

**THE WATER SUPPLY ACT**

**Law  
17 of 1958.  
Act  
10 of 1963  
S. 20.**

*[6th March, 1958.]*

1. This Act may be cited as the Water Supply Act. Short title.
  
2. In this Act—Interpreta-  
tion.
  - “limits of supply” in relation to any water undertaking means the limits within which the undertakers are authorized to supply water under any law or regulations;
  - “statutory water undertaker” means the National Water Commission established under the National Water Commission Act, the Kingston and St. Andrew Corporation, any Parish Council or any Committee authorized by any law or regulations to supply water. 10/1963  
S. 20.
  
- 3.—(1) The Minister may, on the application of the statutory water undertakers concerned, by order, provide for—Joint water  
supplies and  
transfer of  
undertakings  
by agree-  
ment.
  - (a) the joint furnishing by two or more statutory water undertakers, by agreement, of a supply of water;
  - (b) the constitution, by agreement, of a joint committee of two or more statutory water undertakers for the purpose of exercising all or any of their functions relating to the supply of water;
  - (c) the transfer, by agreement, to a statutory water undertaker of the undertaking or part of the undertaking of any other statutory water undertaker.

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(2) Any order made under this section may contain such incidental, consequential and supplementary provisions as the Minister thinks necessary or expedient for the purposes of the order, and in particular, but without prejudice to the generality of the foregoing provisions, may provide for the transfer of property and liabilities, and for the modification or adaptation of any law in so far as it applies to any of the statutory water undertakers.

Variation of limits of supply by agreement.

4.—(1) The Minister, on the application of two or more statutory water undertakers, may by order provide for the variation by agreement of any common boundary between their respective limits of supply.

(2) Any order made under this section may contain such incidental, consequential and supplementary provisions as the Minister thinks necessary or expedient, including provisions for the modification or adaptation of any law in so far as it applies to any of the statutory water undertakers.

Supply by statutory water undertakers outside their limits of supply.

5.—(1) An agreement may be made between any statutory water undertaker and any other persons, whether statutory water undertakers or not, for the giving by such statutory water undertaker and the taking by such other persons of a supply of water in bulk or otherwise, for any period, and on any terms and conditions, in any area outside the limits of supply of such statutory water undertaker:

Provided that—

- (a) an agreement under this section shall require the approval of the Minister, and he shall withhold his approval if it appears to him that the giving of the supply is likely to interfere with the supply of water for any purpose within the limits of supply of the statutory water undertaker by whom the supply is to be given; and

(b) where the supply is to be given to any persons other than a statutory water undertaker, the consent of every statutory water undertaker having jurisdiction within the area, or any part of the area, within which the supply is to be given shall be required to the agreement, which consent such statutory water undertaker is hereby authorized to give, with such conditions (if any) as, subject to the approval of the Minister, the statutory water undertaker may prescribe, but such consent shall not be unreasonably withheld, and any question whether or not it is unreasonably withheld shall be referred to the Minister whose decision thereon shall be final.

(2) For the purpose of laying any pipes or installing any apparatus connected therewith, being pipes or apparatus required for giving or taking a supply of water in pursuance of an agreement under this section, a statutory water undertaker may exercise outside its limits of supply the like powers as are exercisable by it within such limits of supply under any law or regulations, but subject to the like conditions or obligations.

6. Any dispute between statutory water undertakers with respect to the furnishing of a supply of water or any matter incidental thereto shall be referred to the Minister whose decision thereon shall be final.

Reference of disputes to Minister.

7. This Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, and any provision of a law which may be inconsistent with any of the provisions of this Act, shall, to the extent of such inconsistency, have no effect.

This Act to prevail notwithstanding inconsistency.