

CHAPTER 222

**WATER INDUSTRY (INFRASTRUCTURE
CHARGES) ORDER**

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SCHEDULE
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CHAPTER 222

42 of 2001.
Ch. 185.

**WATER INDUSTRY (INFRASTRUCTURE
CHARGES) ORDER**
(Section 155)

[24th March, 2001.]

Short title.

1. This Order may be cited as the

**WATER INDUSTRY (INFRASTRUCTURE CHARGES)
ORDER.¹**

Infrastructure charges.

2. The following one-time infrastructure charges shall be payable for each connection to the main system in areas which are not presently covered by the existing network of water supply and sewerage services:-

Water Infrastructure charge	BZ\$ 150.00
Sewerage infrastructure charge	BZ\$ 1,695.00

Payment and recovery of infrastructure charges.

3. (1) The infrastructure charges specified in paragraph 2 above shall be payable by the owner of the property and may be paid in three monthly instalments, but if any instalment is not paid by the 15th day of any month, a penalty of one percent per month shall be levied on the amount in default.

(2) Where default is made on the payment of the whole amount at the end of three months, the outstanding balance may, subject to paragraph (3) below, be recovered on summary conviction on information and complaint by any person authorised in writing by the supplier of the water and sewerage services.

¹ This Order was made under the Water and Sewerage Act (now repealed) and was saved under section 155 of the Water Industry Act.

(3) No proceedings for the recovery of infrastructure charges shall be taken against consumers who have no visible means of income and who fall within the category of 'indigent persons' under the criteria set by the Belize Social Security Board.

(4) The provisions of the Schedule annexed to this Order shall have effect with respect to the procedure for the recovery of infrastructure charges pursuant to subparagraph (2) above. Schedule.

4. This Order shall have application in the whole of Belize. Application.

5. This Order does not affect the water rates and other charges set out in the Water Industry (Rates) Order and the Water Industry (Rates) (San Pedro) Order, which shall continue to remain in force. Effect of Order.

6. This Order shall take effect from the 15th day of March, 2001. Commencement.

MADE by the Minister responsible for Public Utilities this 20th day of March, 2001.

(MAXWELL SAMUELS)
*Minister of Public Utilities, Energy,
Communications and Immigration*

SCHEDULE
[Paragraph 3]

PROCEDURE FOR THE RECOVERY OF
INFRASTRUCTURE CHARGES

Service of
summons.

1. Whenever in any proceedings for the recovery of infrastructure charges under this Order, the owner of property cannot be found in Belize or is proved to be evading personal service, the summons may be served by -

- (a) leaving it at the usual or last known place of abode of such owner with some adult inmate and explaining the purport thereof to such inmate; or
- (b) leaving it affixed to the door or any external wall of any building, or if there be no building, to a tree or post (the driving or placing of which post for such purpose shall not be actionable), on the property for which the charges are sought to be recovered; or
- (c) publishing a copy of the said summons in two consecutive issues of the *Gazette*.

Hearing of
summons.

2. (1) At the time and place appointed in and by any such summons for the hearing of the information therein specified, if no person appears to answer to the information, then upon proof that the summons has been served as provided in this paragraph, the information specified in the summons may be heard and adjudicated upon *ex parte*.

(2) Any sum of money adjudged to be paid by an order made upon the hearing of the information and complaint under this Order may be levied upon the goods and chattels of the owner of the property by distress

and sale thereof in accordance with the distress warrant procedure set out in the Summary Jurisdiction (Procedure) Act.

CAP. 99.

3. For the purpose of legal proceedings for the recovery of infrastructure charges under this Order, a certificate purporting to be under the hand of the Secretary or other authorised officer of the supplier of water and sewerage services as to the outstanding amount shall be received in all courts as *prima facie* evidence of the facts contained therein without further proof.

Evidence.