

No. S 47

**CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))**

WATER SUPPLY ACT (AMENDMENT) ORDER, 2014

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**CONSTITUTION OF BRUNEI DARUSSALAM
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WATER SUPPLY ACT (AMENDMENT) ORDER, 2014

In exercise of the power conferred by Article 83(3) of the Constitution of Brunei Darussalam, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Order —

Citation.

1. This Order shall be cited as the Water Supply Act (Amendment) Order, 2014.

Amendment of section 2 of Chapter 121.

2. Section 2 of the Water Supply Act, in this Order referred to as the principal Act, is amended, in the definition of “Water Authority”, by deleting “Director” from the first line and by substituting “Director General” therefor.

Amendment of section 3.

3. Section 3 of the principal Act is amended in subsection (1) —

(a) by deleting “His Highness” from the first line and by substituting “His Majesty the Sultan and Yang Di-Pertuan” therefor;

(b) by inserting the following new subsection immediately after subsection (1) —

“(1A) Subject to subsection (1), His Majesty the Sultan and Yang Di-Pertuan in Council may designate the activities that may be carried on in a catchment area.”.

Amendment of section 7.

4. Section 7 of the principal Act is amended by inserting “Darussalam” immediately after “Brunei” in the second line.

Amendment of section 9.

5. Section 9 of the principal Act is amended by deleting the semicolon from the seventh line and by substituting a colon therefor.

Amendment of section 11.

6. Section 11 of the principal Act is amended by inserting “Darussalam” immediately after “Brunei” in the third line.

Substitution of section 12.

7. Section 12 of the principal Act is repealed and the following new section substituted therefor —

“What is domestic supply.

12. A supply of water for domestic purposes shall not include a supply of water to any premises any part of which is used for the purpose of any trade, manufacture or business.”.

Amendment of section 13.

8. Section 13 of the principal Act is amended, in paragraph *(e)*, by deleting the semicolon and by substituting a comma therefor.

Amendment of section 16.

9. Section 16 of the principal Act is amended, in subsection (2), by deleting “Director” from the first line and by substituting “Director General” therefor.

Amendment of section 23.

10. Section 23 of the principal Act is amended by inserting “an authorised” immediately before “meter” in the second line.

Amendment of section 24.

11. Section 24 of the principal Act is amended —

(a) in paragraph *(d)*, by deleting “or” from the last line;

(b) in paragraph *(e)*, by deleting the full stop and by substituting “; or” therefor;

(c) by adding the following new paragraph —

“*(f)* if the premises or any part thereof were erected in contravention of any written law.”.

Amendment of section 25.

12. Section 25 of principal Act is amended by deleting “of \$1,000 and in the case of a second or subsequent conviction, to a fine \$3,000 and imprisonment for 6 months” from the last 3 lines and by substituting “not exceeding \$20,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$50,000, imprisonment for a term not exceeding 3 years or both” therefor.

Amendment of section 26.

13. Section 26 of the principal Act is amended —

(a) in paragraph *(f)*, by deleting the semicolon and by substituting a comma therefor;

(b) by deleting “of \$1,000 and in the case of a second and subsequent conviction, to a fine of \$3,000 and imprisonment for 6 months” from the last 3 lines and by substituting “not exceeding \$20,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$50,000, imprisonment for a term not exceeding 3 years or both” therefor.

Amendment of section 27.

14. Section 27 of the principal Act is amended, in subsection (2), by deleting “of \$500” from the last line and by substituting “not exceeding \$10,000” therefor.

Amendment of section 28.

15. Section 28 of the principal Act is amended by deleting “of \$50” from the penultimate line and by substituting “not exceeding \$10,000 and to a further fine not exceeding \$250” therefor.

Amendment of section 29.

16. Section 29 of the principal Act is amended, in subsection (2), by deleting “of \$50” from the third line and by substituting “not exceeding \$5,000” therefor.

Amendment of section 30.

17. Section 30 of the principal Act is amended —

(a) in subsection (1), by deleting “of \$1,500” from the last line and by substituting “not exceeding \$50,000” therefor;

(b) in subsection (3), by deleting “of \$1,500” from the last line and by substituting “not exceeding \$50,000” therefor.

Amendment of section 31.

18. Section 31 of the principal Act is amended by deleting “of \$1,000, and in the case of a second or subsequent conviction, to a fine of \$3,000” from the last 2 lines and by substituting “not exceeding \$20,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$50,000, imprisonment for a term not exceeding 3 years or both” therefor.

Amendment of section 32.

19. Section 32 of the principal Act is amended by deleting “of \$1,000” from the last line and by substituting “not exceeding \$20,000” therefor.

Amendment of section 33.

20. Section 33 of the principal Act is amended by deleting “of \$3,000 or to imprisonment for 6 months” from the last 2 lines and by substituting “not exceeding \$10,000, imprisonment for a term not exceeding one year or both” therefor.

Amendment of section 34.

21. Section 34 of the principal Act is amended by deleting “of \$1,500” from the fifth line and by substituting “not exceeding \$20,000” therefor.

Amendment of section 35.

22. Section 35 of the principal Act is amended —

(a) in subsection (1) —

- (i) in paragraph (e), by deleting the semicolon and by substituting a comma therefor;
- (ii) by deleting “of \$3,000” from the last line and by substituting “not exceeding \$20,000 and, in the case of a second or subsequent conviction, to a fine not \$50,000, imprisonment for a term not exceeding 3 years or both” therefor;

(b) in subsection (2), by deleting the first 2 lines and by substituting “(2) Any inside service so altered and any meter so interfered with, injured or altered shall be replaced or repaired” therefor.

Amendment of section 37.

23. Section 37 of the principal Act is amended, in subsection (1), by deleting “of \$600” from the last line and by substituting “not exceeding \$10,000 or imprisonment for a term not exceeding one year” therefor.

Amendment of section 38.

24. Section 38 of the principal Act is amended, in subsection (3), by deleting “of \$300” from the last line and by substituting “not exceeding \$10,000” therefor.

Insertion of new section 38A.

25. The principal Act is amended by inserting the following new section immediately after section 38 —

“Entry into waterworks without consent etc.

38A. Notwithstanding any written law, any person who enters or uses any premises belonging to the Authority, any part of any waterworks, or any premises reserved by the Authority without the prior consent in writing of the Authority, is guilty of an offence and liable on conviction to a fine not exceeding \$1,500.”

Amendment of section 39.

26. Section 39 of the principal Act is amended —

(a) in subsection (1), by deleting “Municipal Board” from the last line and by substituting “Authority” therefor;

(b) in subsection (2), by deleting “or the Municipal Board” from the second and third lines.

Insertion of new section 40A.

27. The principal Act is amended by inserting the following new section immediately after section 40 —

“Compounding of offences.

40A. (1) The Authority may compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed that offence a sum not exceeding \$500.

(2) The Minister may, with the approval of His Majesty the Sultan and Yang Di-Pertuan, make regulations to prescribe the offences which may be compounded.”

Amendment of section 42.

28. Section 42 of the principal Act is amended, in subsection (2), by deleting “appropriate Authority fund” from the last line and by substituting “Consolidated Fund” therefor.

Amendment of Act.

29. The Act is amended by deleting “Water Authority” wherever it appears, except in the definition of “Authority” in section 2, and by substituting “Authority” therefor.

Made this 1st. day of Zulkaedah, 1435 Hijriah corresponding to the 27th. day of August, 2014 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM