

CHAPTER 197

WATER SUPPLIES (OUT ISLANDS) RULES

(SECTION 22)

*SI 83/1971**SI 89/1971**SI 19/1981**SI 14/1986**SI 65/1993**SI 16/1999*

1. These Rules may be cited as the Water Supplies (Out Islands) Rules, and shall come into operation in relation to any district on such day as the Minister may appoint by notice in the *Gazette*¹.

Citation and commencement.

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

Interpretation.

“Act” means the Water Supplies (Out Islands) Act;

Ch. 197.

“consumer” means the owner, lessee or occupier of any premises, the receiver, attorney, agent, manager, guardian, or committee of such owner, lessee or occupier, or any other person in charge or having the control or possession of any premises in the right of the owner, or having possession in this own right or in that of his wife or any other person;

“distributing pipe” means any pipes conveying water supplied by the Minister and directly connected to the supply pipe and owned by the consumer;

“gallon” means the imperial gallon (4.546 litres);

“premises” means any dwelling house, hotel, shop, office or any place of business, together with all appurtenances;

“service pipe or main” means any pipe line of the water supply system owned and controlled by the Minister and intended for distribution of water;

“supply pipe” means a pipe directly subject to water pressure from a service pipe or main and owned by the consumer;

¹ See p. 14, *post*

“water closet” means a closet which has a separate fixed receptacle connected to a sewerage system and separate provision for flushing from a supply of clean water either by the operation of mechanism or by automatic action;

“water for domestic purposes” means a supply of water for use on premises for the reasonable drinking, washing, cleaning, cooking and sanitary requirements of the consumer.

Supply of water
to premises

3. The Minister may, on application made to him in writing by the owner or occupier of any premises who desires to have a supply of water for domestic purposes or any other purpose, agree to supply water to such person in accordance with the provisions of the Act and these Rules.

Water closets

First Schedule

4. (1) Subject to the provisions of this rule, no water shall be supplied to water closets in any district specified in the First Schedule.

First Schedule

(2) Where a water closet is installed in any building or in any part of any building in any district specified in the First Schedule, no water connection shall be made unless an independent water supply system has been installed to supply the water closets in such building or such part of a building.

First Schedule

(3) If a water closet is installed on an existing water connection in a building or part of a building in a district specified in the First Schedule then, unless an independent water supply system is installed to the water closets in the said building or part of a building, the connection shall be cut off.

First Schedule

(4) Water shall not be supplied through any one metered connection with the supply main to more than four water closets in a district not specified in the First Schedule.

First Schedule

(5) Where, in a district not specified in the First Schedule, more than four water closets are installed in any new building on one proposed metered water connection or in any part of any new building such part being on one proposed metered water connection, then, no water connection shall be made until an independent water supply system has been installed to supply all the water closets in such new building or such part of a new building.

(6) If an additional water closet is installed so that the number installed exceeds four water closets in a building or part of a building on an existing water connection in a district not specified in the First Schedule, then the connection shall be cut off unless an independent water supply system is installed to supply all the water closets in the said building or part of a building.

First Schedule.

(7) Notwithstanding the provisions of this rule, the Minister may agree to provide a supply of water on a temporary basis for the duration of the construction, renovation or alteration of a building or where the condition of any premises is detrimental to health.

(8) The Minister may in special circumstances exempt the owner of any premises from any of the provisions of this rule.

5. For the purposes of these Rules no plumbing or fitting of any description whatsoever, in relation to, or in connection with, the water supply system, shall be done either inside or outside of any premises except by a person holding a licence to carry out such work issued by the Minister. This rule applies to all existing installations, repairs to same, and to all new works.

Plumbing to be done by persons holding a licence.

6. Every supply pipe shall be fitted inside the premises with a stop valve with an area of waterway of a size and type approved by the Minister and such stop valve shall, if below the surface of the ground, be suitably protected by a box of a size and type approved by the Minister and fitted with a proper cover.

Stop valve or supply pipe.

7. The Minister shall be responsible for all repairs to a service pipe or main, but such responsibility shall cease at the consumer's side of the meter at a point where the supply pipe is connected.

Repairs to service pipe or main.

8. No supply pipe or distributing pipe shall be laid so as to pass through any sewer or drain or any man-hole connected therewith or into or through any ashpit or manure hole, or be laid or allowed to remain in contact with any foul soil or injurious matter. Where the laying of such pipe through foul soil cannot be avoided, such pipe shall be sufficiently protected from contact with such soil either by being carried through an exterior cast iron pipe or by other means approved by the Minister.

Laying of supply pipes.

Depth of pipe.

9. From and after the commencement of these Rules, every pipe laid or fixed in connection with water supplied by the Minister shall, when laid in open ground, be laid at least one foot below the surface and be protected against its being affected in any way by salt or brackish water.

No connection with other water supply.

10. No pipe for the conveyance of or in any way connected with the water supplied by the Minister shall connect with any pump, pipe fitting or other receptacle used or intended to be used for the conveyance or reception of any water other than supplied by the Minister, except with the permission of the Minister in writing.

Supply through cisterns flushing to water closets.

11. Unless otherwise specially authorised, no pipe through which water is supplied by the Minister to any water closet, slop sink or urinal, shall connect with any part of such water closet, slop sink, urinal or any apparatus connected therewith except the flushing cistern thereof.

Register of meter to be evidence.

12. (1) Water supplied to a consumer shall be measured by means of a meter supplied and fixed by the Minister and the register of such meter shall be *prima facie* evidence of the quantity of water consumed.

(2) Where any question arises between the Minister and a consumer as to the reading of a meter, the meter shall be tested.

(3) If a meter on being tested is proved to register incorrectly to any degree exceeding five per cent —

- (a) the meter shall be deemed to have registered incorrectly to that degree since the last occasion but one before the date of the test on which a reading of the index of the meter was taken by the Minister, unless it is proved to have begun to register incorrectly on some later date; and
- (b) the amount of any refund to be made to or of any extra payment to be made by, the consumer, shall be paid or allowed by the Minister or paid to the consumer, as the case may be, and in the case of extra payment, shall be recoverable in the manner in which water rates are recoverable.

(4) Where a meter for any reason ceases, omits or otherwise fails to register the quantity of water consumed, a consumer shall pay in respect of such water supplied a reasonable sum based on the quantity of the consumption of such consumer ascertained by comparison with similar periods.

13. A consumer supplied with water by the Minister who sells any of that water to another person shall be guilty of an offence under these Rules and liable on summary conviction to a fine not exceeding fifty dollars.

Sale of water.

14. Any person who, without the authority of the Minister, removes or otherwise interferes with any meter shall be guilty of an offence under these Rules and liable on summary conviction to a fine not exceeding fifty dollars.

Interference with meters.

15. (1) The owner of any premises supplied with water by the Minister or any other person liable for the payment of the water rates, shall give to the Minister notice in writing of his intention to discontinue the use of such water, or of the intention on the part of the occupier to vacate such premises, seven days before such discontinuance or such vacation, and if such person neglects to give the required notice, he shall be liable to pay for the water registered by the meter until the use of the water is discontinued or the premises become vacant, as the case may be, whichever is the later date.

Notice of discontinuation of supply.

(2) The notice required by paragraph (1) of this rule shall be of no effect unless such notice is in writing signed by or on behalf of the person liable for payment of the water rates and is left at, or sent by registered post to, the office of the Commissioner of the district concerned.

16. Any person authorised by the Minister under the Act to enter any premises for the purpose of exercising his functions under the said Act shall be furnished with an authority signed by an official of the Ministry and shall, if required to do so, produce such authority to the occupier of the premises which are being inspected.

Inspector to produce authority.

17. (1) If the owner or occupier of any premises wilfully or negligently causes or suffers any pipe, faucet, valve, flushing cistern or other water fitting which he is liable to maintain to —

Penalty for waste, etc., of water by non-repair of water fittings.

- (a) be or remain so out of order, or so in need of repair; or
- (b) be or remain so constructed or adapted, or be so used, that the water supplied to those premises by the Minister is, or is likely to be wasted, misused or unduly consumed or contaminated before use, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars.

(2) If any water fittings referred to in paragraph (1) of this rule which any person is liable to maintain, is in such condition or so constructed or adapted as aforesaid, the Minister, without prejudice to his right to institute proceedings under paragraph (1), may serve a notice on that person requiring him to carry out any necessary repairs or alterations within twenty-four hours and if he fails to do so within the time specified in the notice, then a person authorised by the Minister may enter such premises and cut off the water supply.

Water rates

- 18.** Where the Minister supplies water —
- (a) to any premises for domestic purposes or any other purpose or to any government department;
 - (b) to any ship; or
 - (c) to any builder for the purpose of erecting a new building,

Second Schedule

there shall be payable in respect thereof the water rates respectively set out in the Second Schedule.

Rental of water meters

19. (1) The Minister shall in respect of the rental of a water meter, charge the following rates:

Entry and discharge pipes —

- (i) Up to and including ½ in. pipes \$1.00 per quarter
- (ii) 2 in. pipes \$2.00 per quarter
- (iii) 3 in. pipes \$3.00 per quarter
- (iv) 4 in. pipes \$4.00 per quarter

(2) When, at the request of a consumer, a reading of a meter is made at a time other than that of the normal time of such reading, the consumer shall pay a charge of five dollars. At the time of any such reading the Minister shall, if so required by the consumer, turn the water on or off.

SI 65/1993

SI 65/1993

(3) The charge for installing, removing or replacing a meter at the request of the owner shall be ten dollars. *SI 65/1993*

(4) The charge for installing a meter on an existing water connections shall be ten dollars.

(5) A meter may be removed for failure to pay water rates or charges and a meter so removed shall not be re-installed until the account due and owing is paid, plus an additional charge of twenty-five dollars for the cost of removal and refitting.

(6) The charge for reconnecting a meter shall be five dollars. *SI 65/1993*

(7) The charge for repairing or replacing a meter or connection damaged through misuse or the changing of the location of a meter shall be the actual cost of the work done.

20. (1) The connection of every supply pipe with any service pipe or main shall be made by the Minister, and the expenses incurred by the Minister in executing such work shall be payable in advance by the owner of the premises concerned to the Treasurer or to the Commissioner for the district concerned to be by him remitted to the Treasurer. *Connection of supply pipes*

(2) The amount payable for connections of different sizes of supply pipe shall be as follows —

(i) ½ in. and not exceeding ¾ in. pipe with or without deferred payments over a period not exceeding twelve months	\$100	<i>SI 65/1993</i>
(ii) 1 in. pipe with no deferred payments	\$310	<i>SI 65/1993</i>
(iii) 2 in. pipe with no deferred payments	\$520	<i>SI 65/1993</i>
(iv) 3 in. pipe and pipe in excess thereof with no deferred payments	\$640	<i>SI 65/1993</i>

(3) For the purposes of this rule “connection” means the connection of the consumer’s supply pipe from the service pipe or main to a point not more than three feet inside the property to be served, together with the meter, stop taps and meter chamber, provided that the length of the connection does not exceed forty feet from the service pipe or main to a meter and provided further that the cost of providing a connection exceeding forty feet from the service pipe or main shall be borne by the consumer.

Extension of
service pipe or
main

21. (1) Where the Minister is required on application in writing by the owner of any premises to extend any service pipe or main to such point or points as will enable the supply pipe of such premises to be connected thereto the application shall be considered in relation to one of the categories described in sub-paragraphs (1), (ii) or (iii) of this paragraph —

- (i) where the extension is to pass entirely through private property, the applicant or applicants shall pay the whole of the cost of the extension;
- (ii) where an applicant or a number of applicants require an extension along a public roadway and the anticipated revenue is estimated by the Minister to provide an adequate return on capital outlay, the Minister may provide a part or all of the cost of the extension, subject to the availability of Government's capital for this purpose;
- (iii) where an applicant or a number of applicants require an extension along a public roadway and the anticipated revenue is estimated by the Minister not to provide an adequate return on capital outlay, the applicant or applicants shall pay the whole of the cost of the extension.

(2) All extensions of service pipes or mains shall be approved by and be constructed to the standards and specifications laid down by the Minister.

Recovery of
water rates

22. (1) The amount due to the Minister for water supplied shall be due and payable on demand.

(2) The amount due and demanded for water supplied shall be payable by and be recoverable from the person entering into the agreement with the Minister.

(3) Every such agreement shall be made between the Minister and the owner of the premises, except that where the owner of any premises is the Government, then the Minister may enter into an agreement with the tenant or other occupier of the premises.

Penalty

23. Any person who uses any water supplied to him by the Minister for a purpose other than those for which he is entitled to use it shall be liable on summary conviction to a fine of fifty dollars in respect of each day or part thereof during which such use of the water occurs.

FIRST SCHEDULE (Rule 4)**DISTRICTS IN WHICH WATER WILL NOT BE
SUPPLIED TO WATER CLOSETS**

- (1) Bimini
- (2) Inagua
- (3) Ragged Island
- (4) San Salvador

SECOND SCHEDULE (Rule 18)**WATER RATES**

1. Subject to paragraph 3, the water rates payable by a consumer in respect of the water supply to dwelling houses (including apartments) shall be in accordance with the following —

- (a) a minimum charge (including the first 2,000 gallons or part thereof) per quarter per meter of the respective size specified hereunder —

Meter Size (in inches)	Minimum Charges
$\frac{1}{2}$	\$18.00
$\frac{3}{4}$	\$36.00
1	\$60.00
1 $\frac{1}{4}$	\$84.00
1 $\frac{1}{2}$	\$120.00

- (b) \$3.45 for every 1,000 gallons or part thereof in excess of 2,000 gallons but not exceeding 13,000 gallons per meter per quarter;
- (c) \$4.35 for every 1,000 gallons or part thereof in excess of 13,000 gallons but not exceeding 26,000 gallons per meter per quarter; and
- (d) \$6.00 for every 1,000 gallons or part thereof in excess of 26,000 gallons per meter per quarter:

Provided that in respect of a period of less than a quarter the charges shall be calculated on the basis of a proportionate amount of water and rates, as the case may be, to those specified in subparagraphs (a), (b), (c) and (d).

2. Subject to paragraph 4, the water rates payable by a consumer in respect of the water supply to any other establishment (excluding dwelling houses and apartments) shall be in accordance with the following —

- (a) a minimum charge (including the first 2,000 gallons or part thereof) per quarter per meter of the respective size specified hereunder —

Meter Size (in inches)	Minimum Charges
$\frac{1}{2}$	\$25.00
$\frac{3}{4}$	\$50.00
1	\$83.50
1 $\frac{1}{4}$	\$116.50
1 $\frac{1}{2}$	\$159.50
2	\$223.00
3	\$371.00
4	\$742.00
6	\$1,298.00
8	\$1,855.00

- (b) \$3.86 for every 1,000 gallons or part thereof in excess of 2,000 gallons but not exceeding 13,000 gallons per meter per quarter;
- (c) \$4.87 for every 1,000 gallons or part thereof in excess of 13,000 gallons but not exceeding 26,000 gallons per meter per quarter; and
- (d) \$6.72 for every 1,000 gallons or part thereof in excess of 13,000 gallons per meter per quarter:

Provided that in respect of a period of less than a quarter the charges shall be calculated on the basis of a proportionate amount of water and rates, as the case may be, to those specified in sub-paragraphs (a), (b), (c) and (d).

3. The water rates payable by a consumer who resides in Eleuthera, Abaco, Exuma or San Salvador in respect of the water supply to dwelling houses (including apartments), shall be in accordance with the following —

- (a) a minimum charge (including the first 2,000 gallons or part thereof) per quarter per meter of the respective size specified hereunder —

Meter Size (in inches)	Minimum Charges
$\frac{1}{2}$	\$18.00
$\frac{3}{4}$	\$36.00
1	\$60.00
1 $\frac{1}{4}$	\$84.00
1 $\frac{1}{2}$	\$120.00

- (b) \$6.00 for every 1,000 gallons or part thereof in excess of 2,000 gallons but not exceeding 13,000 gallons per meter per quarter;
- (c) \$7.40 for every 1,000 gallons or part thereof in excess of 13,000 gallons but not exceeding 26,000 gallons per meter per quarter; and
- (d) \$8.40 for every 1,000 gallons or part thereof in excess of 26,000 gallons per meter per quarter:

Provided that in respect of a period of less than a quarter the charges shall be calculated on the basis of a proportionate amount of water and rates, as the case may be, to those specified in subparagraphs (a), (b), (c) and (d).

4. The water rates payable by a consumer who resides in Eleuthera, Abaco, Exuma or San Salvador in respect of the water supply to any other establishment (excluding dwelling houses and apartments) shall be in accordance with the following —

- (a) a minimum charge (including the first 2,000 gallons or part thereof) per quarter per meter of the respective size specified hereunder —

Meter Size (in inches)	Minimum Charges
$\frac{1}{2}$	\$25.00
$\frac{3}{4}$	\$50.00
1	\$83.50
1 $\frac{1}{4}$	\$116.50

1 ½	\$159.50
2	\$223.00
3	\$371.00
4	\$742.00
6	\$1,298.00
8	\$1,855.00

- (b) \$6.72 for every 1,000 gallons or part thereof in excess of 2,000 gallons but not exceeding 13,000 gallons per meter per quarter;
- (c) \$8.29 for every 1,000 gallons or part thereof in excess of 13,000 gallons but not exceeding 26,000 gallons per meter per quarter; and
- (d) \$9.41 for every 1,000 gallons or part thereof in excess of 26,000 gallons per meter per quarter:

Provided that in respect of a period of less than a quarter the charges shall be calculated on the basis of a proportionate amount of water and rates, as the case may be, to those specified in subparagraphs (a), (b), (c) and (d).

S184/1971

**WATER SUPPLIES (OUT ISLANDS) RULES: NOTICE
UNDER RULE 1**

(RULE 1)

It is hereby notified that with effect from the 1st day of October, 1971, the Water Supplies (Out Islands) Rules, shall come into force in relation to the districts specified in the Schedule thereto.

SCHEDULE

FOX TOWN	ABACO
COOPERS TOWN	ABACO
GREEN TURTLE CAY	ABACO
MARSH HARBOUR	ABACO
STAFFORD CREEK	ANDROS
NICHOLLS TOWN	ANDROS
CONGO TOWN	ANDROS
MASTIC POINT	ANDROS