

RODRIGUES WATER RATES REGULATIONS 1928

GN 169/1928

(Lane 1/852) - section 158 - 4 August 1928

COURTS ACT-RODRIGUES, ST BRANDON AND AGALEGA

1. Short title

These regulations may be cited as the **Rodrigues Water Rates Regulations 1928**.

2. Definition of terms

- (1) "Service" means all pipes, valves, cisterns, cocks and other appliances by which water is conducted from the waterworks into any premises and which are or may be used for supplying the said premises with water from the waterworks, the said pipes, valves, cisterns, cocks and other appliances being private property.
- (2) "Officer" means any officer or constable of Police, forest ranger or the foreman in charge of the waterworks duly sworn in as special constable, or any other person sworn in as special constable for any purpose in connection with the water supply of Rodrigues.
- (3) "Premises" means any land with or without buildings which is held or occupied as a distinct or separate holding or tenancy, or any wharf or pier.
- (4) "Prise" shall mean a supply of water flowing uniformly and continuously at the rate of two hundred and twenty gallons per day of twenty-four hours:

Provided that the Island Secretary shall have power to reduce or stop such supply of water in case of emergency or when circumstances render this course imperative.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

3. Application to be made for supply of water

Any person wishing to have water supplied to any premises of which he is the owner or occupier shall first make an application in the form set out in Schedule A.

4. Inspection of premises

On receipt of such form duly filled in and signed the Island Secretary shall cause the premises to be inspected and shall arrange with the owner or occupier as to the manner of construction of the proposed service.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

5. Application for construction, etc. of service and deposit to be made

When the owner or occupier of any premises wishes that a service be constructed, altered, extended, or repaired, he shall make an application in the form set out in Schedule B and deposit to account of the requisite works such approximate amount as shall be fixed by the Island Secretary.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

6. Attestation of mark or cross affixed to applications

Whenever the applicant for a supply of water or for the construction, alteration, extension, or repair of any service shall, through ignorance or any other cause, be unable to sign the required application he shall affix his cross or mark to such application and shall cause such cross or mark to be attested in the manner provided by the Rodrigues (Administrative and Judicial Provisions) Act.

7. Secretary's decision to be final in all matters concerning services

The Island Secretary shall have the right to determine finally all matters concerning the construction, alteration, extension, or repair of services, such as the diameter of the pipe to be used, the manner in which it is to be laid, and the number, size, pattern and position of taps.

Amended by [\[Act No. 12 of 1990\]](#)

8. Detailed account of cost of work to be presented to applicant

On the completion of the work, the Clerk to the Island Secretary shall present to the applicant, for payment a detailed account of the cost of the work, including labour, materials and supervision.

Amended by [\[Act No. 12 of 1990\]](#)

9. Secretary and persons acting under his authority not liable for damages arising by bursting or overflowing of pipes

The Island Secretary or any person acting under his authority shall not be held liable for any damage that may arise in premises by bursting or overflowing of pipes.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

10. Secretary and persons acting under his authority not responsible for maintenance or repair of service

The Island Secretary or any person acting under his authority shall not be responsible for the maintenance or repair of any service constructed by him after the service has been delivered in good working order.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

11. Payment of water rates

The owner or occupier of premises supplied with a prise in Rodrigues shall pay a water rate of twenty rupees per annum. Such rate shall be payable quarterly and in advance on the 31st March, 30th June, 30th September and 31st December.

A consumer wishing to have the water supply *for* which he is paying discontinued shall give notice in writing to the Island Secretary at least one month before any term day. In default of such notice he shall be held liable for the next quarter's rent.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

12. Non payment of water rates, labour, etc

If any sum due on account of the supply of water or for work done or repairs made be not paid, the Chief Officer of Police shall after seven days' notice to the consumer, and the amount being still unpaid -

(1) inform the Island Secretary who may discontinue the water supply until all sums due are paid; and

(2) sue *for* and recover all sums not exceeding one hundred rupees, in the manner provided for in the Recovery of State Debts Act, the Chief Officer of Police having the powers of the Accountant- General for the purpose.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#); [\[Act No. 48 of 1991\]](#)

13. Offences and penalty

Any person who-

(a) causes or allows a waste of water on his premises;

(b) neglects to maintain his pipes, cocks and fittings in a good state of repair;

(c) tampers with, damages, or in any way alters any pipe, cock, valve, tap or other appliance for controlling, supplying or measuring water, shall be punishable by a fine not exceeding 100 rupees.

14. Power of entry

The Island Secretary or any officer may enter any premises supplied with a prise for the purpose of enforcing these regulations.

Amended by [Act No. 3 of 1988]; [\[Act No. 12 of 1990\]](#)

15. In case of breach of regulations onus probandi to lie on accused

Whenever any person shall be charged with any breach of these regulations, the burden of proving that he is not directly or indirectly responsible for such breach shall lie upon him.

16. [Spent]

SCHEDULE A
(regulation 3)

No.....

RODRIGUES WATER SUPPLY

I,.....residing at.....do hereby make application for a supply of water (prise) to my premises situate at.....and I promise to comply with the regulations in every respect.

I consent to have my prise cut off at any moment through shortage of water in the main pipe, and this without any claim for damages.

Date.....19

Signature.....

SCHEDULE B
(regulation 6)

No

RODRIGUES WATER SUPPLY

I,.....residing at.....having made application for a supply of water (prise) to my premises situate at.....having deposited Rsrequest that the Island Secretary will send workmen to lay down the necessary pipes and perform all works incidental thereto and on completion I agree to pay the balance of the costs thereof within seven days of the presentation of the account, and I promise to comply with the regulations in every respect.

Date.....

Signature.....

