-erect any building in a declared area unless a building sewer and other connected works or fittings are installed with the consent of the Authority and in accordance with these Regulations.

##### **11. APPLICATIONS TO CONSTRUCT BUILDING SEWERS OR MAKE CONNECTIONS**

- (1) A person who wishes—
  - (a) to construct or remove a building sewer or other connected works or fittings;
  - (b) to make any opening in or connection with a sewer, may apply in writing to the Authority.
  
- (2) An application under subregulation (1) shall be—
  - (a) in the appropriate form prescribed in the First Schedule;
  - (b) accompanied by the fee prescribed in the Second Schedule.
  
- (3) The Authority may, from time to time, prescribe other actions which shall not be performed without the Authority's consent.

## 12. REQUIREMENTS OF PLANS

- (1) A person who—
  - (a) applies to the Authority under regulation 11;
  - (b) is directed to connect any land to works under regulation 7, shall lodge with the Authority four copies of plans of the work proposed.
  
- (2) Each copy of a plan lodged under this regulation shall be—
  - (a) signed by the applicant; and
  - (b) certified as accurate and signed by the person preparing the plan.
  
- (3) Every plan lodged under this regulation shall—
  - (a) contain a site plan of all existing or proposed buildings on the land;
  - (b) describe the boundaries of the applicant's land;
  - (c) describe adjoining land and give the names of the owners thereof;
  - (d) show the location of any adjoining roads;
  - (e) show the position and dimensions of—
    - (i) any building sewer or other connected works or fittings,
    - (ii) all kitchens, bathrooms, rainwater channels, water supply pipes or drainage pipes,
    - (iii) all sinks, gullies, inspection chambers, manholes and other appurtenant works, which exist on the land or which the applicant wishes to construct;
  - (f) show the nature and location of any pavement or exposed surface;
  - (g) show the diameter and gradient of all proposed pipes and junctions and the levels of any

- points which may be necessary to determine such gradient;
- (h) where practicable, be drawn or printed on paper or cloth of a dimension prescribed by the Authority;
  - (i) comply with such other requirements as the Authority may prescribe;
- (j) contain such other information as the Manager may require.

### **13. INSPECTION OF PLAN**

(1) An authorised officer shall examine and verify any plan lodged under regulation 12 and may make such alterations or corrections as he considers necessary.

(2) If, upon inspecting land to which a plan relates, an authorised officer finds that the plan is inaccurate, the fee specified in the Second Schedule shall be paid by the applicant to the Authority for every subsequent visit made by an authorised officer to the land to ascertain the correctness of, or to correct, a plan.

### **14. APPROVAL OF WORKS**

- (1) The Authority may—
- (a) approve any plan verified pursuant to regulation 13;
  - (b) consent to any application under these Regulations, on such conditions as it sees fit;
  - (c) refuse to approve any plan or refuse its consent to an application.

(2) Where the Authority approves any plan under subregulation

(1) it shall—

- (a) return one copy to the applicant;
- (b) send one copy to the Ministry of Health; and
- (c) retain two copies for use by the Authority.

(3) Except as provided in paragraph (4), work described in any plan approved by the Authority shall be executed strictly in accordance with the plan.

(4) The Minister may consent in writing to a proposed deviation from a plan approved by the Authority.

(5) Where the Minister consents to a proposed deviation under subregulation (4) he shall clearly mark the proposed deviation and his initials on copies of the plan held by the applicant and the Authority.

## **15. CONDITIONS OF CONSENT**

(1) Unless the Authority determines otherwise, any action for which the Authority's consent is required shall be performed in accordance with any direction given by an authorised officer.

(2) Unless the Authority determines otherwise a person may not make any opening in or connection with a sewer except in the presence of, and in accordance with any directions given by an authorised officer.

(3) As a condition of granting its consent, the Authority may require that works specified by it be done only by the Authority at the cost of the applicant.

## **16. COST OF WORKS UNDERTAKEN BY AUTHORITY**

(1) Where pursuant to regulation 15(3) work is to be undertaken by the Authority, the Authority shall not commence the work until the applicant has paid it such minimum charge for executing the work as is prescribed in the Second Schedule.

(2) Where no minimum charge is prescribed in the Second Schedule for work done by the Authority, the applicant shall pay to the Authority the actual cost of the work when completed, as determined by the Manager.

(3) If the actual cost of doing work exceeds the minimum charge paid to the Authority under subregulation (1), the applicant shall pay the balance of the actual cost of the work when completed to the Authority as determined by the Manager.

## **17. SECURITY DEPOSIT**

(1) Before any premises is connected to any sewer, the owner of the premises shall pay to the Authority such deposit as is prescribed in the Third Schedule as security for regular payment for sewerage charges.

(2) Deposits payable under this regulation may differ according to the type or class of premises connected to the sewer and prescribed in the Third Schedule.

(3) Where differing deposits are fixed in the Third Schedule and the premises connected to the sewer may be regarded as falling into more than one type or class, the Manager in his sole discretion shall determine which of the differing deposits shall be paid.

## **18. DISCHARGE FROM VESSELS**

(1) The Authority shall, at all harbours, ports and other havens within a declared area, provide facilities for the reception and discharge into sewers of sewage from vessels.

(2) A person shall not cause or allow any sewage to be discharged from a vessel within the territorial waters of Saint Vincent and the Grenadines except into facilities provided under subregulation (1).

## **19. DUTY TO PROVIDE TECHNICAL INFORMATION**

(1) The Authority shall keep a map at its office, showing the location of all sewers and such map shall be freely available for inspection by the public without charge during normal office hours.

(2) The Manager shall, on receipt of a written application, provide an applicant with—

- (a) the approximate level and position of the point of junction between—
  - (i) any sewer and proposed sewer property service,
  - (ii) any proposed sewer property service and proposed building sewer;
- (b) the elevation of relevant available survey benchmarks.

## **20. DUTY TO PROVIDE SEWER PROPERTY SERVICE**

(1) Subject to subregulation (2) where—

- (a) any person is required to connect land to a sewer



under regulation 7; or

- (b) the Authority consents to an application under regulation 14, the Authority shall provide a sewer property service to the premises concerned at the Authority's expense.

(2) Where it is necessary to provide more than one sewer property service in respect of any premises, the provisions of regulation 16 shall apply to work in relation to any second or subsequent sewer property service.

## **21. COMMENCEMENT AND EXECUTION OF WORK**

(1) A person shall not construct any building sewer or connected works or fittings or cause or allow the same to be constructed

- (a) without first receiving—
  - (i) approval for any plans required to be lodged,
  - (ii) the consent of the Authority to any application required to be made, under these Regulations;
- (b) except in accordance with—
  - (i) any conditions attached to the approval of any plan or the consent of the Authority,
  - (ii) any direction given by an authorised officer under these Regulations,
  - (iii) any Code of Workmanship prescribed by the Authority from time to time,
  - (iv) the technical specifications prescribed in the Seventh Schedule.

(2) An applicant shall inform the Authority in writing of the proposed commencement date of work described in—

- (a) any plans approved; or
- (b) any application consented to, by the Authority.

## **22. INSPECTION OF WORKS**

(1) Before any pipe or other fitting installed as part of any work referred to in regulation 21 has been covered or concealed or any trench filled, the applicant or his agent shall notify the Authority that the work is ready for inspection.

(2) Within two working days of the Authority receiving notice under subregulation (1), an authorised officer shall inspect and test the work.

(3) If an authorised officer discovers—

- (a) any authorised deviation from plans approved under these Regulations;
- (b) any failure to observe a condition attached to the approval of any plans or the consent to any application;
- (c) any departure from specifications prescribed in the Seventh Schedule or any Code of Workmanship prescribed by the Authority, the applicant shall execute such alterations to the work as the authorised officer directs and to his satisfaction before any pipe or other fitting is concealed or any trench filled.

(4) If an applicant—

- (a) fails to notify the Authority in accordance with subregulation (1) prior to covering any work;
- (b) covers any work within two days of giving notice to

the Authority and before it has been inspected, the person shall at the request of an authorised officer and at his own expense immediately uncover the work.

(5) Where an authorised officer has inspected, tested and approved work under this regulation he shall issue the applicant with a certificate of approval and the applicant shall cover the work.

(6) Where, in the opinion of the Manager, any building sewer or connected works or fittings—

- (a) have not been constructed in accordance with subregulation 21(1);
- (b) are in poor condition;
- (c) require alteration or amendment, the Authority may, by notice in writing, direct the owner of the land to execute the work as the Authority may prescribe within such time as is specified in the notice.

(7) If within the time specified in the notice the owner fails to execute the work prescribed, the Authority may undertake the work and recover the costs thereof from the owner.

(8) The provisions of regulation 8 may apply to any work prescribed by the Authority under this regulation.

### ***PRIVATE SEWERAGE SCHEMES***

#### **23. Applications to construct private sewers**

(1) A person who wishes—

- (a) to construct a private sewer;

- (b) to connect any private sewer with a sewer, may apply in writing to the Authority.
- (2) An application shall be accompanied by—
- (a) four copies of plans showing such information as the Manager may require;
  - (b) the fee prescribed in the Second Schedule.

#### **24. APPROVAL OF WORKS**

The Authority may approve an application under regulation 23 on such conditions as it sees fit or may refuse to approve an application.

#### **25. DIRECTION TO INCORPORATE WITH PUBLIC SEWERAGE SYSTEM**

(1) If, in the opinion of the Authority, it would be expedient if the proposed private sewer were made part of or connected with a sewerage scheme proposed or operated by the Authority, the Authority may require the applicant to construct the private sewer in such a manner and to such specifications as the Authority directs.

(2) Subject to subregulation (4), a person shall comply with any direction given by the Authority under subregulation (1).

(3) Any person who contravenes the provision of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months and a further fine not exceeding five hundred dollars for every day the offence continues after

conviction.

(4) A person aggrieved by any direction given by the Authority under subregulation (1) may, within thirty days of being notified of the direction, object in writing submitted to the Minister.

(5) The Minister shall within thirty days of receiving an objection made under subregulation (4), consider the objection and decide whether to—

- (a) disallow the direction;
- (b) allow the direction subject to conditions or modifications;
- (c) allow the direction.

(6) The Authority shall repay to any person adversely affected by a direction under subregulation (1)—

- (a) such additional expenses incurred by him in constructing the private sewer in the manner and to the specifications directed by the Authority;
- (b) such additional costs of cleaning, repairing or maintaining the private sewer which may be attributable to the direction.

(7) Any dispute or difference as to the amount of any payment due from the Authority to any person under subregulation (5) may, at the election of that person, be determined either by a court of summary jurisdiction or by arbitration.

### ***CONTROL OF PRIVATE SEWERAGE INSTALLATIONS***

#### **26. POWER TO ENSURE PROPER OPERATION**

(1) An authorised officer may enter any premises to inspect and ensure the safe and proper operation of any latrine, septic tanks or private sewerage installation on those premises.

(2) An authorised officer may take samples of such water, sewage, effluent or waste and submit them to such analysis as he sees fit and the Authority may recover the cost of that analysis from the owner of the premises from which the samples are taken.

(3) The Authority may, by notice in writing, direct an owner of premises within such time as may be specified in the notice—

- (a) to empty, clean, maintain or repair;
- (b) to temporarily or permanently cease using, any latrine, septic tank or private sewerage installation on those premises, or to take such other action as the Authority may specify.

(4) The Authority may, at the request of, and at the expense of, any owner to whom notice has been given, undertake such work as may be specified in the notice.

(5) Where notice has been given to an owner, and within the time specified, he fails either—

- (a) to take such action as may be specified; or
- (b) to obtain the agreement of the Authority to undertake the work specified in the notice and to pay to the Authority the estimated costs thereof, the Authority may enter the premises and undertake such work or take other measures as may be necessary to ensure complete compliance with the notice and may recover the costs of so doing from the owner.

(6) The provisions of regulation 8 apply to any work prescribed by the Authority under this regulation.

## **PART IV**

### *Trade Waste Agreements*

#### **27. DECLARATION OF PROHIBITED WASTES**

The Authority may, in any declared area, specify trades in respect of which no trade waste may be directly or indirectly discharged into any sewer, sewer property service, building sewer or connected works or fillings from any premises used for or in connection with such trades, except in accordance with a trade waste agreement.

#### **28. AUTHORITY MAY ENTER INTO TRADE WASTE AGREEMENTS**

(1) The Authority may enter into a trade waste agreement for the discharge, storage or treatment of—

- (a) trade waste from any trade specified under regulation 31;
- (b) any waste specified in the Fifth Schedule, upon such conditions and in such manner and for such period as the Authority sees fit or may refuse to enter into a trade waste agreement with any person.

(2) Without limiting paragraph (1), the terms of any trade waste agreement may—

- (a) specify, restrict or prohibit certain types, volumes or concentration of waste which may be produced,

- stored, discharged or deposited;
- (b) specify the manner in which waste is to be stored, treated, discharged, deposited or otherwise dealt with;
  - (c) require the person at his cost—
    - (i) to install population control or waste treatment equipment of a type specified by the Authority and to operate that equipment in a manner specified by the Authority,
    - (ii) to provide monitoring equipment specified by the Authority,
    - (iii) to carry out a monitoring programme specified by the Authority and to provide the Authority with information and data relating to the characteristics, volumes and effects of waste being produced, stored, treated, discharged, deposited or otherwise disposed of;
  - (d) require the person to take measures specified by the Authority for the purpose of minimising the possibility of pollution occurring as a result of any activities conducted or proposed to be conducted on premises owned by or occupied by that person;
  - (e) require the person to do or cause to be done any other act or thing specified by the Authority which the Authority considers necessary for the purpose of protecting the environment or preventing, controlling or abating pollution.

(4) Without limiting subregulation (1), any trade waste agreement which provides for the discharge of waste specified in the Fifth



Schedule into any sewer shall contain conditions requiring treatment of the waste before it is discharged to meet such standard as the Authority may require unless the Authority is of the opinion that the concentration of the waste at the point of discharge is such that the waste will not adversely affect sludge digestion or any biochemical, biological or other sewage treatment process employed by the Authority.

(5) The Authority may, at the request of a person who is party to a trade waste agreement, agree to amend the terms of that agreement.

## **29. TRANSFER OF AGREEMENT**

(1) A person who becomes the occupier of any premises in respect of which a trade waste agreement is in force is not liable to any penalty under these Regulations for the discharge, deposit or intrusion of any waste if that person—

- (a) complies with the terms of the existing trade waste agreement in respect of those premises;
- (b) within thirty days of becoming the occupier of the premises, requests the Authority to enter into a trade waste agreement in his own name.

(2) Where the Authority refuses to enter into a trade waste agreement requested under the previous paragraph the person making the request shall cease to allow any waste to be discharged, deposited or to intrude pursuant to any previous trade waste agreement in respect of the premises within ten days of receiving notice of that refusal.

### **30. REFERENCE OF PROPOSED AGREEMENT TO OTHER AUTHORITIES**

(1) Whenever the Commission proposes to enter a trade waste agreement or to amend the terms of a trade waste agreement, it shall refer the proposal, together with a copy or summary of appropriate plans, specifications and other information—

- (a) to the Chief Environmental Health Officer of the Ministry of Health;
- (b) to any public authority which may be directly affected by activities pursuant to the proposed agreement or amendment, and shall take such further steps as may be prescribed by regulations concerning the public advertisement of, and objections to, the proposed agreement or amendment.

(2) The Chief Environmental Health Officer and any public authority to which a proposal is referred under subregulation (1) shall inform the Authority in writing within thirty days after the day on which the proposal was referred—

- (a) whether the proposal is supported or whether there are objections to it;
- (b) if the proposal is supported, what special terms should be included in the proposed agreement or amendment.

(3) The Authority shall—

- (a) take into account any report and comments received under subregulation (2);
- (b) refuse to enter into the proposed agreement if the Chief Environmental Health Officer submits a written report objecting to the proposal on

the grounds that public health is likely to be endangered if the proposed agreement or amendment is made.

## **PART V**

### *Prohibited Wastes*

#### **31. RECEPTION OF CERTAIN WASTE NOT COMPULSORY**

Nothing in these Regulations requires the Authority—

- (a) to receive into a sewer—
  - (i) storm drainage or surface waters,
  - (ii) any matter which may adversely in the opinion of the Authority affect the operation of a sewer or any associated works or the treatment or disposal of the contents thereof,
  - (iii) any matter which may be injurious to health;
- (b) to provide facilities to receive some drainage or surface waters where existing sewers or sewage disposal works are inadequate to receive them.

#### **32. ACTS PROHIBITED IN DECLARED AREAS**

(1) A person shall not, in any declared area—

- (a) discharged any waste or cause or allow any waste to be discharged directly or indirectly other than to a sewer;
- (b) construct any septic tank, cesspool, privy or other facility for the disposal, reception, storage or treatment of waste, except in accordance with the

Act.

(2) Subject to these Regulations, a person shall not cause or allow any matter other than domestic sewage or trade waste to enter a sewer, sewer property service, property sewer or connected works or fittings, either directly or indirectly.

(3) A person shall not cause or allow any matter specified in the Fourth Schedule or (except pursuant to a trade waste agreement) any matter specified in the Fifth Schedule to enter a sewer, sewer property service, building sewer or connected works or fittings either directly or indirectly.

(4) Subject to the requirements of any trade waste agreement a person shall not cause or allow any waste from premises of the type specified in the Sixth Schedule to enter a sewer, sewer property service, building sewer or connected works or fittings either directly or indirectly except through a grease trap of a design approved by the Manager.

(5) Any person who contravenes any of the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or imprisonment for a term not exceeding two years and to a further fine not exceeding five hundred dollars for each day the offence continues after conviction.

(6) The occupier of any premises listed in the Sixth Schedule upon which a grease trap is installed who fails to keep the grease trap clean and in sanitary condition commits an offence and is liable on summary conviction to fine not exceeding ten dollars or to imprisonment for a term not exceeding fourteen days.

### **33. ACTS SUBJECT TO THE MANAGER'S APPROVAL**

(1) A person shall not—

- (a) cause or allow any waste from commercial or domestic food grinders to enter a sewer, sewer property service, building sewer or connected works or fittings either directly or indirectly except with the consent of the Authority and subject to such conditions as the Manager determines;
- (b) cause or allow any waste from a swimming pool to enter a sewer, sewer property service, building sewer or connected works or fittings either directly or indirectly except in accordance with such conditions as the Manager may impose in each particular case.

(2) Any person who contravenes the provisions of this regulation commits an offence and on summary conviction is liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months and in the case of subregulation (1)(a) to a further fine not exceeding five hundred dollars for each day the offence continues after conviction.

## **PART VI**

### *Sewerage Charges*

### **34. CHARGES FOR SEWERAGE**

(1) The Authority may, from time to time make regulations fixing charges to be paid by the owner or occupier of any premises connected with a sewer.

(2) Charges may be fixed which differ according to the type, class or use of premises.

(3) Until the Authority make regulations to the contrary, the charges shall be as prescribed in the Eighth Schedule.

(4) Sewerage charges become due and payable on the first day of every month.

(5) Whenever the owner of premises connected with a sewer is not in occupation or sole occupation of the premises, the owner and occupier may agree which of them shall pay sewerage charges in respect of premises and in what proportion.

(6) Whenever an owner or occupier have not agreed that the occupier is to pay all sewerage charges in respect of premises connected with a sewer and the owner fails to pay any sewerage charge for which he is liable, the Authority may—

- (a) recover the amount summarily from the owner; or
- (b) recover the amount in accordance with section 31 of the Act, and may collect interest at the rate of ten per cent per annum until repayment is made.

### **35. RECOVERY OF OUTSTANDING CHARGES**

Without prejudice to any other remedy available to the Authority, where any sewerage charge or any interest or penalty thereon in respect of any premises to which water is supplied by the Authority is outstanding—

- (a) after a period of twenty-one days from the day on which it became due, the Authority may notify the owner or occupier of the premises in

question in writing that, if the sum outstanding is not paid to the Authority before the expiration of thirty days from the day on which it became due, the supply of water to the premises will be restricted or disconnected;

- (b) after a period of thirty days from the day on which it became due, the Authority may restrict or disconnect the supply of water to the premises in question, if written notice has previously been given under paragraph (a).

### **36. PENALTIES PAYABLE ON OVERDUE ACCOUNTS**

Where any sewerage charge is outstanding for a period in excess of thirty days from the day on which it became due, the person liable to pay the sewerage charge is also liable to pay to the Authority a penalty equal to ten percent of the outstanding amount.

### **37. RECOVERY OF ADMINISTRATIVE CHARGES**

Where a cheque proffered in payment of any sum due to the Authority is not honoured by the paying bank, the Authority may recover from either the drawer or from the owner or occupier of the premises in respect of which the cheque was proffered the sum prescribed in the Second Schedule to cover bank charges and administrative costs incurred by the Authority.

#### **38. Remission of charges**

The Authority may wholly or partially remit any rate, charge, fee or penalty or may extend the date upon which it falls due, on the ground—

- (a) of the poverty of the person liable to pay the same;

or

- (b) that its payment would cause undue hardship.

## **PART VII**

### *Offences*

#### **39. BUILDING OVER SEWERS**

(1) A person shall not, unless he is authorised by or under these Regulations, erect any building or structure, or cause, or allow any person to erect any building or structure within four meters of the centre-line of any sewer or sewer property service vested in the Authority.

(2) The Authority may, of its own motion, or on an application by a person in the prescribed manner and form—

- (a) approve the doing of anything referred to in subregulation (1) subject to such conditions as it may specify;
- (b) refuse the application; or
- (c) with the consent of the applicant, divert or relocate the sewer or sewer property service at the cost of the applicant and subject to such conditions as the Authority may specify.

(3) Where any building or structure on any land does not comply with the provisions of this regulation the Authority may, by notice in writing served on the owner or occupier of the premises require the owner or occupier to alter, remove or relocate such building or structure as is specified in the notice, whether or not such building or structure was erected by or on behalf of that owner or occupier.



(4) Any approval given by the Authority under subregulation (2) and all conditions attached thereto shall be binding upon the applicant, his heirs, successors and assignees and the owner or occupier for the time being of premises to which the approval relates, whether or not such person has notice of the approval or the conditions thereof.

(5) A person who contravenes or fails to comply with or causes or allows any person to contravene or fail to comply with—

- (a) any conditions specified under subregulation (1) or (2); or
- (b) any requirement of a notice served on that person under subregulation (3), commits an offence and is liable on conviction to a fine not exceeding five thousand dollars or imprisonment for a term not exceeding twelve months and to a further fine not exceeding five hundred dollars for each day the offence continues after conviction.

(6) Where at the commencement of these Regulations any sewer, sewer property-service or other connected works (other than a building sewer) which are part of a sewerage system operated by the Authority are on, or in, private premises, the sewer, sewer property service or other connected works shall be taken to have been installed with the consent of the owner for the time being of the premises at the time they were installed and pursuant to a sufficient interest in the premises created by that owner in favour of the Authority to enable it to enter the premises in order to use, repair, maintain, alter, extend, replace or remove such sewer, sewer property service or other connected works in perpetuity.

#### **40. TREES AND SHRUBS**

(1) Where trees, crops or shrubs are wholly or partly located within four meters of the centre-line of any sewer, sewer property service or other works vested in the Authority and the Authority requires access to those works, an authorised officer may, without notice to the owner or occupier of the land upon which such trees, crops or shrubs are wholly or partly located, cause them to be removed.

(2) Where any sewer, sewer property service or other works vested in the Authority are damaged or blocked by any tree or shrub or the roots thereof an authorised officer may require the owner or occupier of the land on which the tree or shrub is located—

- (a) to remove the tree or shrub and the roots thereof;
- (b) to make good any damage or blockage to such works; and
- (c) to restore the land surface, in such manner as may be prescribed, at the expense of that owner or occupier.

#### **41. TAMPERING WITH WORKS**

(1) A person shall not—

- (a) uncover or expose any sewer, sewer property service or other works vested in the Authority;
- (b) wilfully or negligently break, damage, injure, open, alter or obstruct any sewer, sewer property service or other works vested in the Authority, except with the permission of the Authority.

(2) Where any person is convicted of an offence under subregulation (1) or regulation 43 the Court may, in addition to

imposing the prescribed penalty, order that person—

- (a) to meet the cost of making good any damage so caused;
- (b) to pay any other charges which by virtue of the offence it may assess the Authority to have lost, as the case may require.

#### **42. OBSTRUCTION OF OFFICERS**

(1) A person shall not assault, threaten, resist, obstruct, hinder, or delay any authorised officer, person or public authority in the performance of powers, functions or duties under these Regulations or allow or encourage any other person to do so.

(2) Any person who obstructs such person in the performance of his functions under these Regulations commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment for a term not exceeding twelve months.

(3) Where a person is convicted of an offence against paragraph (1) the court may, in addition to any penalty, order the offender to pay by way of compensation a sum sufficient to cover any damage which any authorised officer or other person or public authority has suffered as a result of such assault, threat, resistance, obstruction, hindrance or delay and any sum so awarded may be recovered in the same manner as the penalty.

#### **43. UNLAWFUL CONNECTIONS**

(1) A person shall not connect or allow any person to connect

any building sewer, private sewer, drain or pipe to any sewer, sewer property service or other works of the Authority except in accordance with these Regulations.

(2) Anyone contravening the provisions of this regulation commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or imprisonment for a term not exceeding twelve months.

#### **44. OFFENCES AGAINST THE REGULATIONS**

(1) A person shall not contravene or fail to comply with or cause or allow any person to contravene or fail to comply with any provision of these Regulations.

(2) Where no penalty is expressly provided a person convicted summarily of an offence against these Regulations is liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months.

**First Schedule**

[Regulation 11(2)(a).]

CENTRAL WATER AND SEWERAGE AUTHORITY  
FORM A

Application to Connect with a Sewer  
Please print or type in BLOCK LETTERS

1. Address of premises

.....  
(Number) (Street) (Area)

2. Owner's Name and Address

.....  
(Last name) (First name)  
.....  
(Number) (Street) (Area)

3. Is there a tenant on the land? If so give

(a) Name of the tenant

.....  
(Last name) (First name)

(b) Nature of the tenancy

.....  
(weekly, monthly, yearly etc.)

4. What sort of premises are they?

.....  
(dwelling, store, etc.)

5. Is there an open yard which is next to a street or lane?

Yes  No

6. How many people live or work on the premises?

.....

7. What sort of sanitary arrangements are planned?

.....

8. How many fittings will there be? Of what sort?  
.....
9. What sort of water closet and flush tank will there be?  
.....
10. Which Sanitary Constructor will be doing the work?  
(Name).....  
(Address).....
11. General remarks  
.....
12. Name and address of applicant  
(Name).....  
(Address).....
13. Your Signature ..... 14. Date .....

When you have completed this form, send it, together with FOUR COPIES OF PLANS, which clearly show the location of all proposed drain, water closets, waste pipes, gully traps, gradients and depths of drain etc. to:

***The Manager  
Central Water and Sewerage Authority  
Arnos Vale  
Saint Vincent.***

\* IMPORTANT: NO WORK MUST BE COMMENCED UNTIL YOUR APPLICATION AND PLANS HAVE BEEN APPROVED.

**Second Schedule**

[Regulations 11(2)(b), 13(2), 16(2), 20 and 37.]

*Fees for Works, etc.*

Fee to accompany application pursuant to the First Schedule  
\$.....

Fee for any second or subsequent visit to premises to verify the accuracy of applications and plans  
 \$.....

Minimum charges for executing the following works:

*Fee per Connection*

- (a) Each additional sewer property service to domestic premises.....\$650
- (b) Each additional sewer property service to industrial or commercial premises
  - (i) not exceeding 1,000 square feet in area..... \$650
  - (ii) in excess of 1,000 square feet in area..... \$1,000
- Fee for dishonoured cheques..... \$15 plus any bank fee paid by the Authority

**Third Schedule**  
*[Regulation 17.]*

*Security Deposits for Payment of Charges*

DOMESTIC PREMISES

- Private dwelling
  - in Arnos Vale Housing Scheme..... \$ 45
  - Other private dwelling..... \$ 60
- Apartments and other dwellings.....\$180

COMMERCIAL AND INDUSTRIAL PREMISES

- 20 employees or less.....\$285

More than 20 and less than 50 employees.....	\$570
50 or more employees.....	\$855

**Fourth Schedule**  
[Regulation 32(3).]

*Prohibited Substances*

Crude Petroleum

Oil made from petroleum, coal, shale, peat or other bituminous substance.

Any product, or mixture containing petroleum which, when tested in a manner approved by the Manager, gives off inflammable vapour at a temperature lower than 23 degrees Celsius.

Carbide of Calcium.

Strong oxidising agents such as chromates, dichromates, permanganates and peroxide.

Chemical compounds producing toxic, inflammable or explosive gases, either upon acidification, alkalisation, oxidation or reduction.

Strong reducing agents such as nitrites, sulphides, sulphites and thiosulphates.

Waste of whatever kind that cannot be satisfactorily processed or purified by the sewerage treatment process used by the Authority.

**Fifth Schedule**  
[Regulation 32(4).]

*Wastes Subject to Trade Waste Agreements*

Steam or liquids with temperatures above 4 degrees Celsius.

Water or waste with pH less than 5.5 or greater than 9.0.



Highly coloured waste.

Waste which, in the opinion of the Manager, may create excessively offensive odours.

Waste containing the following substances—

- alcohol
- antibiotics
- arsenic
- bromine
- chlorine
- copper
- creosol or creosote
- cadmium
- cyanide
- fluorine
- formaldehyde
- iodine
- lead
- mercury
- phenols and their derivatives
- sulphonamides
- zinc compounds

### **Sixth Schedule**

*[Regulation 32(5).]*

#### *Premises Requiring Approved Grease Traps*

Any premises producing waste containing grease including—

- (a) hotels, restaurants, boarding houses and laundries;
- (b) premises constructing, repairing, maintaining or cleaning motor vehicles, motor bicycles, boats, engines, mechanical equipment or machines.

## Seventh Schedule

[Regulation 21(1)(b)(iv).]

### *Technical Specifications*

Location, course and diameter of building sewer

1. Building sewer shall be laid in straight lines from point to point.

2. A building sewer shall be at least 100 mm internal diameter.

3. If a building sewer is to be laid in soft or yielding ground the Manager may specify the materials and methods of construction to be used and impose such other conditions as he sees fit.

4. (1) Unless the Manager certifies in writing that it is impractical or inexpedient to do otherwise, a person shall not lay a building sewer under any building.

(2) If a building sewer is to be laid under a building pursuant to the preceding clause, the Manager may specify the materials and methods of construction to be used and impose such other conditions as he sees fit.

5. A person shall not construct any building over an existing sewer, sewer property service or building sewer without the Manager's written consent.

6. Gradients of building sewers

(1) Subject to paragraph (2), a building sewer shall be constructed with a gradient through its length of at least one in one hundred.

(2) The Manager may consent in writing to a gradient less than one in one hundred provided that—

- (a) any lesser gradient occurs—
  - (i) in the portion of the building sewer nearest to its outlet,
  - (ii) in the main line of the building sewer and not in any branches;
- (b) any special means of flushing required by the Manager is provided.

#### 7. Depth of sewer pipes

(1) Subject to paragraph (2), all underground pipes which are part of a sewerage system shall be laid—

- (a) at least 900 mm below any road;
- (b) at least 450 mm below any other ground level.

(2) The Manager may consent in writing to a lesser depth than specified in the preceding clause, provided that the pipes are protected in such manner and with such materials as the Manager directs.

#### 8. Construction and joining of pipes

A pipe of whatever material which is part of a sewerage system shall be sound and impervious throughout its length and shall be jointed in the best manner.

9. Any internal projections or obstructions shall be cleared from all pipes.

10. No cement or jointing material shall project from the joints of pipes.

#### 11. (1) Joints of—

- (a) earthenware pipes; or
- (b) iron pipes (where screw joints are not used) shall be

- (i) of a good quality hemp or jute gasket,
- (ii) followed by lead at least 30 mm deep, and
- (iii) caulked to make the joints fast and water-tight.

(2) With the consent of the Manager—

- (a) special jointing compounds other than lead may be used;
- (b) flanged rubber compression rings or other mechanical joints may be used.

12. In making screwed wrought iron or steel joints—

- (a) red lead or such other jointing compound approved by the Manager shall be used;
- (b) paint, putty or running thread shall not be used.

13. Joints of copper pipes shall be—

- (a) made of a soldered sleeve; or
- (b) of mechanical or compression joints approved by the Manager.

14. Joints between lead and iron pipes shall be made of a brass sleeve or brass ferrule of the same size as the lead pipe. The lead pipe shall be attached to the ferrule by a wiped solder joint.

15. Locations of manholes, inspection chambers and gully basins

(1) Manholes, inspection chambers, cleaning eyes and other appurtenances shall be provided in such number and at such locations as the Manager thinks fit in order to—

- (a) allow the interior of pipes to be inspected during construction;
- (b) provide a means of removing obstructions from the pipes.

(2) Without limiting the generality of the preceding clause, inspection chambers shall be provided at every point in a building sewer—

- (a) where two or more lines of pipe converge, except where the Manager consents in writing to the use of a “Y” branch;
- (b) where there is an angle, bend, change in gradient or size of pipe;
- (c) where there is a change in the type of pipe (for example from earthenware to metal);
- (d) where necessary to ensure that no part of the building sewer is more than 15 metres from the centre of an inspection chamber, unless the Manager agrees in writing to some greater distance.

16. Construction of manholes etc.

(1) Inspection chambers or manholes shall be—

- (a) not less than 900 mm horizontally and 750 mm internally;
- (b) fitted with a strong cast iron frame securely bedded on cement mortar made of one part cement to three parts sand, with an adequate exterior fillet to stop the frame from moving;
- (c) fitted with a removable cover, sufficiently strong to bear any traffic likely to pass over it, and fixed at a level no lower than the adjoining surface.

(2) A cover for a manhole or inspection chamber shall have a clear opening of at least 45 mm.

(3) Interior corners of manholes and inspection chambers shall be rounded off on a radius of not less than 50 mm with a fillet of

cement mortar of one part cement to three parts sand.

(4) The floors or inverts of manholes and inspection chambers shall be made of concrete, brought to a fine smooth surface, properly floated and well worked in with a steel trowel.

(5) Suitable channels and benching shall be formed in the floor of each manhole or inspection chamber to collect, conduct or convey waste.

(6) Channels and benching shall be rendered smooth and true and offer the least possible resistance to the flow of waste.

(7) Concrete walls, arches and slabs of manholes and inspection chambers shall be—

- (a) re-inforced with steel bars of such size and in such manner as the Manager directs;
- (b) mounded true on the exposed surface and brought to a smooth and impervious surface.

(8) A manhole, inspection chamber or gully basin shall be fitted with a specially sealed cover as prescribed in paragraph (9) whenever—

- (a) the Manager certifies that it is impractical or inexpedient for the manhole, inspection chamber or gully basin to be located outside a building; or
- (b) as a result of any building extension or alteration a manhole, inspection chamber or gully basin falls within any building or covered area.

(9) A cover fitted under paragraph (8)—

- (a) shall be water-tight and airtight;
- (b) shall be so bolted or secured to the frame of the manhole, inspection chamber or gully basin that it

can be readily removed and replaced;

(c) may be a cast iron access with a bolted water-tight and airtight cover of a design approved by the Manager.

#### 17. Ventilating pipes

(1) Ventilating pipes shall be made of cast iron, asbestos cement, specially enamelled steel or other material approved by the Manager.

(2) Earthenware or sheet metal pipes shall not be used for ventilating pipes.

(3) All 90 degree bend, duckfoot bends or tee pieces set at the base of a vertical soil or ventilating pipe shall be bedded in a block of concrete at least 375 mm square and 225 mm deep.

(4) All waste pipes shall be trapped at each separate fixture and as close as possible to each fixture.

(5) A trap shall not be placed at the foot of a vertical soil or ventilating pipe.

(6) A soil, waste or ventilating pipe shall in no circumstances be connected to a chimney or smoke stack.

(7) A sealed gully basin shall be adequately ventilated by a pipe of not less than 50 mm internal diameter.

(8) A main ventilating pipe of at least 100 mm internal diameter—

(a) shall be erected at the termination of each building sewer; and

(b) shall project at least 600 mm above the eaves of the highest building within 6 metres of the ventilating

- pipe; and
- (c) shall be fitted with a wire cage, guard, cowl or similar protection with openings at least equal in area to the cross – section of the ventilating pipe so as to be adequate to prevent the ventilating pipe so as to be adequate to prevent the ventilating pipe from being choked with leaves or other obstructions.

(9) Unless the Manager directs otherwise, any branch of a building sewer longer than 5 metres shall be ventilated as if it were a separate building sewer.

(10) Any trapped pipe which may be subjected to siphonage or back pressure shall be fitted with a ventilating pipe from the crown of the trap.

(11) Subject to clause (12) a ventilating pipe from a water closet trap shall be of at least 50 mm internal diameter.

(12) Where ventilating pipes from five or more water closet traps are combined, the combined ventilating pipe shall be of at least 75 mm internal diameter.

(13) A ventilating pipe from a water closet trap may only be connected to a main ventilating pipe at a point above all other connections.

(14) If two or more fixtures are attached to a single waste pipe—

- (a) all traps shall be back ventilated;
- (b) each ventilating pipe shall be run separately or together to project at least 600 mm above the eaves of the building.



(15) An adequate air gap shall be provided through free atmosphere between—

- (a) the lowest opening from any pipe or delivery cock, supplying water to any tank, plumbing fixture or receptacle; and
- (b) the overflow or flood level run of the tank, plumbing fixture or receptacle.

18. Protection from surface waters

A pipe draining water from the roof of a building shall not be used—

- (a) to carry any water;
- (b) as a ventilating pipe or anti-siphon pipe for any sewer property service, building sewer or trap.

19. (1) Gullies or other inlets connected with building sewers shall be—

- (a) raised above ground level; and
- (b) surrounded by a concrete curb of at least 150 mm high or otherwise protected from flows of rain or surface water.

(2) Condensation and waste cooling water from air conditioning plants shall be discharged into trapped gully basins.

(3) Rain or surface water shall not be allowed to enter any building sewer.

20. Wherever it is necessary to use a sump pump or ejector to raise waste from installations lower than the sewer into which the waste is to be discharged the sump shall—

- (a) be made either of adequately reinforced water-proof concrete or cast iron;

- (b) be of sufficient capacity to receive the projected peak waste flow for thirty minutes;
- (c) have its sump discharge pipes when connected to a sewer fitted with both—
  - (i) a check or non-return valve, and
  - (ii) a gate valve;
- (d) be provided with securely fastened gas tight and airtight metal cover;
- (e) be adequately ventilated in accordance with this Schedule; and
- (f) have the whole installation, including the ejector or pump and the prime mover, installed in well-ventilated and easily accessible compartments.

21. (1) A building sewer shall be—

- (a) water-tight and airtight; and
- (b) tested for water-tightness and airtightness by hydraulic pressure, or such other means as the Manager directs.

(2) Defective pipes discovered during testing shall be removed and replaced by sound pipes.

(3) Defective joints discovered during testing shall be made water-tight and airtight.

22. Water Closets and Fixtures

(1) A water closet or bidet and connected fittings shall—

- (a) conform to such standards as may be laid down by the Manager; and
- (b) be of a pattern approved by the Authority.

(2) A water closet shall—

- (a) be capable of being sluiced clean with a flush of not more than 9 litres of water each time it is used; and
- (b) be provided with a trap or siphon, placed near to the pan, as an effective water seal; and
- (c) be connected to a siphonic waste-preventing flush tank of a pattern approved by the Manager; or
- (d) be connected to such type of flush tank as the Manager approves.

(3) A person shall not use a tank giving more than 9 litres each flush.

(4) The water service pipe to every flush tank shall be fitted with a stop cock.

(5) Each flush tank shall be fitted with an overflow pipe, which shall—

- (a) discharge into the open air, and not into the soil pipe; and
- (b) be arranged in such a manner as to act as a warning pipe;
- (c) discharge not more than 9 litres at each flush.

23. A water closet installed above ground level shall be connected to waste pipes of cast iron, steel or such other material as the Manager approves, which shall be—

- (a) at least 100 mm internal diameter;
- (b) jointed with lead and gasket or other jointing compound approved by the Manager;
- (c) placed outside the building, wherever possible, or in a pipe duct within the building.

24. Air shall be allowed to circulate freely through the whole

course of a building sewer without any obstruction.

25. Each bath, wash basin, lavatory and sink, including slop sink, shall be fitted with a trap as close as possible to the fixture.

26. (1) The main waste pipe and overflow pipe of a wash basin, lavatory or sink (other than a slop sink), shall be 35 mm internal diameter.

(2) The main waste pipe and overflow pipe from a slop sink shall each be at least 75 mm internal diameter.

(3) The main waste pipe and overflow pipe from a bath shall be at least 50 mm internal diameter.

27. (1) A tee fitting may be used in making connection to a vertical pipe.

(2) A connection to a pipe other than a vertical pipe shall be made within an angle branch.

28. (1) Subject to paragraph (2) a waste pipe exceeding 50 mm internal diameter shall not be made of lead.

(2) If a waste pipe is protected by suitable casing, the Manager may allow a waste pipe of more than 50 mm but not more than 75 mm internal diameter to be made of lead.

29. Urinals

A urinal shall be fitted with a glazed basin or staff.

30. (1) A basin urinal shall be separately connected to the waste pipe by a pipe of—

- (a) lead;
- (b) copper;
- (c) cast iron, effectively protected from corrosion;
- (d) galvanized wrought iron;
- (e) galvanized malleable iron; or
- (f) such other material as the Manager may approve,

and shall be fitted with a glazed trap of at least 50 mm internal diameter.

(2) A staff urinal shall have a properly graded glazed channel along the bottom of the staff, leading to a glazed trap of at least 100 mm internal diameter.

31. Urinal traps shall—

- (a) be fitted with a deep effective water seal;
- (b) have effective access for cleaning;
- (c) be covered with a strong removable grid.

32. (1) A urinal shall be fitted with a suitable and efficient automatic flush tank.

(2) A flush tank shall—

- (a) be so installed as to be separate from any tank used for drinking water;
- (b) be of a capacity of 4.5 litres for each basin or each 685 mm length of staff;
- (c) be capable of being filled in not more than 25 minutes or such lesser period as is necessary to clean the urinal satisfactorily;
- (d) be attached to a water supply pipe fitted, in easily accessible positions, with—
  - (i) one screw-down stop cock to regulate supply to the tank, and

- (ii) one screw-down stop cock to shut off supply.

### **Eighth Schedule**

*[Regulation 34(3). Eighth Schedule amended by SRO 32 of 2007.]*

#### *Sewerage Charges*

#### DOMESTIC PREMISES

\$ Per Month

Private dwellings in Arnos Vale housing scheme .....	15
Other private dwellings .....	20
Apartments and other dwellings .....	60

#### COMMERCIAL AND INDUSTRIAL PREMISES

Small – 20 employees or less .....	100
Medium – more than 20 but less than 50 employees .....	250
Large – 50 or more employees .....	385



THIS DOCUMENT WAS CONVERTED AND EDITED BY  
**RAE-ANNE V. MC DOWALL**

Central Water & Sewerage Authority Act