



**THE SOLOMON ISLANDS
WATER AUTHORITY
ACT 1992**

(No. 16 of 1992)



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Passed by the National Parliament this sixteenth day of December 1992.

This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.

A handwritten signature in dark ink, appearing to read 'J.M. Tuhaika'.

*J.M. Tuhaika
Clerk to National Parliament.*

Assented to in Her Majesty's name and on Her Majesty's behalf this second day of February 1993.

A handwritten signature in dark ink, appearing to read 'G.G.D. Lepping'.

*G.G.D. Lepping
Governor-General*

Date of commencement: see section 1.

AN ACT to make provision for the establishment of a Water Authority for Solomon Islands, to provide for the proper management and development of urban water resources and services and sewerage services in Solomon Islands and for other matters connected therewith or incidental thereto.

ENACTED by the National Parliament of Solomon Islands.

THE SOLOMON ISLANDS WATER AUTHORITY ACT 1992

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PART I
PRELIMINARY

1. This Act may be cited as the Solomon Islands Water Authority Act, 1992, and shall come into operation on such date as the Minister may appoint, by notice published in the Gazette.

Short title and commencement.

2. The provisions of this Act shall apply to the whole of Solomon Islands, or to such areas or parts of Solomon Islands as the Minister may, from time to time prescribe by Order.

Application of Act.

3. (1) In this Act unless the context otherwise requires -
- “additional works agreement” means an agreement entered into under section 20;
 - “approval” in relation to Part III, means an approval to develop land given by an appropriate body;
 - “area”, in relation to the Authority, means the area of operations of the Authority;
 - “authorised person” means an employee or other person acting on behalf of the Authority;
 - “Board” means the Board of the Authority established under section 6;
 - “catchment area” means an area of land declared by an order in force under section 18 to be a catchment area;
 - “charging period”, in relation to the Authority, means a period declared by an order in force under section 22 to be a charging period for the Authority;
 - “compliance certificate” means a certificate referred to in section 21;
 - “Council” means a Provincial Government of a province or the Honiara Town Council, as the case may be and includes an area council;
 - “developer” means a person to whom an approval to which Part III of this Act applies has been given;
 - “development”, in relation to land, means -
 - (a) the erection of a building on the land;

Interpretation.

- (b) the carrying out of work in, on, over or under the land;
- (c) the use of the land or of a building or work on the land; or
- (d) the subdivision of the land;

“land” includes an easement or right over, through or above any land;

“member” means a director of the Board of the Authority;

“meter” includes any measuring device;

“Minister” means the Minister who for the time being is charged with responsibility of administering urban water supply;

“owner” shall have the meaning ascribed to it in the Land and Titles Act, Cap. 93;

“public road” means a road the public are entitled to use, whether or not it is declared as a public road under the Roads Act or any Provincial Ordinance;

“service charge” means -

- (a) a water service charge;
- (b) a sewerage service charge;
- (c) a loan service charge;
- (d) a development works service charge; or
- (e) a special industry service charge, that may be levied under Part IV;

“special industry” means an industry declared by an order in force under section 22 to be a special industry;

“work or works”, include -

- (a) water mains and water headwork;
- (b) sewer mains and sewage treatment works; and
- (c) any works ancillary to the works referred to in paragraph (a) or (b).

(2) A reference in this Act to -

- (a) the erection of a building includes a reference to the rebuilding of, the making of structural alterations to, or the enlargement or extension of, a building or the placing or relocating of a building on land; and
- (b) the carrying out of a work includes a reference to the rebuilding of, the making of alterations to, or the enlargement or extension of, a work; and

- (c) a work includes a reference to any physical activity in relation to land that is specified by a regulation to be a work for the purpose of this Act; and
- (d) the subdivision of land is a reference to -
 - (i) (without limiting the following provisions of this paragraph) the subdivision of land within the meaning of the provisions of the Land and Titles Act; or
 - (ii) any other division of land into two or more parts which, after the division, would be obviously adapted for separate occupation, use or disposition; or
 - (iii) the redivision of land, by such a subdivision or by any other division, into different parts which, after the redivision, would be obviously adapted for separate occupation, use or disposition; or
- (e) the carrying out of development includes a reference to the erection of a building, the carrying out of work, the use of land or of a building or work, or the subdivision of land, as the case may require.

4. (1) The objects of the Authority shall be -
- (a) to ensure that water resources allocated for urban water supply are properly managed, distributed, allocated and used in ways which are consistent with proper water management practices;
 - (b) to provide water and related services to meet the needs for users in a commercial manner consistent with the overall policies of the Government.
- (2) In exercising its functions, the Authority may have regard to such matters as it considers would be appropriate for the attainment of its objects including, but without limiting the generality of the foregoing -
- (a) promotion of efficient use of urban water resources;
 - (b) the necessity for integrated catchment management and planning of land use and the use of urban water resources;
 - (c) public interest and community needs;
 - (d) conservation of urban water resources;

Objects.

PART II
ESTABLISHMENT OF THE AUTHORITY, MANAGEMENT,
FUNCTIONS AND POWERS

- Establishment of the Authority. 5. (1) There shall be established for the purpose of this Act, a body to be known as Solomon Islands Water Authority (hereinafter referred to as "the Authority") which shall be a body corporate to which the provisions of Part VII of the Interpretation and General Provisions Act shall apply.
- Act No. 20 1978
- First Schedule. (2) The provisions for the First Schedule shall have effect as to the constitution of the Authority and otherwise in relation thereto.
- Establishment of the Board of Directors. 6. (1) There shall be established for the purpose of this Act, a Board of Directors of the Authority which shall, subject to the provisions of this Act, be responsible for the policy and general administration of the affairs of the Authority.
- Second Schedule. (2) The provisions of the Second Schedule shall have effect as to the constitution of the Board and otherwise in relation thereto.
- Functions of the Authority. 7. The functions of the Authority shall be -
- (a) to control, regulate, develop, manage, conserve and utilise urban water resources in the best interests, of Solomon Islands;
 - (b) to formulate national policies relating to the control and use of urban water resources;
 - (c) to ensure that the water supplied for consumption meets the prescribed water quality standards;
 - (d) to provide, construct, operate, manage and maintain, buildings, works, systems and services for impounding, conserving and supplying water for domestic, industrial, commercial and other purposes;
 - (e) to provide, construct, operate, manage and maintain buildings, works, systems and services for the conveyance, treatment and disposal of sewage, disposal of trade and industrial waste and other connected purposes; and
 - (f) any other like function.

