

[L.S.]

I ASSENT.

G. J. BRYAN,  
*Administrator.*

13th October, 1964.

ST. LUCIA

No. 24 of 1964.

AN ORDINANCE to provide for the creation and establishment of a Central Water Authority with sole jurisdiction in all matters pertaining to potable Water Supply throughout the Island; for the transfer to that Authority of the assets and liabilities of Water Authorities; and for purposes connected with the matters aforesaid.

[ On Proclamation. ]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council of Saint Lucia, and by the authority of the same as follows:—

*Preliminary*

1. (1) This Ordinance may be cited as the Central Water Authority Ordinance, 1964.

Short title and commencement.

(2) This Ordinance shall come into operation on such day as the Administrator in Council may appoint by Proclamation published in the *Gazette* :

Provided that the Administrator in Council may in like manner, appoint different days for the coming into operation of different sections of this Ordinance.

Interpretation.

2. In this Ordinance the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“Authority ” means the Saint Lucia Central Water Authority established by section 3 of this Ordinance ;

cost ” as applied to improvements, means the cost of acquiring or constructing improvements as herein defined and includes—

- (a) the amount to be paid for any improvement acquired by purchase, transfer or condemnation ;
- (b) the cost of labour, materials, property, rights, easements and franchise acquired ;
- (c) financing charges ;
- (d) the payment of interest prior to and during construction or reconstruction and one year thereafter ;
- (e) the amount required as working capital ;
- (f) the cost of plans and specifications; surveys and estimates of cost and revenue ;
- (g) the cost of legal and engineering services ;
- (h) all other expenses necessary or incidental to acquisition or construction ; and
- (i) administration expenses ;

“domestic supply ” means water from the Waterworks used in any tenement for any purpose of domestic life ;

- “gathering ground” means any surface of land or other device which collects the rainfall for the purposes of the Waterworks;
- “improvements” means any and all replacements, additions, extensions, and betterments of and to the Waterworks;
- “meter” means any appliance used to measure, ascertain, or regulate the amount of water taken or used from the Waterworks by means of any service, as well as any appliance used in estimating the flow of water in or from any part of the Waterworks;
- “Minister” means the member of Executive Council charged with the responsibility for the subject of Public Health;
- “non-domestic supply” means any water from the Waterworks used for the purpose of, or in carrying on, any trade or manufacture; or for cattle, horses or other animals, or for watering fields or gardens cultivated or occupied as a means of pecuniary profit; or for private fountains or any ornamental purpose; or for the supply of ponds, pools, or tanks; or for laundries, public washhouses; public baths, vessels, ships, or boats; and includes water used or consumed by any person resident in, or occupying, any premises where a non-domestic supply is given, as well as any water taken or used from the Waterworks by the Imperial or Colonial, Military, Naval or Civil Establishment;
- “owner” means the holder of any tenement direct from the Crown whether under lease, licence or otherwise, or the immediate landlord of

any tenement, or the agent of any such holder, or landlord, who is absent or under disability, or if there be no such agent the occupier of the tenement ;

“ public fountain ” means any fountain, standpost valve, tap or appliance, used or intended to be used for or in connection with the supply of water to the public from the Waterworks, and erected or hereafter to be erected by the Authority and which belongs to or is vested in the Authority ;

“ service ” means all pipes, valves, cisterns, cocks, fittings and other appliances (excepting any meter as hereinbefore defined) by or through which water flows or is intended to flow from the Waterworks, or which are or may be used for the purposes of supplying any tenement from the Waterworks, and which serve as the property of the owner or occupier of such tenement ;

“ tenement ” means any land with or without buildings, which is held or occupied as a distinct or separate holding or tenancy, or any wharf, or pier on the waters of the Territory ;

“ Waterworks ” means all reservoirs, dams, weirs, tanks, cisterns, tunnels, pillar beds, conduits, aqueducts, pipes, fountains, sluices, valves, hydrant pumps, engines, and all other structures or appliances used or constructed for the storage, purification, conveyance, support, measurement, or regulation of water by or on behalf of the Authority or which may hereafter be used or constructed for the purpose aforesaid by the Authority and which belong to or are managed by or vested in the Authority.

exchange, promissory notes, Bills of Lading and other negotiable instruments.

(2) The seal of the Authority shall be authenticated by the signature of the Chairman or of one member of the Authority authorised by the Authority to act in that behalf, and the Manager of the Authority, and such seal shall be officially and judicially noticed.

(3) All documents, other than those by law to be under seal, made by, and all decisions of, the Authority may be signified under the hand of the Chairman, or any member authorised by the Authority to act in that behalf, or the Manager of the Authority.

*Board of Commissioners and Membership.*

4.--(1) The powers of the Authority shall be exercised through, and its policy shall be determined by, a Board of Commissioners acting as a Board.

Membership of Board.

(2) The Board of Commissioners (hereinafter referred to as the Board) shall consist of a chairman who shall be appointed by the Administrator in Council, and of the following other members : --

(a) The Agricultural Superintendent, the Chief Medical Officer, The Director of Public Works, and the Secretary of Finance, each of whom shall be a member of the Board by virtue of his office ;

member shall be eligible for re-appointment.

(3) Every member of the Board appointed by the Castries Town Council shall hold his seat during the pleasure of the said Council or until the dissolution thereof if he so long remains a member.

(4) Every member of the Board appointed by the Chamber of Commerce shall hold his seat during the pleasure of the Chamber of Commerce or until the dissolution of the Chamber of Commerce if he so long remains a member.

(5) If the place of a member of the Board appointed by the Castries Town Council or by the Chamber of Commerce becomes vacant before the expiration of his term of office whether by resignation, death or otherwise, the vacancy shall be filled by the Castries Town Council or by the Chamber of Commerce as the case may be:

Provided that in the case of the temporary absence from the Island of any member appointed by the Castries Town Council, or by the Chamber of Commerce, or by the Board, the Castries Town Council, or the Chamber of Commerce or the Board, as the case may be, may appoint a person to be provisionally a member in place of such member so absent.

9. The Manager shall render to the Board not later than such date as the Board may fix monthly and annual reports relative to the finances and activities of the Authority. Reports.

*Powers and Functions of Authority.*

10.—(1) The Authority shall provide and help to provide the inhabitants of the Island with an adequate water service and any other service or facilities incidental or appropriate thereto. Duties of Authority.

(2) In particular, and without prejudice to the generality of the foregoing, the Authority shall have power—

- (a) to employ, by contract or otherwise, such consulting engineers, engineers and superintendents, construction and accounting experts, and attorneys as may be necessary;
- (b) to accept grants of any kind from any source;
- (c) to determine, fix, alter, charge, and collect, rates, fees, rentals, and other charges for the use of the facilities of the Authority, or for the water or other commodities or service sold, rendered, or furnished by it;
- (d) to enter on any lands, water, or premises, after notifying the owners or occupants thereof, or their representatives, for the purpose of making surveys, soundings, and examinations;
- (e) to improve and extend the water under its jurisdiction and to provide additional facilities of the same character;
- (f) to do all such acts and things as may be incidental to, necessary or convenient for the carrying out of all or any of the purposes of this Ordinance:

Provided however that all water rates fixed by the Authority and any alterations in the aforesaid rates shall be of no effect until approved by the Administrator in Council.

*Transfer of Property.*

Transfer of  
property etc.  
to Authority.

**11.**—(1) With the approval of the Administrator in Council, the Authority may enter into an agreement with the Castries Town Council or any Town or Village Council for the purpose of transferring to the Authority from such date or dates as may be fixed therein, the whole or any part of the undertaking of, or of any of the rights, powers, duties, liabilities and obligations of, or any property whatsoever vested in, any such Council.

(2) An agreement entered into as aforesaid shall, upon being confirmed by Resolution of the Legislative Council, specifying the terms thereof, without any further assurance, vest in the Authority the undertaking of, the rights, powers, duties, liabilities and obligations of, or any property whatsoever vested in the Council to which it relates.

(3) Every such Resolution shall be published in the *Gazette*.

(4) The description of any matter or thing published as aforesaid in the *Gazette* shall be conclusive for the purposes of its identification.

(5) Upon a transfer taking effect under this section every agreement to which the transferor Council was a party immediately before the date of such transfer shall have effect as if—

(a) the Authority had been a party to the agreement ;

- (b) for any reference to the transferor Council there were substituted, in respect of anything falling to be done on or after the date of such transfer, a reference to the Authority ;
- (c) for any reference to any member or officer of the transferor Council there were substituted, in respect of anything falling to be done on or after the date of such transfer, a reference to such person as the Authority may appoint or, in default of such appointment to the member or officer of the Authority who corresponds as nearly as may be to the member or officer of the transferor Council ;
- (d) for any reference to any fund or revenues of the transferor Council there were substituted, in respect of anything falling to be done on or after the date of such transfer, a reference to the corresponding fund or revenues of the Authority.

12.—(1) The Administrator in Council may, by agreement entered into with the Authority, transfer to the Authority the whole or any part of the undertaking of, or of any of the rights, powers, duties, liabilities and obligations of, or any property whatsoever vested in the Government which is used or useful for the supplying of water for domestic, industrial or commercial use.

Transfer of  
property etc.  
held by  
Government.

(2) An agreement entered into under this section shall be confirmed in like manner and shall have, with necessary modifications, the like effect as an agreement entered into in accordance with section 11 of this Ordinance.

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*Transfer of Personnel.*

Transfer of  
officers

13. The Administrator in Council shall by regulations, in such cases and to such extent as may be specified in the regulations, provide for the compensation or to the terms and conditions of service with the Authority of officers and servants of the Government, the Castries Town Council or any Town or Village Council from whom functions are transferred by or under this Ordinance to the Authority, being officers or servants who, prior to the date of such transfer were employed by the Government or by the Castries Town Council or by a Town or Village Council, as the case may be.

*Appropriations.*

Confirmation of  
appropriations.

14. All appropriations made by the Legislature or by any Town or Village Council for any of the purposes of this Ordinance are hereby approved, ratified and confirmed and all sums so appropriated or set aside or required to be set aside or appropriated for the said purposes, and any balance thereof, are hereby transferred to the Authority.

Meeting  
Authority's  
deficits.

15. During the first three years after the commencement of this section, and until such time thereafter as the Authority is self-supporting, there shall be charged upon the Consolidation Fund, a sum not less than that part of the Authority's operating budget not sufficiently covered by its own revenue: Provided that such sum shall not without approval by Resolution of the Legislature, exceed the amount appropriated for the same purposes during the last three years.

*Accounts.*

Accounts.

16. The accounts of the Authority shall be kept in such manner as appropriately to segregate, insofar as advisable, the accounts in respect of the different

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classes of operations, projects, undertakings, and activities of the Authority, and shall include complete accounts of the costs of production and distribution of water and of the total cost of Waterworks constructed or otherwise acquired by the Authority and a description of the major components of said costs, together with records of such other physical data and operating statistics as may be helpful in determining the actual cost and value of the services.

*Water Rates and Payments.*

17.--(1) The Board shall be entitled to fix, levy and demand, and from time to time revise the rates and charges to be paid and collected for the commodities, services and facilities furnished by the Authority. Levy of rates,

(2) The said rates and charges shall be so fixed as to provide funds sufficient--

(a) to pay the cost of administering, maintaining, repairing and operating the water systems, including reserves for such purposes, and for replacement and depreciation ;

(b) to pay the principal of and interest on any loans raised by the Authority to carry out its purposes.

(3) The aforesaid rates and charges to be paid to the Authority shall comprise, as regards the water services--

(a) a general water rate payable upon all tenements, other than buildings belonging to the Government, situated within the prescribed Water Supply Area, whether provided with services or not ;

(b) a Water Supply Rate, payable with respect to all tenements provided with services, in addition to the aforesaid General Water Rate ;

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(c) payments for water supplied by meter, including supply to domestic, industrial, commercial or shipping installations.

Districts to be supplied with water.

18. For the purposes of the application of the water rates provided in the preceding section, the areas to be supplied with water under this Ordinance, so far as they are not included within the boundaries of any Town or Village shall be defined by Order of the Administrator in Council ; and it shall be lawful for the Administrator in Council from time to time by further Order, to extend or otherwise vary the limits of the several areas.

Assessment of General Water Rate.

19.—(1) The Authority shall annually assess the General Water Rate, payable by the owner of each tenement situated within the prescribed Water Supply Area, and the said General Water Rate shall be such percentage or poundage, not exceeding seven per centum, upon the assessed annual rental of lands, houses and buildings as the Authority shall determine.

(2) The actual amount payable with respect to each individual tenement shall be assessed by the Authority, according to the method of assessment provided for the collection of house and land tax.

(3) If any tenement has become liable for a Water Supply Rate, or for an increase thereof, between two successive assessments, then the Water Supply Rate, or the increment thereof, shall be calculated in proportion to the period during which the service or other appliance giving rise to a claim for Water Supply Rate, or an increase thereof, shall have been in use.

(4) Whenever water is supplied by meter, for any purpose, the price shall be determined by the Authority.

20. The Authority shall render no free service. The charges for services rendered to the Government of Saint Lucia or to any Town or Village Council shall be deemed to be ordinary expenses of the Government or of the corresponding Town or Village Council and shall be paid from appropriations made for such purposes. Such payments shall be made in accordance with provisions in force regulating the disbursement of public funds.

Payment for all services.

21.—(1) There shall be no direct water charge for water used by the Fire Brigade in cases of fire.

Payment for fire services.

(2) Private fire services and water used by private fire installations shall be charged in accordance with the applicable rate determined by the Authority.

22. There shall be no direct water charge for water used by the public from public fountains, but this service shall be considered to be an obligation of the Government and Government shall pay to the Authority the price of water served through public fountains. The Authority may enter into an agreement with the Government regarding the rate to be paid for this service.

Public fountains.

*Funds of the Authority.*

23.—(1) All monies of the Authority, including monies raised on loan under this Ordinance, shall be deposited in such manner as the Authority shall determine.

Monies.

(2) All monies received by the Accountant General or the Authority shall form a fund to be called Saint Lucia Water Authority Fund and shall be at the disposal of the Authority on demand pursuant to regulations made by the Authority with the approval of the Administrator in Council.

*Loans and Debentures.*

Borrowing by  
the Authority.

24.—(1) Notwithstanding anything contained in any other law, the Authority may, by resolution approved by the Legislative Council, from time to time, and by the issue of debentures, raise loans to be applied towards the financing or the cost of construction, extension, or improvement of Waterworks Systems, or for carrying out any of the purposes for which the Authority is established; and the said loans may be applied to pay the expenses incidental thereto.

(2) Such loans may be contracted through any local or foreign banking institution or through any international banking agency, or a combination thereof.

(3) All monies which may be raised on loan under this Ordinance shall for both payment of interest and repayment of principal and the repayment of salaries, wages, and materials used in the specific projects carried on or executed with these monies, constitute a first charge on the revenues of the Authority and in the second place upon the general revenues and assets of the Island.

(4) A resolution approved by the Authority to contract a loan shall clearly specify that the sums raised to repay the expenses of issue shall be applied only to that purpose and, save as aforesaid, the money borrowed shall be appropriated and applied for the purpose of financing the cost of construction, extension or improvement of Waterworks Systems, or for carrying out any of the purposes for which the Authority is established.

(5) The resolution shall cover all details regarding debentures, including the form of the debentures, the sum of the same, the period during which they shall

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year interest, the signatures on the same, the type of coupons, registration, provision for payment of interest and for creating a sinking fund, provision for redemption of principal, number of days for drawing, notice of time and place for drawing, time when principal will be repaid, cessation of interest, delivery, and cancellation. The resolution shall also include any other clause or condition that may be required by the lending institutions and accepted by the Authority.

#### *Gathering Grounds.*

25.—(1) All gathering grounds so limited, marked out, and defined as such for any existing waterworks at the time of approval of this Ordinance shall remain with the Government of Saint Lucia as provided under the Castries Water Supply Ordinance, Chapter 230. Defining limits of Gathering Grounds and reserve of same. Ch. 230.

(2) Additional gathering grounds, when necessary shall be determined in accordance with regulations approved by the Authority: Provided that a map showing clearly the limits and areas of the gathering grounds shall be made and kept for public reference at the office of the Authority and a notification of the completion of such a map shall be published in the *Gazette*.

26. No house or building or any other constructions used or intended to be used temporarily or permanently as a dwelling shall be erected on any gathering ground of the Waterworks saving and excepting constructions intended solely for the purposes of the Waterworks. No building to be erected on gathering ground.

27. Gathering grounds shall be retained as forest reserves for the protection, conservation and maintenance of which the Chief Forestry Officer shall be Gathering Grounds to be retained as forest reserves.

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responsible in accordance with the provisions of the Forest, Soil and Water Conservation Ordinance, Chapter 25.

Gathering  
Ground how to  
be reserved for  
augmenting  
Water Supply.

28. Whenever the Administrator in Council shall upon the representation of the Authority or otherwise decide that a gathering ground is required for the purposes of extending or augmenting the Water Supply, the Authority shall cause the limits or areas thereof to be marked out, defined and mapped, as provided in section 25 of this Ordinance, and thereafter no land not then already leased or sold by the Crown, shall be granted, devised or otherwise disposed of within such limits or area for any purpose whatsoever.

Authority or  
agents may  
enter land to  
carry out works  
etc.

29.—(1) The Authority, or their officers, agents or servants shall, after giving reasonable notice in writing to any Municipality, have the right and power to construct or place any part of any of its works, projects, undertakings, or property, and to operate, maintain, and extend the same across, in, over, under, through, or along any street, public highway, or any lands which may now or hereafter be the property of the Government of Saint Lucia or any Municipality thereof, without obtaining any franchise or permit therefor, but shall obtain the consent of the Director of Public Works with respect to constructions affecting public lands and highways. The Authority shall restore any such street, highway, or lands to their condition before the commencement of any operation and shall not use the same in a manner unnecessarily to impair their usefulness.

(2) Whenever it becomes necessary to relocate installations of the Authority situated on the public thoroughfare, or in any other place, by reason or as a result or consequence of the execution of a public

work in the charge of the Department of Public Works or other governmental agency, the cost of such allocation shall be considered as a part of the expenditure carried by that Department, and shall be paid or reimbursed to the Authority by the agency to which the work corresponds, according to the system in force with respect to the payments for the execution of a public work: Provided that if the relocation is to be used for an improvement or enlargement of the Water System affected, the Authority shall take charge of the additional cost resulting therefrom.

*Submission of Annual Balance Sheet.*

30.—(1) On or before the thirty-first day of May in each year, the Authority shall submit to the Administrator in Council a Balance Sheet setting forth the amount of—

Annual Balance Sheet to be submitted to Administrator in Council.

- (a) sums collected in respect of the General Water Rate during the past financial year;
- (b) sums collected in respect of the Water Supply Rate during the past financial year;
- (c) sums collected in respect of other sources of revenue connected with the Water Supply during the past financial year;
- (d) sums received from private persons in respect of services provided by the Authority or in respect of materials sold by the Authority, to private individuals, during the past year;
- (e) value of stock of tools and materials in possession of the Authority at the close of the past financial year;
- (f) expenditure on administration and maintenance of the Waterworks payable out of Current Revenue during the past financial year;

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- (g) expenditure on account of Reserve Fund during the past financial year;
- (h) expenditure incurred in the construction services on account of private persons;
- (i) balance available for the payment of Interest and Sinking Fund and for the creation of Reserve Fund;
- (j) outstanding debts and liabilities at the close of the financial year; and
- (k) outstanding debts due to the Authority:

Provided always that the Accountant General shall furnish to the Authority such statements of accounts as may be necessary to comply with the requirements of this section.

Audit (2) The balance sheet and statement of the revenue and expenditure of the Authority shall be duly audited by the principal audit officer or such other auditor as may be approved by the Administrator in Council.

*Submission of Annual Estimates.*

Estimates of Revenue and Expenditure. 31. On or before the thirty-first day of December in each year, the Authority shall submit for the approval of the Administrator in Council, an estimate setting forth---

- (a) the Revenue to be collected during the ensuing financial year on account of the General Water Rate, Water Supply Rate, and other sources of revenue respectively;
- (b) the probable expenditure on maintenance, administration and ordinary repairs;
- (c) the probable cost of alterations, extensions or extraordinary repairs to be defrayed out of the Reserve Fund.

*Regulations.*

32. Subject to the provisions of this Ordinance, the Authority shall, from time to time, make, and when made, may add to, alter and rescind Regulations, for the good government of the Waterworks generally, and in particular with respect to the following matters:—

Power of  
Authority to  
make  
Regulations.

- (a) for the use and conservation of water ;
- (b) for the care, maintenance, and protection of the facilities which are used or usable in the supply, distribution, consumption, or utilisation of water ;
- (c) for the protection of the health of the inhabitants of the Island ;
- (d) regulating the supply of water for domestic and non-domestic purposes ;
- (e) fixing the price of water supplied by meter, subject to the provisions of this Ordinance ;
- (f) as to the assessment of Water Supply Rates ;
- (g) as to the manner in which general Water Rates and Water Supply Rates and other payments for water are to be made, and as to the time and place of making and the manner of enforcing such payments ;
- (h) as to the manner of making applications for services and other supplies of water ;
- (i) as to the manner, time and place for making payments for services constructed for private and other persons ;
- (j) as to the construction of services and as to the nature and quality of pipes, fitting and materials to be used in connection with the same ;
- (k) as to the use of meters and as to the time of reading the same ;
- (l) as to the conditions under which water may be shut off ;

- (m) for the prevention of waste and extravagance in its use ;
- (n) for the protection of the public from incivility, unpunctuality, neglect or extortion, on the part of the officers, servants, or agents of the Authority ;
- (o) for the good conduct and management of the Waterworks.

Regulations to be approved by Administrator in Council.

33. All Regulations made by the Authority shall be submitted to the Administrator in Council for approval and shall come into force on their publication in the *Gazette*, or at such other time as may be mentioned in such Regulations.

Authority or agents may enter building or place to inspect.

34.—(1) The Authority or its officers, agents or servants shall, when circumstances so require have access at reasonable times to any building or place to inspect the same for the purpose of investigating any defect in the Water System and of correcting any deficiency in the water service. Any equipment, property, apparatus, or thing which exist or is maintained in contravention of the provisions of this Ordinance or any regulations made thereunder shall be deemed a public nuisance.

(2) In the event of the refusal of the owner, agent, or tenant of any property, where such a nuisance exists, to remove or abate such nuisance after notice in writing is given to do so, it shall be lawful for the Authority to remove or abate the nuisance at the expense of the said owner, agent, or tenant.

*Penalties.*

Penalty for infringement of Regulations.

35. Every person who—

- (a) violates any of the provisions of any regulations made under the authority of this Ordinance ; or

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(b) refuses or neglects to act in obedience of any such regulations ; or

(c) resists, opposes or obstructs the lawful execution thereof ;

shall on summary conviction for every such offence be liable to a penalty not exceeding one hundred dollars.

36. If any person supplied with water by the Authority wilfully or negligently cause or suffer any pipe, valve, cock, cistern, bath, soil pan, water closet or other apparatus or receptacle, to be put out of repair, or to be so used, or contrived as that the water supplied to him is, or is likely to be, wasted, missued, unduly consumed, or contaminated, or so as to occasion or allow the return of foul air or other noxious or impure matter into any pipe belonging to or connected with the pipes of the Waterworks, he shall for every such offence be liable on summary conviction to a penalty not exceeding fifty dollars.

Penalty for  
misusing  
property of  
Authority.

37. Every person who—

(a) impedes the flow of water belonging to the Waterworks ; or

(b) washes clothes or any other thing in such water ;  
or

(c) bathes in the same ; or

(d) waters any horse, mule, cattle or other animal in the same, or carries any such animal to water into the same ; or

(e) washes in, fouls, or in any way misuses the said water ; or

(f) obstructs, or in anywise hinders any person duly employed in connection with the said Waterworks in the execution of his employment ; or

Penalty for  
misusing or  
fouling water  
supply.

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(g) wilfully injures or in anyway damages the said Waterworks,

shall on summary conviction for every such offence be liable to a penalty not exceeding one hundred dollars.

Damage to Waterworks how recoverable.

38. In case any damage shall result to the Waterworks from the commission of any of the offences mentioned in the last preceding section, it shall be lawful for the Magistrate, in addition to any punishment he may inflict, to adjudge the offender to make compensation to the Authority on such terms and conditions as he may think fit.

*Acquisition of Property.*

Property required for Waterworks how to be acquired.

39. It shall be lawful for the Administrator in Council upon the request of the Authority to acquire for the purpose of the Waterworks, any springs, streams, or waters, and also any lands which may be required for such purpose; and to that end the Administrator in Council may agree with the owners of such springs, streams, waters or lands, and with all parties having any estate or interest in the same, for the purchase of such springs, streams, waters or lands or such part thereof as may be required, and of all rights and interest in to and over the same.

Land Acquisition Ordinance may be invoked for acquisition of land.

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40. In the event of the Administrator in Council and such owners, occupiers, or parties interested as aforesaid, being unable to agree as to the purchase money or otherwise or if the owners cannot be found, then it shall be lawful for the Administrator in Council to proceed to acquire the said springs, streams, waters or lands under the provisions of the Land Acquisition Ordinance, or of any Ordinance which may hereafter be passed for the acquisition of land for public purposes.

41. When the Administrator in Council on behalf of the Authority, has taken possession of any springs, streams, waters, or lands under the authority of the two preceding sections and subject to the payment by the Authority of any claim in respect thereof, it shall be lawful for the Authority to immediately enter upon and take possession of such springs, streams, waters or lands; and all the estate, use, right, title and interest of all parties therein shall be vested in the Authority for the purposes of this Ordinance.

Power of Authority to enter into possession of lands and property acquired.

42. In all cases in which the Authority shall have a right of entry under the provisions of this Ordinance, and delivery of possession shall be refused or withheld, it shall be lawful for the Judge to issue his warrant to any Bailiff or Police Constable to enter upon the property, the possession of which shall be refused or withheld, and to take possession thereof and to deliver the possession of the same to such person as shall in such warrant be nominated to receive the same, and the Bailiff or Police Constable is hereby authorised and required to take such possession and to deliver the same accordingly.

Power of Judge to place Authority in possession of lands acquired.

43. It shall be lawful for any person specially authorised thereto by the Authority to enter upon the lands and premises on which the source of any water supply is located and also upon the lands and premises through or under which the line of pipes passes or is intended to pass, without being subject or liable to any action, suit, or proceedings, fine, penalty or punishment for or in respect of any such entry or continuation upon such lands and premises.

Right of person authorised by Authority to enter upon lands without being deemed trespasser.

#### *Miscellaneous.*

44.—(1) All offences against this Ordinance or against any Regulations made thereunder may be prosecuted, and all rates or claims under this Ordinance

Offences against Regulations by whom prosecuted.

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may be sued for by the Manager or by any authorised by the Authority in writing in that before a District Court.

(2) The procedure shall be that for the time be force regulating procedure in the District Courts

*Water Supply.*

Quality of water supplied.

45.—(1) The quality of the water supplied by Authority shall be under the control of the Minister through the Department of Public Health.

(2) Any person, who fails to comply with the directions, instructions, and standards set up for the quality of the water and any sanitary aspect of the Waterworks, shall be guilty of an offence under this Ordinance, and on summary conviction liable to a fine exceeding one hundred dollars.

(3) Any officer of the Department of Public Health is authorised to enter the premises of any plant or waterworks for the purpose of inspecting or taking samples of water and of verifying that the directions, instructions, and standards issued by the Department of Public Health are complied with.

Pollution of waters.

46. It shall be the duty of the Authority to prevent the pollution or contamination of the rivers, springs, wells, catchment areas or any water source or supply.

*Repeal.*

Repeal.

47. The following Ordinances are hereby repealed:—

No. 24.]                      *Central Water Authority Ordinance.*                      [1964.

- (a) The Castries Water Supply Ordinance, Chapter 230;
- (b) The Towns and Villages (Water Supply) Ordinance, Chapter 240.

48. Whenever the provisions of this Ordinance or of any regulations made thereunder are in conflict or inconsistent with the provisions of any other law relating to the control of water supply the provisions of this Ordinance and the Regulations made thereunder shall prevail.

In the event of a conflict of laws the provisions of this Ordinance to prevail.

F. J. CLARKE,  
*Speaker.*

Passed this 2nd day of October, 1964.

D. M. THOMAS,  
*Acting Clerk of the Legislative Council.*