

**CONSOLIDATED TO 30 JUNE 2012**

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**\* Water Supply (Untreated Water)**

**(Charges) Regulations**

*(1st January, 1980)*

SI. 119 of 1979  
SI. 117 of 1980  
SI. 12 of 1986  
SI. 14 of 1990  
SI. 117 of 1980  
SI. 12 of 1986  
SI. 14 of 1990  
SI. 113 of 1978

1. These Regulations may be cited as the Water Supply (Untreated Water) (Charges) Regulations.

2. (1) Subject to sub-regulations (2) (3) and (4), water rent shall be charged for each supply of untreated water at R.189.00 per annum payable quarterly.

(2) If untreated water is supplied to commercial or industrial premises 30 m or more from a treated water main, such supply shall be metered and water rent shall be charged at 50% of the rates set out in paragraph 1 of the Schedule to the Water Supply (Treated Water) (Charges) Regulations.

(3) If untreated water is supplied to commercial or industrial premises within 30 m

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*\* These Regulations made under the Water Supply Act are continued in force under section 19 of the Public Utilities Corporation Act.*

of a treated water main, such supply shall be metered and water rent shall be charged at 75% of the rates set out in paragraph 1 of the Schedule to the Water Supply (Treated Water) (Charges) Regulations.

(4) If untreated water is supplied from a water supply system which was private before it was adopted by the corporation, the following charges shall be paid-

- (a) water rent shall be charged for each connection supplying residential premises with untreated water at R.442 per annum payable quarterly;
- (b) the supply to commercial or industrial premises shall be metered and water rent shall be charged at 50% of the rates set out in paragraph 1 of the Schedule to the Water Supply (Treated Water) (Charges) Regulations, subject to a minimum charge for each connection of R.442 per annum payable quarterly;
- (c) connection fee for new connection to water supply- R.1575;
- (d) re-connection fees
  - (i) when premises occupied by new tenant or occupier No charge
  - (ii) after disconnection for non-payment R.210

- (iii) disconnection and re-connection requested by consumer for temporary absence R.105.

Provided that in any case in which the Minister considers it to be in the public interest that an adopted water supply system shall be classified as an ordinary supply of untreated water and has so directed. water rent shall be charged under sub-regulation (1) and not under this sub-regulation.

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**CONSOLIDATED TO 30 JUNE 2012**

**\*Water Supply (Abstraction Licence) Regulations,**

*[29th October, 1984]*

- 1. These Regulations may be cited as the Water Supply (Abstraction Licence) Regulations.
- 2. In these Regulations, unless the context otherwise required-  
  - "trade premises" means any premises used, in whole or in part, for any trade, business, industrial or commercial purposes but does not include a department or division of the Government or a non- profit making organisation.
- 3. The charges in relation to the abstraction of water shall be as set out in the Schedule.

SCHEDULE	Regulation 3	R
1. For processing an application for a licence to abstract water		52.64
2. For a licence to abstract water to supply-		
(a) a trade premises where the number of persons employed on the premises-		
(i) does not exceed 5		527.00 annually
(ii) exceeds 5		2105.00 annually
(b) any premises other than a trade premises		52.64 annually

\* These Regulations made under the Water Act, 1982 are continued in force under section 19 of the Public Utilities Corporation Act.

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**\*The Water Supply (Untreated Water)  
(Discontinuation of Supply) Regulations,**

SI. 49 of 1975  
SI. 21 of 1978

*[23rd June, 1975]*

1. (1) These Regulations may be cited as the Water Supply and (untreated Water) (Discontinuation of Supply) Regulations.

(2) In these Regulations "corporation" means the Public Utilities Corporation.

2. Where the corporation intends to discontinue the supply of untreated water in any area and to commence supplying treated, supplies of sterilized water in that area, the corporation shall publish a notice of such intention in the Gazette and in at least two local newspapers circulating in Seychelles specifying the area in which and the date on which the supply of untreated water is to be discontinued.

3. The corporation shall not discontinue the supply of untreated water in any area prior to the expiry of a period of three months of from the latest date of publication of the notice referred to in regulation 2 above.

\*These Regulations made under the Water Supply Act are continued in force under section 19 of the Public Utilities Corporation Act.

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**PUBLIC UTILITIES CORPORATION  
(MISCELLANEOUS) REGULATIONS**

SI. 26 of 1986  
SI. 30 of 1998  
SI. 37 of 1999

*[24th March, 1986]*

**ARRANGEMENT OF REGULATIONS**

Regulations

1. Citation
2. Definitions
3. Power to enter and occupy land
4. Dangerous tampering of installations
5. Dishonest abstractions of electrical energy
6. Gaining access to supply of water over land of others
7. Restriction on sewage disposal works
8. Restriction on abstraction of water
9. Restriction on pollution of waters

10. Restriction on diversion of alteration of streams
11. Offences
12. Damages to works
13. Alteration of appliances for measuring water

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**1.** These Regulations may be cited as the Public Utilities Corporation (Miscellaneous) Regulations.

**2.** In these Regulations -

"electrical line" means a wire, conductor or other means used for the purpose of conveying, transmitting or distributing electricity with any casing, coating, covering tube, pipe or insulator enclosing, surrounding or supporting the same or any part thereof of any apparatus connected therewith for the purpose of conveying, transmitting or distributing electricity;

"rivers" and "streams" include all springs, natural rivers of water and water courses but do not include artificial water courses;

"sewerage" means a sewer or system of drainage by sewers;

"source of supply" means -

- (a) rivers and streams;
- (b) underground strata;
- (c) sea water.

"underground strata" means strata subjacent to the surface of any land but any reference to water contained in underground strata does not include a reference to water contained in a main, sewer, pipe, reservoir, tank or other underground works constructed or laid in underground strata.

**3.** (1) Any employee of the Corporation, with such assistance as and is necessary, may, at any reasonable time, enter upon any land or land premises for the purpose of exercising the functions of the Corporation and may occupy such land to carry out thereon any prescribed operation.

(2) In this regulation "prescribed operation" means -

- (a) in relation to the supply of electricity -
  - (i) erecting posts and other apparatus necessary for the purpose of installing a system of distribution of electrical energy and taking such other action as may be necessary to render the system so installed safe and efficient;

- (ii) laying, placing or carrying electrical lines for the distribution of electrical energy and carrying out repairs and doing all things necessary for the maintenance of the electrical lines, posts and other apparatus;
    - (iii) putting or fixing upon or against the wall or palisades of any house, building or enclosure, any lamp irons, lamp post, insulating material, brackets, stays, rosettes or other apparatus and putting or affixing to lamp irons, lamp posts and brackets such lamps as may be necessary;
  - (b) in relation to the supply of water and the provision of sewerage -
    - (i) constructing, building, placing or laying plant, machinery, equipment, pipes, sewers or mains;
    - (ii) maintaining, removing, demolishing or replacing plant, machinery, equipment, pipes, sewers, mains or buildings whether or not constructed, built, placed, laid or erected by the Corporation;
    - (iii) provision of dams, treatment works, reservoirs, pump stations, service pipes and other apparatus as may be necessary for the supply of treated and untreated water;
    - (iv) provision of sewerage, sewage treatment and disposal works or other apparatus as may be necessary for the treatment and disposal of sewage.
  - (c) in relation to matters dealt in paragraphs (a), and (b) -
    - (i) breaking open roads, bridges, sewers or drains;
    - (ii) making cuttings or excavations;
    - (iii) felling or removing trees or vegetation;
    - (iv) carrying out any inspections, surveys or tests.
- (3) Before exercising any power under subregulation (1), the Corporation shall-
  - (a) give the occupier or owner of any land on, under or over which any prescribed operation is intended to be carried out 14 days' notice in writing setting out the nature and extent of the operation intended to be carried out unless such operation is carried out with the consent of the owner or occupier or, due to the urgency of the circumstances necessitating such operation, it is not practicable to give such notice; and
  - (b) where a prescribed operation referred to in subregulation (2) (i) (ii) or (iii) is intended to be carried out, obtain the approval of the Ministry responsible for Environment.
- (4) Notice under sub-regulation (3) may be given to the occupier or owner by sending it by post to his last known address or, if his address cannot be ascertained, by affixing

it to a conspicuous part of the land or premises on, under or over which the operation, is intended to be carried out.

(5) Any person exercising any power under sub-regulation (1) shall, if required to do so, produce his authority to the owner or occupier of the land or premises.

(6) A failure to give notice under sub-regulation (3) shall not affect the power conferred by sub-regulation (1).

**4.** Any person who unlawfully tampers with any installation of for the supply of electricity so as to cause or to be likely to cause danger to any person or property is guilty of an offence and is liable on conviction to a fine of R.10,000 and to imprisonment for 2 years.

**5.** (1) Any person who dishonestly abstracts, consumes or uses any electrical energy or dishonestly tampers with any meter or electrical with any part of an installation related to a meter so as to prevent the meter from recording correctly the true amount of electrical energy supplied is guilty of an offence and is liable on conviction to a fine of R.2,000 and to imprisonment for 6 months.

(2) In any proceedings for an offence under sub-regulation (1), the occupier of the premises on which the abstraction, consumption, use or tampering has been done is presumed to have done those acts unless he satisfies the court that such acts were done without his participation and connivance and that he had taken all reasonable precautions to prevent the commission of those acts.

(3) Where a meter on a consumer's premises has been sealed by the Corporation and the seal is broken, it shall be presumed until the contrary is proved, that an offence against this regulation has been committed.

**6.** Where an owner or occupier of any premises -

- (a) wishes to obtain from the Corporation a supply of land of treated or untreated water; and
- (b) is unable to do so without laying a pipe in or through other land of which he is not the owner; and
- (c) is unable to reach any agreement with the owner or occupier of the other land on the question of compensation payable and of the manner of laying the pipe, the Corporation may, on application made to it, determine such question and the determination of the Corporation on such question shall be final.

**7.** (1) No person, other than the Corporation, shall operate any sewage designated sewage disposal works for the purpose of draining works disposal any designated public building except with the approval of the Corporation and in accordance with such conditions as the Corporation may specify.

(2) In this regulation -

"designated public building" means any building or class of building designated by the Minister for the purposes of this regulation; and

"designated sewage disposal works" means any sewage disposal works or class of sewage disposal works designated by the Minister for the purposes of this regulation.

- 8.** (1) Subject to sub-regulation (2), no person, other than the Corporation, shall -
- (a) abstract water from any source of supply; or
  - (b) construct, instal, modify or use any well, borehole, apparatus, equipment or works to abstract water, except with the permission of the Corporation and in accordance with such conditions as may be specified by the Corporation.
- (2) Sub-regulation (1) shall not apply to an abstraction of water -
- (a) in the course of or resulting from any operation reasonably necessary for the purpose of land drainage;
  - (b) necessary to prevent interference with any mining, quarrying, engineering, building or other operations (whether underground or on the surface) or to prevent damage to works resulting from any such operations;
  - (c) for extinguishing any fire or for the purposes of the Fire (Protection) Act;
  - (d) for use by any vessel;
  - (e) for any other purposes approved by the Minister.
- (3) A person permitted under sub-regulation (1) to abstract water may -
- (a) convey the abstracted water through intermediate land or premises; or
  - (b) in the case of abstraction from rivers and streams, lay such constructions or works on the property of a riparian or other owner as may be necessary to abstract water.
- (4) Where a person permitted under sub-regulation (1) to abstract water is unable to reach any agreement with an owner of land on the question of compensation payable and of the manner of laying the construction or work, the Corporation may, on application made to it, determine such question and the determination of the Corporation on such question shall be final.

**9.** (1) Subject to sub-regulation (2) no person, other than the pollution Corporation, shall pollute any waters except with the permission of the Corporation and in accordance with such conditions as may be specified by the Corporation.

- (2) Sub-regulation (1) shall not apply to any pollution of waters -
- (a) in the course of or resulting from any operations reasonably necessary for the purposes of land drainage;
  - (b) attributable to any act which is in accordance with good agricultural practice;

- (c) attributable to any act done in order to avoid public danger in any emergency; or
- (d) for any other purposes approved by the Minister.

**10.** (1) No person shall, without the approval of the Corporation, on diversion divert or alter either temporarily or permanently for any purpose or alteration the whole or part of the course of any river or stream.

(2) A person seeking approval of the Corporation for the purpose of sub-regulation (1) shall furnish to the Corporation particulars of the nature and purpose of the proposed diversion or alteration.

(3) Before granting approval for the purposes of subregulation (1), the Corporation shall publish in a local newspaper a notice setting out the particulars of the nature and purposes of the proposed diversion or alteration.

(4) Any person having an interest in the proposed diversion or alteration of a river or stream may make representations in writing to the Corporation within 21 days of the date of publication under sub-regulation (3) of the notice.

(5) After considering the representations (if any) made under subregulation (4), the Corporation may -

- (a) approve the diversion or alteration subject to such conditions (if any) as it determines, including the payment of compensation; or
- (b) refuse approval for the diversion or alteration.

(6) Where the Corporation proposes to divert or alter, either temporarily or permanently, for the purposes of its functions, the whole or any part of a river or stream -

- (a) sub-regulations (1) and (2) shall not apply;
- (b) the provisions relating to the notice and representations under sub-regulations (3) and (4) shall apply; and
- (c) after consideration of the representations made to it, the Corporation may -
  - (i) proceed with the diversion or alteration subject to such conditions (if any) as it determines including the payment of compensation; or
  - (ii) not proceed with the diversion or alteration.

**11.** Any person who contravenes regulation 7 or regulation 8 or regulation 9 or regulation 10 is guilty of an offence and is liable on conviction -

- (a) in the case of a body corporate to a fine of R.10,000; or
- (b) in the case of an individual to a fine of R.5,000.

**12.** Any person who wilfully damages or allows to be damaged works any dams, works, reservoirs, pump stations, mains, service pipes, sewerage, sewage treatment or disposal works or other apparatus of the Corporation is guilty of an offence and liable on conviction to a fine of R.10,000 and to imprisonment for 2 years.

**13.** Any person who alters or changes or causes or allow to be altered or changed any meter, pries, cock, or other appliance for measuring water with intent -

(a) to obtain more water than the quantity to which he is entitled; or

(b) to falsely represent the quantity of water which he has received,

is guilty of an offence and is liable on conviction to a fine of R.2,000 and to imprisonment for 6 months.

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## **PUBLIC UTILITIES CORPORATION**

### **(SEWERAGE) REGULATIONS**

SI. 9 of 1987  
SI. 7 of 2003

*[9th March, 1987]*

#### **ARRANGEMENT OF REGULATIONS**

Regulations

#### **PART I. - PRELIMINARY**

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4. Position of sewers to be ascertained before any work commences

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5. Deposition of sewerage in unsanitary manner
6. Sewerage areas
7. Private sewerage disposal system
8. No private sewage disposal system in sewerage areas
9. Requirement to carry out approved works in existing premises of sewerage areas
10. Premises constructed etc after commencement of Regulations
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15. Fees

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21. Requirements to be complied with before connection to a sewer
22. Connection chamber
23. Materials
24. Design and Workmanship
25. Independent private drain to each premises
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27. Open areas
28. Shrubs and trees to be removed
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30. Buildings erected over a drain or sewer
31. Corporation to construct private drains in public roads etc.
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34. Disputes to be referred to the Minister
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#### PART V - USE OF DRAINS AND SEWERS

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37. Surface water to be conveyed to natural outlet etc
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40. Substances not to be discharged to drain or sewers
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#### PART VI - OFFENCES

46. Offences

Schedule 1 Application for connection to a sewer

Schedule 2 Approval of Plumbers

Schedule 3 Plumbers Completion Form

#### PART I - PRELIMINARY

**1.** These Regulations may be cited as the Public Utilities Corporation (Sewerage) Regulations.

**2.** In these Regulations -

"appointed agent" means any government or non-government agency, consultant or contractor approved to carry out work on behalf of the Corporation;

"approved" means approved by the Corporation, unless otherwise specified, in writing;

"biochemical oxygen demand (BOD)" means the amount of oxygen consumed in the biochemical oxidation of the organic matter under standard laboratory procedures in five days at 20 degrees C, expressed in milligrams per litre (mg/L);

"Building Regulations" means the Town and Country Planning (Building) Regulations, and the Town and Country Planning General Development Order;

"Chemical oxygen demand (IOD)" means the amount of oxygen consumed in the chemical oxidation of organic matter under standard laboratory procedures, expressed in milligrammes per litre (mg/L);

"cistern" means any container open to the atmosphere, into which water is fed through a float valve and from which water is drawn through one or more bottom outlets and

provided with overflow pipes and wires to keep the water level below the inlet float valve under all circumstances;

"combined drain" means all private drains terminating at a connection chamber which is used or intended to be used to serve two or more premises;

"commercial crop" means any crop grown for sale by a corporate or unincorporate body or a farmer registered with the Seychelles Marketing Board or other such government body or agent, the value of which crop shall be determined according to current ministerial practice and shall include the value of top soil;

"communication drain" means the pipe which connects the connection chamber to the sewer, and is maintained by the Corporation;

"connection chamber" means the chamber located close to premises and serving one or more premises and which marks the limit between the private drain and the communication drain and is maintained by the Corporation;

"CP301" means British Standard Code of Practice CP301: 1971 or subsequent editions or codes superseding this code, either of British or national origin;

"drain" means either a private drain or a communication drain;

"environmental health officer" means an officer authorised by the Director of Health Services to make inspection and tests in accordance with the Public Health Regulations;

"floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from sewage;

"groundwater" means water flowing or stationary below ground level and includes flood water and sea water;

"irrigation water" means water used on commercial crops, garden vegetables, trees, bushes and plants and supplied by public or private systems from any source;

"natural outlet" means any outlet, including pipes, culverts and ditches, into a watercourse, pond, ditch, lake, reservoir, or other body of surface or groundwater;

"non-domestic effluent" means any liquid which is wholly or in part produced in the course of any animal husbandry, medical, educational, research, commercial or industrial activity;

"occupier" in relation to a premises means the tenant of the premises and where the tenant is not in occupation of the premises, the chief householder of the premises;

"owner" in relation to premises means -

- (a) the person for the time being receiving the rent of the premises whether on his own account or as an agent or trustees for any other person or who would so receive the rent if those premises were let;

- (b) where a person, not being an agent or trustee for any other person, receives rent of the premises -
- (i) and passes the whole of the rent to another person, the person to whom the rent is passed;
  - (ii) and passes as rent to another person an amount less than the amount he receives as rent, the person who receives the rent;

"planning inspector" means an inspector authorised by the Principal Secretary of the Ministry of Community Development to make inspections and tests in accordance with the Building Regulations;

"premises" means any building, room, tenement, or garden, playing field and the like, or any lot or land in connection therewith or any vacant land, and shall include any structure, whether of a permanent character or not and whether immovable or not and shall include any caravan;

"pre-treatment" means any treatment of sewage or wastes before disposal from the premises;

"private drain" means a drain which collects sewage from the water points and delivers it to the connection chamber, and is maintained by the owner or occupier;

"Public Health Regulations" means the Health and Sanitation Regulations made under section 95 of the Public Health Act;

"sanitary" means pertaining to, or concerned with the promotion of health;

"sewage" means liquid and solids suspended in the liquid collected at the water points including, non-domestic effluent but excluding surface water, groundwater, overflow from swimming pools and irrigation water;

"sewer" means a pipe which collects sewage from two or more communication drains and delivers it to the sewage treatment facility, and is maintained by the Corporation;

"sewerage area" means an area defined under regulation 6;

"surface water" means water flowing or stationary above ground level and includes roof water, stream water, flood water and sea water;

"Tariff Regulations" means regulations made or continued in force under the Act in respect of river abstractions, water supply, irrigation, drainage charges or licences;

"waste" means anything that is of no economic value to the owner or occupier and which the owner or occupier wishes to dispose from the premises, or which, if left on the premises, would be unsanitary or cause a nuisance to others;

"Waste Regulations" means any regulations made or continued in force under the Act in respect of disposal of waste;

"water point" means basic, sink, shower, bathtub, bidet, water closet, washing machine, dishwasher, industrial appliance, tap standing by itself, animal drinking trough, animal standing area, or any other point at which water is supplied;

"Water Regulations" means any regulations made or continued in force under the Act in respect of the supply of water;

"work plan" means a plan, both written and drawn, of all work in relation to sewage disposal to be carried out on a premises and containing particulars or the types, strengths, makes, sizes of materials, units and finishes, and as to alignment and levels both in plan and section.

**3.** (1) Without prejudice to the powers of entry and occupation and of land conferred upon employees of the Corporation by regulation 3 of the Public Utilities Corporation (Miscellaneous) Regulations, any appointed agent may, for the purposes of these regulations, exercise any of the powers conferred upon employees of the Corporation under that regulation and the provisions of that regulation shall apply to an appointed agent as if he were an employee of the Corporation.

(2) Any employee of the Corporation or any appointed agent, may, where he considers it necessary, at any time take immediate action to uncover any drain or sewer and the Corporation or the agent may recover the expenses reasonably incurred therefor from any person whose act or omission rendered such action necessary.

**4.** (1) Any person intending to perform any work on any to be premises belonging to or leased by the Corporation or over which the Corporation has any easement or way leave, shall before he any commences to perform such work, obtain from the Corporation all details of the appropriate position of sewers on, under or in relation to that premises.

(2) The Corporation may repair any damage caused to any sewer by any person who has failed to obtain the details under sub-regulation (1) and may recover from that person any expenses reasonably incurred by the Corporation in effecting the repair.

## PART II - DISPOSAL OF SEWAGE AND WASTE

**5.** No person shall disposed or place or permit to be deposited or sewage in placed in any unsanitary manner on any public or private premises any sewage including excrement.

**6.** (1) The Corporation shall with reference to a map prepared to the scale 1:2500 define a sewerage area and shall, at least 90 days before any sewers are to be installed in that sewerage area, publish in a local newspaper a notice giving a description of the sewerage area.

(2) The map prepared under sub-regulation (1) shall be available for public inspection at such place as may be stated in the notice published under sub-regulation (1).

**7.** Owners of premises situated outside a sewerage area shall install and maintain a private sewage disposal system in accordance with Part III.

**8.** Except with the written approval of the Corporation, no person shall, in a sewerage area, use, install or maintain a private sewage disposal system.

**9.** (1) An owner of premises situated within a sewerage area, to carry out being premises situated in such area immediately before the area is defined as a sewerage area, on

being served with a notice by the Corporation requiring him to connect the premises to a sewer shall within a period of 180 days after the service of the notice carry out in accordance with Part IV necessary approved works in areas for the collection of human excrement, bathroom, laundry and water-suspended kitchen waste and, if approved for discharge into a private drain, non-domestic effluent from the premises.

(2) An owner of premises required to carry out works under sub-regulation (1) shall for the purpose of carrying out such works be eligible for a loan for improvement of housing from the Seychelles Housing Development Corporation or any other body appointed for the purpose by the Minister, subject to such terms and conditions as may be imposed by that Corporation or body.

**10.** Where any premises are constructed, renovated, altered, extended or otherwise developed after the commencement of these Regulations, the owner of the premises shall be liable to carry out at his expense necessary approved works for the collection of human excrement, bathroom, laundry, and water-suspended kitchen waste and, where approved for discharge into a private drain, non-domestic effluents from the premises-

- (a) in accordance with Part III if the premises are situated outside a sewerage area; and
- (b) in accordance with Part IV if the premises are situated within a sewerage area.

**11.** No person shall deposit or discharge contrary to Part V, any deposit of matter in or into a drain.

**12.** (1) An owner of premises required to carry out any approved works under regulation 9 or 10 shall, where he intends to discharge non-domestic effluent into a drain, inform the Corporation before he commences the work.

(2) No person shall discharge any non-domestic effluent into a drain or sewer without the written approval of the Corporation.

- (3) The Corporation may require that any non-domestic effluent -
- (a) shall be subjected to pretreatment in such a manner determined by the Corporation before discharge into a drain; or
  - (b) be disposed of into an approved landfill, approved incinerator, or other approved site by an approved means of conveyance.

(4) No person shall produce any non-domestic effluent in his premises where the Corporation has refused permission to discharge it to a drain or sewer whether before or after pretreatment or to dispose of it in accordance with sub-regulation (3) (b):

Provided that the preceding provisions of this sub-regulation shall not apply to an unpolluted non-domestic effluent which may be discharged in accordance with regulation 38.

**13.** Repealed by S.I. 7/2003.

**14.** Where the Corporation requires the disposal of non-domestic effluent of any premises in the manner set out in regulation 12(3) (b) for the owner or occupier of the premises

shall keep the non-domestic effluent of the premises in an approved waterproof container of sufficient size and strength till removal for disposal from the premises.

**15.** The fees payable for or in respect of the disposal of sewerage shall be in accordance with the Tariff Regulations.

### PART III - PRIVATE SEWAGE DISPOSAL

**16.** Human excrement and sewage shall in an area outside a sewerage area be disposed of in a private sewage disposal system in accordance with regulations 17 to 19.

**17.** (1) The owner of premises with a private sewage disposal system shall operate the system in accordance with the Public Health Regulations and shall keep it in a sanitary condition.

(2) Subject to sub-regulation 3, the owner shall be responsible for the periodic desludging of septic tanks, aquaprivies, any other such units, emptying of cesspools and construction of pit latrines or similar disposal system at no expense to the Corporation.

(3) The Corporation may at the expense of the owner of a premises, desludge the owner's septic tank.

**18.** Use of drains in a private sewage disposal system shall be in accordance with Part V.

**19.** Where any premises are constructed, altered, extended or otherwise developed, in an area outside a sewerage area, after the commencement of these Regulations, the owner of the premises shall comply with the following requirements -

- (a) he shall submit a work plan in 5 copies together with his application or plans, as the case may be, under the Building Regulations;
- (b) the work plan shall substantially conform to regulation 21 and no work shall commence prior to the approval of the work plan by the Corporation;
- (c) a terminal chamber for collection of sewage shall be constructed so as to be able to convert it to a connection chamber when the area in which the premises are situated is defined a sewerage area under regulation 6;
- (d) the means of disposal of sewage shall be shown and detailed on the work plan and shall be in accordance with guidelines laid down by the Corporation from time to time;
- (e) no soak pit for sewage whether or not from a septic tank or a pit latrine shall be sited less than 16 metres from any inland surface water or the sea except with the written permission of the Corporation;
- (f) removal of floatable oil shall be made by suitable traps in accordance with CP301 section 3.11.3.

### PART IV - CONNECTION OF SEWERS

**20.** No person, other than an employee of the Corporation or an appointed agent, shall make any connections with or opening into, use, alter, enter or interfere with any connection chamber, communication drain or sewer.

**21.** (1) An owner of premises referred to in regulation 9 and served with a notice under that regulation shall within 45 days of the service of the notice and not less than 30 days before commencement of work submit to the Corporation an application to a sewer substantially in the Form set out in Schedule 1, and a work plan in 5 copies showing details of water points and private drains to be constructed, renovated or altered.

(2) An owner of premises situated within a sewerage area and referred to in regulation 10 shall -

(a) together with his application or plans, as the case may be, under the Building Regulations submit a work plan in 3 copies;

(b) submit to the Corporation an application substantially in the Form set out in Schedule 1 together with 3 copies of the work plan and a copy of the application or plans, as the case may be, under the Building Regulations.

(3) The work plan shall show details of water points and private drains to be constructed, renovated or altered and comply with the Water Regulations, the Public Health Regulations, the Building Regulations and CP301 and shall be subject to regulations 22 to 32.

(4) The details of the water points and private drains shall be shown on a drawing to a minimum scale of 1:50 or other approved scale in the plan and all levels, gradients, sizes, material types and makes, of all works to be carried out under the work plan shall be clearly set out.

(5) No work shall commence until the Corporation has in writing approved the work plan.

(6) The Corporation shall approve or reject a work plan within 30 days of its receipt by the Corporation.

(7) The work plan shall be executed by a plumber approved by the Corporation who shall, on completion of the work, notify the Corporation of the completion of the work by submitting a Plumbers Completion Form set out in Schedule 3.

(8) An employee of the Corporation, a planning inspector and an environmental health officer shall, where required, make such inspections and tests as may be necessary to ensure that the work carried out complies with these Regulations.

(9) An owner of premises shall make every part of the private drain accessible for the inspections and tests carried out under sub-regulation (8).

(10) On the submission to the Corporation of the Plumbers Completion Form the Corporation shall, if the work plan has been executed in accordance with these Regulations, connect the private drain to the connection chamber and sewer within 30 days of the submission of the Form.

**22.** (1) The Position of each connection chamber shall be determined by the Corporation or an appointed agent, taking into consideration the layout of and possible extension to the premises, topographical and underground conditions and position of the sewer.

(2) The owner shall lay his private drain to within two metres of the connection chamber and with approved alignment and level to enable the Corporation to continue the private drain into the connection chamber and shall provide all approved materials to allow such connection, except for special connectors required in the connection chamber and which shall be provided by the Corporation.

(3) Until such time as the Corporation makes the connection to the connection chamber all sewage from the premises to be connected shall be disposed of to an approved private sewage disposals system in accordance with the regulations set out in Part III.

**23.** Materials to be used at the water points and for the private drain shall conform to those prescribed in CP301 and in particular they shall be watertight and durable against insects, vermin, rot, heat, ground movement, loading pressure, expansion and contraction, chemical and bio- chemical degrading, and, where exposed, sun light, within the limits of the intended use of such materials.

**24.** Design and workmanship to be used in the work plan shall be to the highest standard in accordance with the Water Regulations, the Building Regulations and CP301 and in particular -

- (a) all joints and ends shall be sealed with appropriate materials to exclude solid waste, insects, rodents, birds, animals, surface water, and groundwater;
- (b) all water points shall have individual water-sealed traps, accessible for cleaning;
- (c) drain runs shall be straight and to constant falls-between inspection chambers or rodding points and shall be properly vented;
- (d) drain gradients for single domestic dwellings shall be 1:40 or steeper, unless otherwise approved or directed;
- (e) where there is any possibility of petrol and oil entering a drain, a suitable trap shall be incorporated and in this connection regard shall be had to CP301 section 3.11.2.

**25.** (1) Each premises shall be provided with a separate and drain independent private drain, except as provided in sub-regulation (2).

(2) Where a premises can only be sewered by crossing an intervening premises owned by different owners or in the case of multi-storey buildings with more than one owner, the owner of the premises shall construct a combined private drain to serve their several premises.

(3) The owners shall in respect of premises referred to in sub-regulation (2) appoint one representative to act on all matters concerning these Regulations.

**26.** Drains already in existence in any premises may be incorporated in the work plan prepared for the premises in accordance with regulation 21 provided the Corporation is satisfied that the drains are in accordance with these regulations.

**27.** (1) Surface water from areas such as animal pens and other uncovered areas where surface pollution may collect may be discharged to a drain, but subject to regulation 24(e), on condition that the areas are depicted on the work plan prepared in accordance with regulation 21 and approved by the Corporation.

(2) Each area depicted on the work plan under subregulation (1) shall be small and surrounded by a perimeter wall sufficient to stop all surface water entering from outside the area and the discharge pipe shall be protected by an approved fixed grill.

**28.** All shrubs and trees with root systems likely to, or in the opinion of the Corporation likely to, disturb, block, strain, move or otherwise interfere with a drain or sewer shall be removed by the owner or occupier or at the expense of the owner or occupier, by the Corporation or by an appointed agent.

**29.** A water supply pipe may be laid in the same trench as a may be drain or sewer provided it is laid at least 150mm above the top of the drain or sewer and provided it does not lie directly above any sewer part of the drain or sewer.

**30.** (1) No person shall erect or cause to be erected a building over a connection chamber, communication drain, or sewer or without written permission of the Corporation.

(2) Buildings may be erected over a private drain in accordance with the Building Regulations and CP301 so long as the building does not interfere with the facility for inspection and testing under regulation 21(8).

**31.** All private drains laid in the reserve of either footpaths or construct public roads shall be constructed by the Corporation at the expense of the owner of the premises for which the private drain is laid.

**32.** All water installations shall generally be in accordance with the Water Regulations, the Public Health Regulations and the Building Regulations and in particular -

- (a) all water points except for one tap in each kitchen shall be served by a storage cistern located on the premises;
- (b) overflow from storage and water closet cisterns shall not discharge to the private drain;
- (c) no water point shall be such that water may continuously go waste without being noticed.

**33.** The Corporation or an appointed agent may lay drains and sewers over any premises and for that purpose may exercise any of the powers conferred by regulation 3.

(2) The owner or occupier of premises on, over or under which any drains or sewers are laid under sub-regulation (1) shall not obstruct or hinder the exercise of powers under sub-regulation (1).

(3) The Corporation or an appointed agent shall compensate any damage caused by the exercise of powers under sub-regulation (1).

**34.** Where there is any dispute as to whether any damage has been caused or as to the amount of compensation payable under these Regulations, the dispute shall be referred to the Minister, whose decision on the dispute shall be final.

**35.** (1) Approval of plumbers shall be in accordance with Schedule 2.

(2) The Plumbers Completion Certificate shall be substantially in the Form set out in Schedule 3.

#### PART V - USE OF DRAINS AND SEWERS

**36.** No person shall discharge or cause to be discharged any unpolluted water such as surface water, groundwater and to irrigation water to any drain or sewer, except where it is lawful under regulation 27.

**37.** Surface water, except where it may be discharged to a conveyed drain under regulation 27, and all other unpolluted water shall be discharged to a special soakaway or natural outlet.

**38.** Unpolluted non-domestic effluent, such as cooling water, shall be discharged into a special soakaway or natural outlet.

**39.** No owner or occupier shall allow a private drain to be blocked or become defective so as to cause an unsanitary situation.

**40.** No person shall discharge or cause to be discharged any of the following liquids, gases or solids to any drain or sewer, unless written permission is first obtained from the Corporation-

- (a) petrol, diesel, oil, or other petroleum products;
- (b) flammable or explosive liquids, gases or solids;
- (c) sewage containing or bearing toxic or poisonous solids liquids or gases in sufficient quantities, either independently or combined with other wastes, to impair or interfere with any private or public sewage disposal system;
- (d) sewage with a pH less than 5.5 or containing any corrosive property capable of damaging any pipes, works or apparatus in excess of the damage that would be expected by domestic sewage;
- (e) solid waste and solid or viscous substances in quantities or of a size capable of causing obstruction to the sewers, or interference with the proper operation of a sewage treatment works, such as substances including but not limited to -
  - (i) ashes, bones, cinders, mud, stones;
  - (ii) sand, straw, wood or metal; and
  - (iii) shaving, metal, glass, rags, feathers, tar, plastic wood, unground foodwaste, blocks, coconut fibre, paunch, manure, hair, fleshings, entrail and non- biodegradable materials;
- (f) any material likely to injure the sewer or to interfere directly with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents;

- (g) any petroleum spirit, including oil made from petroleum, bituminous substances or products of petroleum mixture, which gives off an inflammable vapour at a temperature of less than 50 degrees C;
- (h) any carbide of calcium;
- (i) sewage having a BOD greater than 500 mg/L;
- (j) sewage having a COD value of more than double the BOD value;
- (k) any substance which, in combination with the contents of the drain or sewer at temperatures below 50 degrees C, will act as one of the substances described in this regulation.

**41.** No owner or occupier shall discharge non-domestic effluent to a drain or sewer except in accordance with regulation 12.

**42.** (1) The Corporation may require any owner or occupier to provide information to determine compliance with these Regulations.

- (2) The information required under sub-regulation (1) may include -
  - (a) peak and average flow rates of sewage;
  - (b) chemical analysis of the sewage;
  - (c) details of raw materials, processes, and products affecting sewage;
  - (d) quantity and disposition of specific, solid, liquid, sludge, oil, solvent, gas or other materials related to these Regulations;
  - (e) as-constructed drawings showing the details and exact locations of private drains and private sewage disposal systems, including that required for the work plan;
  - (f) process details of a private sewage disposal system;
  - (g) details of works constructed to prevent and control the losses of materials through spills into drains or sewers.

**43.** No person shall grow shrubs or trees in such a place that the root systems of such shrubs or trees can disturb, block, strain, move or otherwise interfere with a drain or sewer.

**44.** No person shall maliciously, wilfully or negligently break, damage, destroy, deface or tamper with any structure, apparatus or equipment which is part of a drain or sewer.

**45.** The owner of the premises shall make accessible, and testing allow access to, water points, drains or sewers in respect of the premises for the purpose of inspection and testing by the Corporation or an appointed agent in exercise of the powers under regulation 3 to ensure compliance with these Regulations.

## PART VI - OFFENCES

**46.** (1) Any person who contravenes any regulation is guilty of an offence and is liable on conviction to a fine of R10,000 and imprisonment for 2 years.

(2) Without prejudice to sub-regulation (1), where a person suspected of contravening any provision of these Regulations is the owner or occupier of the premises in respect of which the contravention is made, the Corporation may disconnect the supply of water to the premises until such time as the provision contravened is complied with.

(3) Where an owner or occupier who contravenes any provision of these Regulations fails to comply with the provision on being so requested by the Corporation, the Corporation may take steps to ensure compliance and recover reasonable expenses incurred by the Corporation in ensuring compliance from the owner or occupier.

SCHEDULE 1

Reg 21

**Public Utilities Corporation (Sewage) Regulations**

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APPLICATION FOR CONNECTION TO A SEWER

(to be completed in consultation with PUC Inspector)

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Water Account No.

Address of Premises:      Consumer Category:

Name of Applicant:

Name and Address of Owner:

DOMESTIC
HOTELS, GHS
RESTAURANTS
INDUSTRIAL
COMMERCIAL
INSTITUTIONAL

---

List of Water points to be connected to the sewers:

Communication drains and sewers to be laid on premises (refer to plans and sketches):

Estimated dated for construction of connection chamber:

Comments:

I accept above details and agree to produce a work plan in accordance with Regulation 21.	Applicant No.
I ask PUC for inspection and testing immediately after Completing of work performed by an approved plumber.	PUC Inspector Name:
Date	Sig. of Applicant: Signature: Date:

### **Agreement for Sewage Connection**

(to be completed after approval has been given to connect to a sewer)

I agree to conform to the Public Utilities Corporation (Sewage) Reg. and to the following restrictions and conditions:

Sign: Name: Date: PUC:

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Copies: Owner, approved plumber, PUC, Consultant, Min. of Community Dev.

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#### SCHEDULE 2 Reg. 35(1)

#### **\*Approval of Plumbers**

**1.** Construction, alteration, or renovation of building drainage systems must be performed by an approved plumber in accordance with the Public Utilities Corporation (Sewage) Regulations,

**2.** To obtain approval as an approved plumber, a plumber shall -

(i) have relevant experience of more than five years;

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\*See Licences (Services) Regulations made under the Licences Act for Licences for providing services as a plumber. (Cap. 113 Sub. Leg.)

(ii) pass in an examination with:

...theoretical questions concerning the Building Regulations, the Sewage Regulations and relevant Codes of Practice;

...practical work (pipe and fittings, installations of sanitary appliances, use of levels and angles, understanding of drawings);

- (iii) subject to the Corporation an up-to-date list of rates for certain items of work, as laid down from time to time by the Corporation;
- (iv) pay an annual fee of SR50.
- (v) hold a licence as a plumber under the Licences Act.

**3.** Approval may be revoked if -

- (i) the plumber does not pay the annual fee;
- (ii) charges for work is excessive or not in compliance with his up-to-date list of rates;
- (iii) inspections and tests after completion of work are not satisfactory, for instance after several failures; (if first test is not satisfactory, plumber will have to pay for the subsequent tests);
- (iv) the materials, design and workmanship are not in accordance with the Regulations. (Work must in any case be again at the plumber's expense);
- (v) as-built drawing is not correct.

**4.** List of approved plumbers will be available at the PUC offices (Number of approved plumbers must be large enough for a fair competition. If the plumbers reach an agreement to fix a high cost level, PUC may cause its own plumbers to perform the work).

SCHEDULE 3 Reg. 35(2)

**Plumbers Completion Form**

(to be completed by an approved plumber)

Address of Premises: Name of Applicant: Name and Address of owner:	Application No: Form No:
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Water points connected (See work plan submitted in accordance with Regulation 21 and Application Form):

Details of type, makes and sizes of materials and items installed:

Approved variations form work plan (refer to plans and sketches where necessary):

Date of completion of work according to work plan (including approved variations):

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I..... approved plumber give notice that I have completed work approved by PUC for a total sum of R..... in strict accordance with the Public Utilities Corporation (Sewage) Regulations.

I confirm that I have tested the installation fully and accept full responsibility for it, and that details given on the work plan and the approved variations from the work plan are correct.

Signed approved plumber: Date:

Note: Where the installation does not pass the test and inspections listed below the work shall be redone and a new plumbers completion form submitted.

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INSPECTOR INSTALLATION TEST RESULTS (for PUC use)

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Details of Test/ Inspection	Date	Passed/Failed	Inspector Name & Sign.	Comments

Date of connection to Connection Chamber by PUC:

Water Meter No:

(to be checked against PUC records and consumer number shown on Application Form).

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Copies: Owner, approved plumber, PUC, Consultant, MND.

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**PUBLIC UTILITIES CORPORATION**  
**(WATER SUPPLY) REGULATIONS**

*[20th June, 1988]*

SI. 26 of 1988  
SI. 46 of 2000

## ARRANGEMENT OF REGULATIONS

### Regulations

#### Part I - Preliminary

1. Citation
2. Application to existing agreement etc.
3. Interpretation
4. Notice and other documents
5. Existing Supplies

#### Part II - Conditions of Supply

6. Application for supply
7. Special agreement
8. Purpose of supply
9. Deposits
10. Termination of agreement
11. Disconnection on termination of agreement
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13. Resale by consumer
14. Restriction during droughts etc.
15. Pressure
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#### Part III - Provision Relating to the Application

##### For a Supply of Water and use of storage cistern

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20. Installation of connection
21. Position of supply pipe

22. Laying of supply pipe in places where pollution may result
23. Position and points of discharge
24. Written notice of work to be carried out
25. Use of storage cistern and maximum capacity etc.
26. Storage cistern to be suitably placed, covered etc.
27. Storage cistern to be fitted with valves
28. Hot water apparatus
29. Water closets bidets etc. to be fitted with flushing cistern

#### Part IV - Communication pipe and meter

30. Installation of communication pipe and connection to supply pipe
31. Communication pipe
32. Interference with communication line
33. Communication pipe supplying more than one premises
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35. Volume of water registered by a meter
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37. Consumer dissatisfied with account
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#### Part V - Provisions relating to the protection of the corporation water supply system

40. Liability by consumer
41. Failure of owner to repair, remove or alter pipes to prevent waste or contamination etc.
42. Entry and inspection by Manager etc.
43. Interference
44. Details of water works
45. Obstruction of water main etc.

46. Pollution of supply
47. Use of pumping apparatus
48. Pipes across a street or land controlled etc by the Corporation
49. Failure to comply with regulations

#### Part VI - Offences and Revocations

50. Offences

#### Schedule 1 - Schedule of Meter Calibration

#### PART I - PRELIMINARY

**1.** These Regulations may be cited as the Public Utilities Corporation (Water Supply) Regulations.

- 2.** (1) These Regulations apply, subject to regulation 4, to-
- (a) an existing agreement or arrangement for a supply of water entered into between-
    - (i) any person and the Corporation
    - (ii) any person and a public body, other than the Corporation;
  - (b) an existing supply of water; and
  - (c) an existing pipe or fitting on any premises installed or used in connection with a supply of water, as they apply to an agreement constituted or entered into, a supply of water provided and a pipe or fitting installed or used under these Regulations.

(2) In this regulation "existing agreement or arrangement", "existing supply of water", or "existing pipe or fitting" means agreement or arrangement in force, supply of water or pipe or fitting existing, on the date immediately before the coming into operation of these Regulations.

**3.** In these Regulations, unless the context otherwise requires-

"authorised employee" means an employee authorised by the Corporation and includes the manager;

"code of practice on Water Supply" means the Code of Practice No. CP310;

"communication pipe" means-

- (a) where the supply of water is measured by a meter and-
  - (i) the premises supplied with water abuts the street in which the main is laid, that part of pipe, owned and controlled by the Corporation leading from the main to the boundary of the street abutting the premises; or

- (ii) the premises supplied with water does not abut the street in which the main is laid, that part of the pipe, owned and controlled by the Corporation leading from the main to the boundary of the street abutting the land on which the consumer has as easement or permission to lay the supply pipe conveying water to the premises owned or occupied by the consumer, and includes any fitting on the communication pipe;

"consumer" means the occupier of any premises which the Corporation has agreed to supply with water or any other person who has entered into an agreement with the Corporation for the supply of water or who has lawfully obtained water from the Corporation;

"Corporations" means the Public Utilities Corporation established under the Act.

"fitting" means anything fitted or fixed on any pipe used in connection with the supply, measurement, control, distribution, utilization or disposal of water;

"main" means a pipe under the exclusive control of the Corporation for the general conveyance of water, as distinct from a communication pipe, and includes any apparatus used in connection with such a pipe;

"Manager" means the Water Manager of the Corporation;

"owner" means-

- (a) the person for the time being receiving the rent of the premises, whether on his own account or as agent or trustee for any other person, or who would so receive the rent if those premises were let; or
- (b) the person ultimately receiving the rent where an intermediate lessor passes on the full amount of rent received but where the intermediate lessor receives more rent than he pays then the intermediate lessor is deemed to be the owner;

"premises" means any building or part of a building, room, tenement, or any garden, playing field or any vacant land and includes any structures, whether of a permanent character or not and whether immovable or not and further includes a caravan or any floating structure;

"service pipe" means so much of any pipe for conveying water from a main to any premises as is subject to water pressure from that main, or would be so subject but for the closing of some stop valve;

"stop valve" means any device, including, a stopcock and stop-tap, other than a draw-off tap or float valve for stopping the flow of water;

"supply pipe" means that part of any service pipe which is not a communication pipe;

"trade premises" means any premises used, in whole or in part, or intended to be used, in whole or in part, for the operation of any trade, business, or commercial transaction or industrial process, whether such operation is authorised or not, but does not include a department or division of a Government Ministry or a non-profit making organisation;

"terminal fitting" means any device that will stop the flow of water at the end of a supply pipe;

"treated water" means water which has, by sterilization, been rendered safe for human consumption;

"untreated water" means water other than treated water.

**4.** Every notice, order or other document required under these Regulations to be served on any person shall be signed by the documents manager or an authorized employee and sent by post to the person and service of the notice, order or document shall be deemed to have been effected on that person, unless the contrary is proved, at the time at which the notice, order or document could be delivered in the ordinary course of post.

**5.** A consumer shall not under these Regulations be required to alter or renew any pipe or fitting lawfully existing and in lawful use on a premises immediately before the date of the coming into operation of these Regulations unless and until such fitting is defective or in such condition or position as to cause or is likely to cause contamination or risk of contamination, waste, undue consumption or erroneous measurement of the water supplied by the Corporation.

## PART II - CONDITIONS OF SUPPLY

**6.** (1) An application for a supply of water shall be made to the supply manager on the form provided by the Corporation by the owner or occupier of a premises and shall be signed by the applicant.

(2) The Corporation may accept or reject an application and, whatever the case, the manager shall inform the applicant in writing of such acceptance or rejection.

(3) An applicant shall be deemed to have accepted the terms and conditions set out in the application for a supply of water by the Corporation and the acceptance of an application by the Corporation shall constitute an agreement between the applicant and the Corporation.

**7.** (1) The Corporation may enter into a special written agreement with any person, in any case where, by reason of the purpose for which the supply of water is desired, the nature or situation of the premises, the quantity of water to be supplied, the availability of supply or for any other reason, the manager is of the opinion that it is desirable to attach a special condition to the supply of water or to stipulate a special charge.

(2) Notwithstanding anything to the contrary contained in these regulations, the Corporation may make the following provisions in any special agreement entered into in terms of sub-regulation (1) -

- (a) where a consumer is given a supply of water by means of more than one communication pipe, the Corporation may stipulate the manner in which and the time during which the supply of water from any such communication pipe may be used by the consumer;
- (b) the Corporation may stipulate the maximum quantity of water to be supplied to any consumer during any specified period and may fix the hours or periods during which any consumer shall be entitled to a supply;

(c) the Corporation may, with the prior approval of the Minister, stipulate charges at which the supply of water is to be given to any consumer.

(3) A connection installed at the discretion of the Corporation before an agreement in terms of this regulation is entered into may be removed at any time without prior notice.

**8.** The water supplied by the Corporation shall be used solely for the purpose specified in the agreement to which these Regulations apply.

**9.** (1) Subject to sub-regulation (2), a consumer shall on being required to do so, pay to the Corporation the deposit prescribed in respect of a supply of water.

(2) The manager may, at any time where the average monthly amount charged to a consumer during the previous six month in respect of water consumption exceeds the amount the consumer paid in deposit under sub-regulation (1), by written notice, require the consumer to increase the deposit by any amount specified in the notice.

(3) If the consumer fails to pay the deposit under sub-regulation (1) or any additional amount as deposit under sub-regulation (2) within 14 days after he is required to pay it, the Corporation may refuse to install or may disconnect a connection for the supply of water, as the case may be.

(4) The Corporation shall refund a deposit paid under this regulation to the consumer where the Corporation refuses an application or where the Corporation or a consumer terminates an agreement for a supply of water under regulation 10, but if any money is owed to the Corporation under these Regulations the Corporation may apply the deposit or any part of it to reduce or pay off the amount owed.

**10.** An agreement for a supply of water may be terminated by-

- (a) the Corporation in any of the circumstances stated in regulation 17;
- (b) a consumer, at any time, by giving not less than 7 days written notice of termination to the consumer or the Corporation, as the case may be.

**11.** Where any agreement has been terminated under regulation 10 the corporation may disconnect the water supply to the premises to which the agreement relates.

**12.** Subject to the terms of a special agreement under regulation 7 a consumer shall pay to the Corporation the charges set out by the Minister from time to time in respect of water supplied by the Corporation and in respect of all matters for which a charge is prescribed.

**13.** No person shall sell any water supplied from a main, except with the consent of the manager.

**14.** The Corporation may, on giving notice on the radio, in the press, or otherwise, at any time, restrict the supply of water in the droughts etc. whole or any part of the mains for such period as it may determine, and it may in like manner prohibit the use of water for any purpose specified in the notice or for any purpose or in any manner other than that specified in such notice, as the case may be.

**15.** Notwithstanding the terms of any agreement, the Corporation is not in any way liable for any fluctuation of pressure or a low pressure in the mains.

**16.** No person shall take water from, or make or cause to be made of any connection on a main or service pipe or any tank filled with water from a main except with the consent of the manager.

**17.** (1) No person shall-

(a) cause or allow any fitting to be connected to a service pipe so as to cause or that is likely to cause -

(i) contamination to water in a main; or

(ii) waste by misuse of water supplied from a main; or

(b) cause or allow any fitting to be or become in such a state of disrepair or in such other state so as to cause or that is likely to cause -

(i) contamination to water in a main; or

(ii) waste by leakage of water supplied from a main.

(2) Where there is or there likely to be caused-

(a) from a premises any contamination to water in a main; or

(b) on a premises any waste of water supplied from a main, the consumer occupying the premises shall take immediate steps to prevent the contamination or waste.

(3) Without prejudice to any other action under these Regulations that may be taken against an occupier of a premises on which there has been a waste of water contrary to this regulation, the Corporation may recover from the consumer the charges in respect of the consumption of water registered on the meter or estimated by the manager, if the meter is defective or there is no meter.

**18.** (1) Without paying compensation and without prejudice to any other right of action under these Regulations, the manager may, subject to sub-regulation (2), in his absolute discretion disconnect or restrict the water supply to a consumer -

(a) where the consumer -

(i) fails to pay any charges under a special agreement under regulation 7 or charges prescribed under the Act;

(ii) contravenes any of these Regulations relating to contamination or waste of water; or

(iii) uses a supply of water for a purpose other than that specified in an agreement;

(b) where as a result of any defect in any pipe or fitting the water supply to any other consumer is being or is likely to be affected or contaminated or damage is being or is likely to be caused to property or person; or

(c) where it is provided for under any of these Regulations.

(2) The Corporation shall give at least 7 days written notice to the consumer before disconnecting a supply of water under sub-regulation (1), but where the Corporation is of the opinion that the water supply must be disconnected immediately in order to prevent or minimise any contamination, waste or damage the Corporation may disconnect the supply without first giving any written notice, or if it so desires, after giving shorter notice, to the consumer.

(3) The consumer shall pay to the Corporation the charges prescribed and all reasonable expenses incurred in disconnecting the water supply under this regulation.

(4) Where the Corporation, after disconnecting a supply of water under this regulation, reconnects the supply, the consumer shall pay to the Corporation the expenses incurred in respect of the reconnection unless it can be established that the Corporation has acted improperly in disconnecting the supply.

**PART III - PROVISION RELATING TO THE APPLICATION  
FOR A SUPPLY OF WATER AND USE OF  
STORAGE CISTERN**

**19.** An application for a connection on a main shall be made in accordance with regulation 6(1).

**20.** The Corporation may refuse to install a connection for a supply of water unless the manager is satisfied that-

- (a) there is an agreement in terms of regulation 6 or regulation 7 for the supply;
- (b) the provisions of this Part relating to the materials to be used for, and the construction, laying and installation of, pipe or fitting have been complied with;
- (c) where the premises to be supplied with water does not abut the street in which the main is laid, the consumer has acquired an easement or obtained permission for the laying of the supply pipe across any intermediate land from the owner of that land; and
- (d) any charges prescribed which have to be paid before a connection is installed have been paid.

**21.** (1) A consumer shall lay the supply pipe which is to be connected to a communication pipe not less than 300mm and not more than 750mm beneath the ground or on some permanent structure approved by the manager, or in a building, within the boundaries of the land occupied by the consumer, or on land over which the consumer has an easement or permission to lay the supply pipe.

(2) The supply pipe shall not be connected to any other source of water supply.

(3) A consumer shall install a stop valve on the supply pipe not more than 150mm away from the point where the supply pipe enter the building or in the case of a stand pipe supply at a convenient distance near the point of usage.

- (4) Subject to regulation 22, no person-
- (a) shall cause or permit any pipe to be covered, buried or otherwise hidden from view in the course of the installation or alteration of a supply pipe; or
  - (b) shall connect any pipe or fitting or permit any pipe or fitting to be connected to a main, until the manager or an authorised employee has inspected the pipe or fitting.

**22.** (1) A supply pipe shall not be laid or installed in, through or pipe into any sewer, drain, manure hole or other place where, in the event the pipe or any fitting becoming defective, the water conveyed through the supply pipe may be polluted or may escape without being detected; but where it is impracticable to lay or install any may result supply pipe otherwise than in the manner aforesaid, the part of the supply pipe so laid or installed shall be carried through a duct of sufficient length and strength and of such construction and in such manner, as shall, in the opinion of the manager -

- (a) afford proper protection to the supply pipe or fitting on the supply pipe within the duct;
- (b) ensure against any pollution or contamination of the water in the supply pipe; and
- (c) render any leakage or waste from the pipe or any fittings on the supply pipe readily detectable.

(2) Subject to these Regulations and to the approval of the manager a supply pipe may be laid in the same excavation as a drain or sewer.

**23.** (1) The point of discharge of all terminal fittings on a supply shall not be less than 600mm above the ground, except where the discharge is through a float valve fitted in accordance with regulation 27.

(2) No fitting shall be fixed in a position to discharge directly into any drain, pipe, tank, well, water course, swimming pool or other place, or in any manner so that the water may run continuously to waste without being noticed.

(3) No terminal fittings shall be fixed in a position on a supply pipe such that the outlet of the terminal fittings is or may be submerged.

**24.** (1) A person wishing to carry out the laying, fixing, alteration or extension of any pipe or fitting conveying water from a main shall give the Corporation written details of the works to be carried out and, not less than 7 days before connecting any pipe or fitting which has been the subject of the works, notice thereof.

(2) The manager or an authorised employee may require the modification of any work carried out under sub-regulation (1).

(3) All pipe and fitting used in connection with a water supply shall be installed in such a manner that any leakage in the pipe or fitting is readily detected.

(4) All pipe and fitting used in connection with a water supply and the installation of the pipe and fitting shall conform with the Code of Practice.

**25.** (1) Where the Corporation approves a supply to any premises a storage cistern shall be installed, and all terminal fittings, except for one tap which shall be supplied directly from a main, shall be supplied with water from the cistern.

(2) The storage capacity of a storage cistern supplied direct from a main shall not exceed the normal daily demand of the occupier of the premises on which the cistern is situated.

(3) No person shall, for the purpose of storing water supplied by the Corporation, construct a storage cistern which would hold more than 5m<sup>3</sup> of water if filled to the top edge unless the manager has given his approval for the construction of the cistern.

(4) The manager may, before making a decision under sub-regulation (3), require a person to submit further information in respect of the cistern.

(5) The manager may require any person who acts in contravention of sub-regulation (1) or sub-regulation (2) to modify the storage cistern within such time as the manager may specify and where the person fails to modify the cistern within the time so specified, the manager may, disconnect the supply of water under regulation 18.

**26.** (1) Every storage cistern shall be-

- (a) so placed that it is not in danger of being flooded;
- (b) adequately supported;
- (c) so placed and equipped that its interior can be easily inspected and cleansed;
- (d) suitably covered by a secure lid to protect the water inside the cistern against contamination; and
- (e) vented to the atmosphere through an overflow pipe or other properly protected vent.

(2) No storage cistern shall be buried or sunk in the ground unless-

- (a) there is sufficient space around and beneath it for the purposes of maintenance and detection of leakage; and
- (b) it is a close vessel with a water-tight access cover bolted or screwed in position, and its inlet and overflow pipe screened against ingress of animals, birds, insects or other source of contamination.

**27.** (1) The supply pipe supplying water to a storage cistern shall enter the cistern so that the water from the pipe flows directly into the cistern and is not exposed to contamination outside the cistern.

(2) There shall be fitted on the supply pipe referred to in sub-regulation (1)-

- (a) at the end entering the storage cistern, a float valve or some other not less effective device designed to prevent overflow of water from the cistern; and
  - (b) 300mm away from the float valve referred to in paragraph (a) and in such a position as to be readily accessible at all times, a stop valve.
- (3) The outlet or anti-syphon vent of the float valve referred to in this regulation shall be above the level of the overflow pipe of the storage cistern.
- (4) Sub-regulation (2) shall not apply to a pipe connecting one storage cistern to another.

**28.** Every hot water cylinder on a premises supplied with water by the Corporation shall be constructed of copper or mild steel which has been protected against corrosion to the satisfaction of the manager, and the manager may require calculations to justify the design of non-domestic type of hot water cylinders and hot water storage units.

**29.** (1) Every water closet, bidet and urinal on a premises supplied with water by the Corporation shall be provided with a flushing fitted cistern or some not less effective device and the cistern or the flushing device shall be fitted with a flushing syphon of a type approved by the manager.

(2) The invert levels of the warning pipe and the syphon pipe (or in the dome pattern at the top of the vertical discharge pipe) of a flushing cistern shall be arranged so as to be as near as possible to

Schedule 2 the diagram in Schedule 2.

#### PART IV - COMMUNICATION PIPE AND METER

**30.** Where the manager is satisfied the conditions laid down in regulation 20 have been complied with, the Corporation shall-

- (a) provide and lay a communication pipe;
- (b) if water to the premises is to be measured by meter, install a meter under regulation 34 in the communication pipe; and
- (c) connect the communication pipe or the meter, as the case may be, to the supply pipe which is to convey water to the premises occupied by the owner or occupier who has applied under regulation 19.

**31.** (1) The position of the communication pipe which is to be connected to a supply pipe conveying water to a premises shall be determined by the manager.

(2) A communication pipe, whether laid before or after the coming into operation of these Regulations, is the property of the Corporation and shall be under the exclusive control of the Corporation

(3) Subject to sub-regulation (4) and to any other provision of these Regulations, the Corporation shall at its own expense maintain, repair or renew all communication pipes.

(4) Any repair to that part of a communication pipe lying between the boundary of the street in which the main to which the communication pipe is connected lies and the meter installed on the communication pipe shall be carried out by the Corporation at the expense of the consumer.

**32.** (1) No person shall wilfully or negligently disconnect, break, damage, deface or tamper with any structure, apparatus or equipment which is part of a main or communication pipe.

(2) Sub-regulation (1) shall not apply to the manager or on authorised employee who in the course of his duties does any of the acts specified in sub-regulation (1).

**33.** (1) Subject to Sub-regulation (2), where a communication pipe supplying supplies more than one premises-

- (a) if the premises belong to one owner, the owner shall, for the purposes of these Regulations, be the consumer in respect of the water supply; and
- (b) in any other case, the owners or occupiers or both, as the case may be, of the premises shall nominate from among themselves a person who shall, for the purposes of these Regulations, be the consumer in respect of the water supply.

(2) Where a person who has been nominated under sub-regulation (1) (b) ceases to be an owner or occupier of premises to which the sub-regulation relates the owner or occupiers or both, as the case may be, of these premises shall within 7 days after the person ceases to be an owner or occupier nominate another owner or occupier to replace that person and if the owners or occupiers or both, as the case may be, fail to nominate another person within the prescribed time the Corporation may terminate the agreement under regulation 10 and disconnect the water supply under regulation 11.

(3) A consumer in terms of sub-regulation (1) who, in pursuance of these Regulations, pays any charges for or on behalf of any other person may recover the amount paid from that other person as a debt, together with the costs of recovery in any court of competent jurisdiction or may retain or deduct the amount out of any money in his hands payable to that other person.

(4) Where a communication pipe supplies more than one premises, the owner or occupier of each of the premises shall install at the beginning of that part of the supply pipe serving exclusively his premises a stop valve to enable the supply of water to his premises to be shut off without effecting the supply of water to the other premises, The stop valve shall be so positioned that it is readily accessible at all times to the Corporation.

**34.** (1) The manager may, for the purpose of measuring the volume of water supplied to a consumer by the Corporation, install a meter of such size and type as he deems fit in each communication pipe laid either before or after the coming into operation of these Regulations.

(2) If required by the manager, the consumer shall provide a place satisfactory to the manager in which to position the meter.

(3) A consumer shall ensure that all meters, including the access to chambers housing a meter, serving the premises occupied or owned by him are kept clean of deposits of soil, rubbish or vegetation, that the meters are not enclosed in any building or any other

enclosure which is normally kept locked and that the meters are at all times readily accessible to the Corporation.

(4) A consumer shall pay-

(a) the charges prescribed for the installation of a meter by the Corporation;  
and

(b) a monthly service charge prescribed for the meter.

(5) A meter, together with any fitting used in connection there- with whether installed before or after the coming in operation of these Regulations, is the property of the Corporation and shall be under the exclusive control of the Corporation but the consumer shall be responsible to the Corporation for the safekeeping of and prevention of damage to the meter installed in respect of the water supply to the premises owned or occupied by him.

(6) The Corporation may at any time at its own expense disconnect, remove and replace a meter.

(7) Subject to sub-regulation (8), the Corporation shall at its own expense, maintain, repair or, where necessary, replace a meter.

(8) Where any repair or replacement of a meter or any fitting used in connection with the meter has become necessary as a result of the meter being wilfully, negligently or accidentally damaged by the consumer or any person acting under the consumer's authority, the consumer is liable for the cost of repairs, including the costs of removal and reinstallation or replacement of the meter, and the cost is payable by the consumer to the Corporation on demand.

**35.** Subject to regulation 37, the volume of water measured by a meter installed in terms of regulation 34 shall be deemed to be the volume of water actually supplied to and consumed and the consumer shall pay the charges prescribed in respect of the volume of water.

**36.** (1) The Corporation shall, at intervals of not exceeding three months render an account of the volume of water measured by the meter installed in the communication pipe supplying water to the consumer over the period stated in the account and the amount stated in the account is due and payable by the consumer to the Corporation within the time set out in the account.

(2) An account for a supply of water not measured by a meter shall be rendered to a consumer every third calendar month and the amount stated in the account is due and payable by the consumer to the Corporation within the time set out in the account.

**37.** (1) If a consumer is dissatisfied with the meter reading as set out in any account he shall give written notice thereof to the Corporation within 14 days after the receipt of the account and the Corporation shall upon receipt of the notice check-read the meter and notify the consumer of the result of the check-reading.

(2) If a consumer is dissatisfied with a check-reading carried out under sub-regulation (1) he may, within fourteen days after receiving the result of the check-reading and on paying the deposit prescribed, request the Corporation to carry out a test of the meter measuring the water supply to the premises owned or occupied by him and the Corporation shall carry out the test.

(3) The Corporation shall test the meter during normal working hours and the consumer or his representative may attend the test. The result of the test is final and conclusive.

(4) If after testing a meter the Corporation finds the meter-

(a) to be registering correctly, the Corporation shall retain the deposit made under sub-regulation (2); or

(b) not be registering correctly, the Corporation shall-

(i) refund the deposit made under sub-regulation (2) to the consumer;

(ii) subject to regulation 34, replace or repair the meter without charge to the consumer; and

(iii) adjust the account of the consumer to take into consideration the degree of error found in the meter.

(5) A meter is deemed to be registering correctly if any error it registers does not exceed the corresponding acceptable percentage of error set out in the column 4 of Schedule 1 for the type and size of meter set out in the corresponding entries in columns 1 and 2 of the Schedule.

**38.** (1) Where a meter has ceased to measure the volume of water to supplied, the Corporation shall repair or replace the meter and, the manager shall at his discretion estimate the volume of water consumed by the consumer from the date of the reading of the meter immediately prior to the discovery of its failure to register up to the time of its repair or replacement based on-

(a) the average monthly consumption of water registered by the meter during the three months prior to the meter ceasing to register; or

(b) the consumption of water recorded by the meter for the corresponding period of the preceding year; or

(c) the average monthly consumption registered by the meter over a period of the three months after the repair or replacement of the meter.

(2) Notwithstanding sub-regulation (1), where a consumer proves to be the satisfaction of the manager that he has consumed lesser volume of water than that estimated by the manager under sub-regulation (1), the manager shall accept that lesser volume as the volume of water consumed by the consumer.

**39.** No person shall in any way restrict the flow of water through a meter installed pursuant to regulation 34 in such a way as to the flow rate of water in the meter below the minimum accurate supply pipe reduce registration flow rate for the meter as provided by the manufacturer of the meter.

#### PART V - PROVISION RELATING TO THE PROTECTION OF THE CORPORATION WATER SUPPLY SYSTEM

**40.** Any contravention of these Regulations committed on any premises shall be deemed to have been committed by the consumer until the contrary is proved.

**41.** (1) The Corporation may, by written notice, require any person to repair, renew, remove or alter any pipe or fitting so as to prevent the misuse, waste, contamination or undue consumption of water or so as to bring the pipe or fitting into conformity with these Regulations and the person shall comply with the notice within 7 days from the date of receipt of the notice.

(2) Where a person fails to comply with a notice under sub-regulation (1), the corporation may -

- (i) carry out or cause to be carried out by a qualified person or firm the repair, renewal, removal or alteration of the pipe or fitting mentioned in the notice and all expenses incurred in this connection shall be borne by the person who has failed to comply with a notice under sub-regulation (1); or
- (ii) disconnect the supply until the written notice under sub-regulation (1) has been complied with.

**42.** (1) An authorized employee may-

- (a) in the case of an emergency, at any time; or
- (b) in any other case, after giving 24 hours prior notice to the occupier of the premises, enter upon any premises and make such inspection, examination or inquiry as he deems necessary for any purpose connected with the enforcement of these Regulations.

(2) Subject to sub-regulation (3), expenses necessarily incurred by an authorized employee for the purpose of carrying out an inspection or examination under sub-regulation (1) shall be borne by the occupier of the premises.

(3) Where an authorized employee carries out an inspection or examination under sub-regulation (1) for the sole purpose of establishing whether a contravention of these Regulations has been committed and no contravention is established, the Corporation shall bear the expenses referred to in sub-regulation (2) together with any other expenses incurred for the purpose of restoring the premises to its former condition, but the Corporation shall not be liable to pay any compensation in respect of any inspection, examination or inquiry carried out under this regulation other than the expenses referred to in this sub-regulation.

**43.** No person, other than an authorised employee, shall open, shut, remove or in anyway interfere with any main, lock, gate, fence or other plant or apparatus belonging to or controlled by the Corporation.

**44.** (1) Any person performing work on property belonging to or leased by the Corporation or on property over which the Corporation, possesses an easement shall, prior to commencing work, obtain details of the approximate position of all water work apparatus belonging to the Corporation which is situated on the property.

(2) Any damage to a buried main not shown on a plan or marked by a box or mark that is visible on the surface by a person who was not or could not reasonably have been aware of the existence of the main shall be borne by the Corporation.

**45.** Any main or other apparatus belonging to, leased or controlled by, the Corporation and used in connection with the supply of water which was accessible before the commencement of any work by any person and becomes inaccessible during or on completion of the work, shall be made accessible by the person carrying out the work, but 24 hours after serving notice on the person or, in the case of emergency, without prior notice, the Corporation may make the main or apparatus accessible and the expenses incurred in this connection shall be borne by that person.

**46.** No person shall-

- (a) bathe or wash in; or
- (b) without the permission of the Corporation wash or throw in any animal, objects or pollutant, or cause or permit any animal to enter,

any stream, reservoir, aqueduct or any other place which contain water belonging wholly or partly to the Corporation or under the control or management of the Corporation as the case may be, and which is used by the Corporation, for or in connection with the supply of water.

**47.** No person shall, without the approval the manager, connect to any main, communication pipe or supply pipe conveying water from any pump or similar apparatus liable to cause shock or vibration to the water works system belonging to the Corporation.

**48.** No person shall, except with the written permission of the Corporation, lay, fix, alter, construct or cause to be laid, fixed, altered or constructed, any pipe, channel or other conduit on, in or under any street, public place or land owned by or under the control by the of the Corporation for the purpose of conveying water whether the water is derived from a source of supply belonging to or under the control or management of the Corporation or from any other source of supply.

**49.** Except where it is otherwise expressly provided under these Regulations no person-

- (a) being a consumer who has or uses on any premises occupied by him
- (b) who provides, installs, connects or causes or permits to be connected upon any premises,

any supply pipe or fitting shall install any supply pipe or fitting which does not comply with these Regulations.

(2) This regulation does not apply to an existing pipe or fitting in terms or regulation 2.

## PART VI - OFFENCES AND REVOCATIONS

**50.** (1) Any person who contravenes any regulation is guilty of an offence and is liable on conviction to a fine of R10.000 or imprisonment for 2 years.

(2) Without prejudice to sub-regulation (1), where a person suspected of contravening any provision of these Regulation is the owner or occupier of the premises in respect of which the contravention is made, the Corporation may disconnect the supply of water to the premises until such time as the provision contravened is complied with.

(3) Where an owner or occupier who contravenes any provision of these Regulation fails to comply with the provision on being so requested by the Corporation, the Corporation may take steps to ensure compliance and recover reasonable expenses incurred by the Corporation in ensuring compliance from the owner or occupier.

SCHEDULE 1

(regulation 37(5))

**SCHEDULE OF METER CALIBRATION**

Type	Meter Size	Flow Rate Range During Test Kl/hour	Acceptable Accuracy		Remarks
			against Test Meter or calibrated Tank		
			Fast(+)	Slow (-)	
Semi positive	15	0.3 to 2.0	2%	5%	PSM or KSM Type
Semi positive	20	0.3 to 2.0	2%	5%	Kent Meters
Semi positive	25	0.3 to 3.5	2%	5%	
Semi positive	40	0.3 to 4.0	2%	5%	2000 Master Meters
Semi positive	50	0.5 to 5.0	2%	5%	
Semi positive	80	0.5 to 13.0	2%	5%	
Semi positive	100	0.7 to 20.0	2%	5%	
Inferential	20	2.0 to 3.0	5%	5%	ESJ Type
Inferential	50	1.5 to 9.0	5%	5%	2000 or 300 Helix or Leeds and Kent IM Meters
Inferential	80	5.0 to 29.0	5%	5%	
Inferential	100	5.0 to 46.0	5%	5%	
Inferential	150	9.0 to 105.0	5%	5%	

