



## **FALKLAND ISLANDS**

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### **Stanley Water Supply Ordinance 1973**

**(ORDINANCE No. 7 OF 1973)**

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### Stanley Water Supply Ordinance 1973

AN ORDINANCE To provide for the maintenance of waterworks and for the supply of water at Stanley.

*[DATE OF COMMENCEMENT: 1ST JULY 1973]*

#### **1 Short title**

This Ordinance may be cited as the Stanley Water Supply Ordinance 1973.

#### **2 Interpretation**

In this Ordinance, unless the context otherwise requires-

**"fittings"** means pipes, meters, valves, ferrules, cisterns, baths, cocks, soil-pans, water-closets and other appliances of any kind used or intended to be used in connection with the supply and use of water;

**"mains"** means mains carrying water from the reservoir and water supply tanks for use in Stanley;

**"waterworks"** means the Stanley Waterworks and includes any pumping station, reservoir, tank, filter-bed or other appliances used or intended to be used for collecting, storing or purifying water and any pipe used or intended to be used for conveying water between any pumping station, reservoir, tank and filter-bed which is or may become the property of the Government.

#### **3 Water Authority**

(1) The Governor in Council may appoint any person to be Water Authority.

(2) The duties of the Water Authority shall include the management of the waterworks, the control of all matters relating thereto, and the maintenance in Stanley of existing mains and public fittings in good and serviceable condition, and the supply and maintenance of such further mains and public fittings as may from time to time be required.

#### **4 Power of Water Authority**

(1) The Water Authority or any person acting under his directions may-

- (a) at all reasonable hours enter in and upon any land, hereditaments and premises to inspect and repair any pipe, fittings or other appliance;
- (b) after twenty-one days' notice to the owner or occupier thereof enter on any land and lay pipes and other appliances on or through such land, making compensation to the owner or occupier for all damages sustained by him or them by reason of the exercise of the said powers; such compensation, in the absence of agreement to be determined by arbitration as provided by the Land Ordinance.

(2) The Water Authority or any person acting under his directions may at any time diminish, withhold, suspend or divert the supply of water either wholly or in part whenever it may be expedient or necessary for the purpose of conserving the supply of water, or for extending, altering or repairing the waterworks, and in particular may cut off the supply of water to private property in Stanley-

- (a) whenever any nuisance liable to pollute the water supply or cause damage to the waterworks exists on that property or in any fittings therein or thereon until such nuisance has been remedied to the satisfaction of the Water Authority; or
- (b) whenever any fittings are out of repair or have not been approved by the Water Authority or are liable to pollute the water supply and the necessary repairs or alterations have not been effected to the satisfaction of the Water Authority within the period prescribed in the written notice by the Water Authority to the owner or occupier of such property; or
- (c) whenever the available supply is insufficient by reason of drought or any other unavoidable circumstance; or
- (d) whenever it is necessary to repair, clean or alter the waterworks or any fittings; or
- (e) whenever water is used for a purpose other than the purpose for which it is supplied; or
- (f) in the case of the continued breach or violation of any requirement of this Ordinance or of any regulation made hereunder.

#### **5 New connections**

(1) Any owner of private property in Stanley who is desirous of laying or installing fittings shall apply to the Water Authority for approval thereof and shall lodge with the Water Authority such plans, specifications and other information as he may require.

(2) The laying or installation of fittings on private property shall be at the expense of the owner thereof.

(3) The Water Authority shall convey water to the boundary of private property in Stanley and shall connect the fittings of the owner thereof with the water mains, provided that no fittings shall be connected or installed until the same have been approved by the Water Authority.

(4) Any person who connects or installs, or causes to be connected or installed, any fittings in Stanley without the approval of the Water Authority first obtained commits an offence.

## **6 Repair of defective fittings**

The Water Authority shall give notice to the owner of private property on which any defective fittings are situated requiring him to repair such defective fittings to the satisfaction of the Water Authority and in case of non-compliance with this notice the Water Authority may execute the repairs and charge the said owner with the cost thereof and in addition an amount equal to 20 per cent of the cost.

## **7 Work performed on behalf of private persons**

The Water Authority may perform any work on behalf of a private person in connection with the laying, installation, maintenance or repair of any fittings in Stanley, and shall receive in payment from such person the actual cost of the work and in addition an amount not exceeding 10 per cent of the actual cost.

## **8 Public fountains**

No person shall take water from the public fountains for any other than a domestic purpose.

## **9 Offences**

Any person who-

- (a) puts or causes or allows to be put into the waterworks or any part thereof any foul or injurious matter likely to pollute or render the water therein unfit for use or to impede the flow of water therein; or
- (b) wilfully damages or causes or allows to be damaged any part of the waterworks; or
- (c) without the authority or consent of the Water Authority opens, closes, or in any way interferes with, or causes or allows to be opened or closed or in any way to be interfered with the waterworks or any part thereof or any main or public fitting; or
- (d) without the authority or consent of the Water Authority puts or causes or allows to be put in any main or fitting any cock, valve or other contrivance for drawing water therefrom; or
- (e) wilfully damages or causes or allows to be damaged any main or public fitting; or
- (f) alters or changes or causes to be altered or changed any public fitting with the intent to obtain more water thereby; or
- (g) commits a breach or violation of the provisions of this Ordinance

commits an offence and is liable on summary conviction to imprisonment for a term not exceeding one year or to a fine not exceeding level 6 on the standard scale or to both such imprisonment and fine:

*[Revision w.e.f. 31/07/2017]*

Provided that no person shall be convicted of any of the foregoing offences if he proves that the action taken by him was necessitated by fire.

## **10 Regulations**

The Governor in Council may make regulations prescribing the size, make and materials of the pipes and other appliances to be used, the manner of laying the same, the conditions of the supply of water to Stanley and the amount of such supply, and generally for carrying out the provisions of this Ordinance.