

THE CENTRAL WATER AUTHORITY (AMENDMENT) ACT 1985

Act No. 4 of 1985

I assent,

S. RAMGOOLAM

26 March, 1985

Governor-General

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Section 2 of the principal Act amended.
4. Sections 7 and 8 of the principal Act repealed and replaced.
5. Section 14 of the principal Act repealed and replaced.
6. Section 15 of the principal Act amended.
7. Section 17 of the principal Act repealed and replaced.
8. New section 50 added to the principal Act.

27 March 1985

To amend the Central Water Authority Act

ENACTED by the Parliament of Mauritius, as follows -

1. Short title.

This Act may be cited as the Central Water Authority (Amendment) Act 1985.

2. Interpretation.

In this Act -

"principal Act" means the Central Water Authority Act.

3. Section 2 of the principal Act amended.

Section 2 of the principal Act is amended by inserting in its appropriate alphabetical place the following definition -

"Council" means the Water Advisory Council established under section 50.

4. Sections 7 and 8 of the principal Act repealed and replaced.

Sections 7 and 8 of the principal Act are repealed and replaced by the following sections -

7. The Board.

(1) The Authority shall be administered and controlled by a Central Water Board.

(2) The Board shall consist of -

- (a) a Chairman appointed by the Minister;
- (b) a representative of the Ministry of Finance;

- (c) a representative of the Ministry of Energy and Internal Communications;
 - (d) a representative of the Ministry of Economic Planning and Development;
 - (e) a representative of the Ministry of Labour and Industrial Relations;
 - (f) two members with experience in agricultural, industrial, commercial, financial, scientific or administrative matters, appointed by the Minister;
- (3) Every ex-officio member shall remain a member for as long as he holds the office by virtue of which he became a member and every appointed member shall hold office for not more than 2 years but shall be eligible for reappointment for not more than 2 consecutive terms.
- (4) The Chairman shall be appointed by the Minister on such term and conditions as he thinks fit.

8. Disqualification.

- (1) Any person who -
- (a) is a member of the Assembly; or
 - (b) is employed by, or holds any interest in, any undertaking with which the Board has any contract,
- shall not be qualified to be a member.
- (2) A member shall be removed from office on being disqualified from holding office under subsection (1).

5. Section 14 of the principal Act repealed and replaced.

Section 14 of the principal Act is repealed and replaced by the following section -

14. General Manager.

- (1) The General Manager shall be appointed by the Minister on such terms and conditions as he thinks fit.
- (2) The General Manager shall act in accordance with such directions as he may receive from the Board or any delegate appointed by the Board under section 17.

6. Section 15 of the principal Act amended.

Section 15 of the principal Act is amended by deleting subsection (2).

7. Section 17 of the principal Act repealed and replaced.

Section 17 of the principal Act is repealed and replaced by the following section -

17. Delegation of powers.

- (1) The Board may, subject to such conditions as it thinks fit, delegate to the Chairman all or any of its powers, functions and duties, except the power to invest and borrow money.
- (2) The Chairman may, with the approval of the Board, delegate in writing to the General Manager or to any other officer any power delegated to him under subsection (1).

8. New section 50 added to the principal Act.

The principal Act is amended by inserting immediately after section 49A the following new section -

50. Water Advisory Council.

- (1) (a) The Minister may appoint an advisory council to be known as the Water Advisory Council.
 - (b) The Council shall consider such matters affecting the distribution of water and the interests of water consumers in general as may be referred to it by the Minister, by the Board or by water consumers.
 - (c) The Board shall take into consideration any representation which may be made by the Council on any matter referred to it.
- (2) The Council shall consist of -
 - (a) the Chairman;
 - (b) one person nominated by each of the Municipal Councils;
 - (c) one person nominated by each of the District Councils;
 - (d) (one person nominated by the Chamber of Agriculture;
 - (e) two representatives of the employees of the Authority elected by secret ballot and appointed by the Minister;
 - (f) such additional persons (not exceeding 5 in number) as the Minister thinks fit to appoint to represent other areas and interests.
- (3) The members of the Council shall hold office for such time and subject to such conditions as the Minister may determine.
- (4) The Council shall be convened as often as needed by the Chairman.