

Central Water Authority (Water Supply for Domestic, Commercial and Industrial Purposes) Regulations 1974

GN No. 91 of 1974

22nd June.

Regulations made by the Central Water Board under section 49 of the Central Water Authority Act, 1971

1. These regulations may be cited as the Central Water Authority (Water Supply for Domestic, Commercial and Industrial Purposes) Regulations 1974.

2. In these regulations, unless the context otherwise requires—

“communication pipe” means that portion of a service which lies between the main and the Authority’s meter or stopcock within the boundary of the tenement served

“consumer” means a person to whom the Authority has agreed to supply water;

“domestic supply” means water supplied from the water works and used in any tenement for drinking, washing, or cooking, or for any other purpose of domestic life;

“main” means any pipe laid by the Authority for the purpose of providing a general supply of water as distinct from a supply to a consumer;

“meter supply” means the quantity of water measured by a meter;

“month” means in relation to meter rent and water rent a period of not less than twenty-one days and not more than thirty-five days;

“non-domestic supply” means water supplied from the water works and used—

- (a) in connection with any trade, industry or manufacture;
- (b) for the purpose of rearing animals;
- (c) for agricultural purposes, including the watering of fields or gardens occupied for gain;
- (d) for any other purpose which is not a domestic purpose;

“prise” means a constant supply of water flowing uniformly and continuously from a main to a tenement through an orifice of fixed size;

“quarter” means any period of three months;

“service” means all the pipes, valves, cocks, and other appliances by which water is conducted from the waterworks to any tenement;

"supply pipe" means any part of a service, not being a main or a communication pipe, which is private property;

"tenement" means any land with or without buildings which is held or pied as a distinct or separate holding or tenancy, or any wharf or

"water charges" means any payment for water, and includes the payment the use of water supplied through public fountains and the rents of and of meters;

"water works" means the different systems of canals, pipes, wells, dams, reservoirs, fountains, treatment works, machines and other appliances of the Authority, for supplying and measuring water for domestic, commercial or industrial purposes, and includes all works, structures, lands, rights of way and other appurtenances held by the Authority for the purposes of carrying into effect the purpose of these regulations;

"year" means any period of twelve months.

3. (1) Every person who is the owner or occupier of a tenement and who wishes to have water supplied to the premises for domestic, commercial or industrial purposes shall make a written application to the Authority in the form set out in the First Schedule.

(2) On receipt of an application under paragraph (1), the Authority may-

- (a) require the applicant to furnish such further information, including site plans and documents, as it may require; and
- (b) cause the premises to be inspected.

(3) Where the Authority has agreed to supply water to a tenement

- (a) it shall provide and set up, at the consumer's expense, a communication pipe which shall remain the Authority's property;
- (b) the consumer shall provide and set up, at his own expense, a supply pipe approved by the Authority.

4. (1) Except where the Authority authorises the supply to be regulated by means of a prise-cock or gauge orifice, the flow of water supplied to every consumer shall be measured by a meter.

(2) (a) Where the supply of water is to be measured by meter, the Authority shall provide and set up, at the consumer's expense, a meter which shall remain the Authority's property.

(b) Every meter shall-

- (i) be fixed in or as near as possible to the consumer's tenement;
- (ii) be enclosed in a chamber made of cement or similar material; and

(iii) if the Authority so determines, be locked by means of a key which shall remain in the Authority's custody.

(c) The consumer shall be liable to the Authority for any damage caused to a meter set up on his premises.

(d) (i) Where a meter is out of order, the Authority shall remove it to be repaired or replaced, as the case may be.

(ii) The amount of water consumed during a period where the meter has been removed shall be calculated by reference to the average daily rate of consumption as evidenced by the last two readings made before the removal of the meter.

(e) Where a consumer who is dissatisfied with the reading on the meter makes a written application to that effect to the Authority, the Authority shall cause the meter to be examined and the consumer shall be entitled to be present at the examination.

(f) Where on an examination made pursuant to sub-paragraph (e)-

(i) the meter is found to be defective, the Authority shall adjust the amount of water alleged to have been consumed accordingly

(ii) the meter is found to be accurate, with tolerance margin of plus or minus five per cent, the consumer shall pay to the Authority a fee of ten rupees in respect of the examination.

(3) (a) Where the supply of water is regulated by means of a prise-cock or gauge orifice, water shall only be delivered into a watertight cistern, tank or basin having a capacity sufficient to contain not less than one day's supply.

(b) The supply pipe to every cistern, tank or basin shall, at its outlet, be provided with a bib-cock or equilibrium ball cock to be provided and set up by the consumer.

(c) Subject to sub-paragraph (d), a consumer to whom water is supplied by means of a prise shall be entitled, per month, to receive not more than-

(i) 70 cubic metres, free of charge, in the case of a consumer in Port Louis who was the owner of a concession prise before the 1st July, 1969

(ii) 85 cubic metres in the case of a prise acquired before the coming into force of Ordinance No. 26 of 1891

(iii) 50 cubic metres in the case of a prise acquired after the coming into force of Ordinance No. 26 of 1891 but before the 14th January, 1895;

(iv) 32 cubic metres in every other case.

(d) A consumer shall not be entitled to any claim for compensation or abatement of water charges if the amount of water delivered by means of a prise-cock or gauge orifice falls short of the amount specified in sub-paragraph (c) by not more than one-eighth.

(e) Every consumer whose supply of water is regulated by means of a prise-cock or gauge orifice and who requires more than the amount of water specified in sub-paragraph (c) shall make a written application to that effect to the Authority, and any additional amount of water supplied shall be measured by a meter.

(f) The amount of water supplied to a consumer by means of a prise-cock or gauge orifice shall be measured by the Authority in such manner as it may determine.

(g) Where a consumer who is dissatisfied with a measurement made pursuant to sub-paragraph (f) makes a written application to that effect, the Authority shall disconnect the prise and cause the water supply to be provided and measured by a meter.

5. (1) No alteration, extension or repair shall be made to a communication pipe except by the Authority.

(2) (a) Every consumer who wishes to have his communication pipe altered or extended by the Authority shall make a written application to that effect to the Authority.

(b) On receipt of an application under subparagraph (a) the Authority may—

(i) require the applicant to furnish such further information, including site plans and documents, as it may require; and

(ii) cause the premises to be inspected.

(c) Any alteration or extension shall be made at the applicant's expense and, so far as is reasonably practicable in accordance with the wishes of the consumer.

(d) The Authority shall supply to the consumer—

(i) where it is expected that the cost of the alteration or extension will not exceed fifty rupees, with an estimate of the cost;

(ii) where it is expected that the cost of the alteration or extension is likely to exceed fifty rupees, a detailed estimate of the cost.

(e) The consumer shall pay in advance to the Authority any estimate supplied under subparagraph (d).

(f) The Authority shall, on completion of the work, supply to the consumer a statement of the actual cost and may recover from him any balance in excess of the estimated cost.

6. (1) Every consumer shall keep his supply pipe in a good state of repair to the satisfaction of the Authority.

(2) (a) Where a supply pipe is defective, in need of repair or not in accordance with the other provisions of these regulation, the Authority may, by written notice, require the consumer to rectify the supply pipe to its satisfaction within a period to be specified in the notice.

(b) Where a consumer fails to comply with the terms of a notice issued under subparagraph (a), the Authority may cause the necessary repair or alteration to be effected to the supply pipe at the consumer's expense.

7. Where a consumer sets up, alters, extends or repairs a supply-

- (a) every pipe and other fitting shall be of a kind approved by the Authority and capable of withstanding a minimum test pressure of 18 Bar;
- (b) no pipe or other fitting shall be covered up unless it has been inspected or tested by the Authority;
- (c) no pipe shall, except with the Authority's written consent, be laid under the ground at a depth of less than eighteen in
- (d) every pipe shall-
 - (i) have screwed joints and sockets;
 - (ii) be galvanised and of not less than half an inch nominal bore; and
 - (iii) conform to the British Standard Specification 1387 for medium weight tubes;
- (e) every draw-off tap shall be of the screw-down pattern and fitted with loose valves
- (f) the outlet to every draw-off tap shall be in a conspicuous and accessible place and shall not be below the high water level in any cistern, tank or basin into which the tap delivers water;
- (g) the inlet of every bath or lavatory basin shall be placed at the top of the basin and shall be distinct from the outlet;
- (h) every cistern, tank or basin to which water is supplied from the water works shall be fitted with an equilibrium ball-cock of a pattern approved by the Authority, and the ball-cock shall be so adjusted as to stop the supply when the water level has reached two inches below the edge or overflow of the cistern, tank or basin;

- (i) every cistern, tank or basin placed inside a building shall be fitted with an overflow brought outside to discharge in some conspicuous place but not connected to a drain;
- (j) every supply pipe larger than two inches internal diameter shall be provided with a sluice valve and every supply pipe of a smaller diameter shall be provided with a screw down stop-cock;
- (k) no pump or other device shall, except with the Authority's written consent, be connected to a supply pipe.

8. When a consumer wishes to have his water supply discontinued, he shall give the Authority not less than three clear working days' notice of his retirement, and if he fails to do so he shall not be liable to any compensation or abatement of water charges in respect of water supplied up to the time the supply is discontinued.

9. (1) Every consumer, other than a consumer to whom regulation 4(3) (i), (ii) or (iii) applies, shall pay the deposit specified in item 1 of the Second Schedule.

(2) The deposit of a consumer may be used by the Authority to settle any water charges unpaid by the consumer.

(3) Subject to regulation 4(3) (c) (i) and to paragraph (4), every consumer shall in respect of each month pay the water charges set out in the Second Schedule.

(4) Every consumer whose supply is measured by a meter shall in respect of each month pay a minimum charge of one rupee and fifty cents water rate.

(5) Every consumer who fails to pay his water charges within twenty-one days of the date of issue of a notice of claim to that effect shall be liable to pay a surcharge of ten per cent of the amount specified in the notice.

10. No consumer shall, except in an emergency, supply water provided to his tenement from the water works to any other tenement, or cause or permit water to be so supplied.

11. (1) Any person who, without lawful authority or reasonable excuse

- (a) abstracts, consumes or uses water from the water works;
- (b) tampers or interferes with, damages or destroys a meter or any other installation or device set up by the Authority to record the consumption of water in connection with the supply of water from the water works,

shall commit an offence.

(2) Any person who—

- (a) without lawful authority, opens or closes any cock, valve or sluice in the water works;
- (b) does or omits to do any act which is likely to impede the flow of water or to pollute water or render it unfit for use or consumption;
- (c) trespasses on any land held by the Authority for the purpose of carrying into effect the provisions of these regulations and on or near which a notice giving adequate warning to trespassers has been posted,

shall commit an offence.

(3) Any person who causes or permits any act or omission, or attempts to commit any act, specified in paragraph (1) or (2) shall commit an offence.

12. (1) The Authority may discontinue the supply of water to a consumer who—

- (a) fails to pay any water charges within twenty-one days of the date of issue of a notice of claim to that effect;
- (b) fails to pay, within such time as may be specified in a notice to that effect, any other sum due to the Authority under the other provisions of these regulations;
- (c) otherwise acts in contravention of these regulations.

(2) Where a supply of water is discontinued pursuant to paragraph (j) or to regulation 8, a fee of ten rupees shall be paid to the Authority for re-establishment of the supply.

13. These regulations shall have effect from 1st July, 1974.

14. The Central Water Authority Regulations 1972 are revoked. -

Approved by the Minister on the 17th day of June 1974, and ordered to come into force at once.

FIRST SCHEDULE
(Regulation 3)

CENTRAL WATER AUTHORITY

Application for a Supply of Water

Name of Applicant
(Block Capitals)

Address for premises to be supplied
(Block Capitals)

Address for delivery of accounts
(if different from above)

Purpose of Supply Domestic/Commercial/Industrial
(Delete as necessary)

If Commercial or Industrial state
business of applicant and type of
premises

(i.e. Hotel Factory Warehouse, etc.)

Applicant last was, is a consumer ...

Date on which supply is required

I/We apply for a supply of water from the Authority as detailed above, and I/We undertake to use and pay for this supply of water in accordance with the Central Water Authority (Water Supply for Domestic, Commercial and Industrial Purposes) Regulations 1974.

Signature of Applicant

SECOND SCHEDULE

1. DEPOSITS

(a) Meter Supply- Size of meter	Rs	cs
½ inch	25	00
¾ inch	75	00
1 inch	500	00
1 ½ inches ...	1,000	00
2 inches	1,500	00
3 inches... ..	3,000	00
4 inches... ..	5,000	00
(b) Prise Supply	25	00

2. METER RENT

Size of meter	Rs	cs
1/2 inch	3	00
1 inch	6	00
2 inches	10	00
3 inches	20	00
4 inches	30	00

3. WATER RATE

(R & R GN 4/153/74)

(a) Supply measured by a meter—

- (i) First 10 cubic metres 15 cents per cubic
- (ii) Each additional cubic metre over 10 and
up to and including 25 cubic metre 25 cents per cubic
- (iii) Each additional cubic metre over 25 and
up to and including 100 cubic
metres ... 45 cents per cubic.
- (iv) Each additional cubic metre over 100 and
up to and including 250 cubic
metres ... 60 cents per cubic:
- (v) Each additional cubic metre over 250 cu-
bic metres ... 75 cents per cubic

(b) Prise Supply—

- (i) in the case of a prise acquired before the
coming into force of Ordinance
No.26 of 1891 2 cents per cubic
- (ii) in the case of a prise acquired after
the coming into force of Ordinance No. 26
of 1891 but before the 14th January,
1895 4 cents per cubic
- (iii) in the case of a metered prise under
regulation 4(3) (c) (i), (ii) and (iii),
the excess over the water allowed shall
be paid for at the rate set out in item
3(a) as if the water supplied in
furtherance of regulation 4(3)
(c) (i), (ii) and (iii) had been paid
for under that item.
- (iv) in every other case Rs 8.00 per prise per
month