



TRINIDAD AND TOBAGO.

No. 7—1946.

[L.S.]

I ASSENT.

B. E. H. CLIFFORD,

Governor.

22nd March, 1946.

AN ORDINANCE to amend the Central Water Distribution
Authority Ordinance, 1944.

[23rd March, 1946.]

Commence-
ment.

E NACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Central Water Distribution Authority (Amendment) Ordinance, 1946, and shall be read as one with the Central Water Distribution Authority Ordinance, 1944, hereinafter referred to as the Principal Ordinance.

Short title.

Enactment.

No. 6 of 1944.

Section 2 of
Principal
Ordinance
amended.

2. Section 2 of the Principal Ordinance is hereby amended by substituting the following for the definition of "public stand-pipe" :—

"public stand-pipe" means any fountain, stand-pipe, dipper, valve, tap or appliance used or intended to be used for supplying water to the public generally or to a section of the public, and in respect of which water service rate or metered service charges are not levied ;"

Section 3 of
Principal
Ordinance
amended.

3. Section 3 of the Principal Ordinance is hereby amended as follows :—

(a) by the insertion of the following subsection—

"(5) During the absence or inability to act of any member, other than the Chairman, the Governor may appoint any person to act for such member."

(b) by re-numbering subsections (5), (6) and (7) as (6), (7) and (8) respectively.

Section 29 of
Principal
Ordinance
repealed and
replaced

4. Section 29 of the Principal Ordinance is hereby repealed and replaced by the following :—

"Supply by
services.

29. (1) It shall be lawful but not obligatory for the Central Authority to supply water either within a distribution area or outside the distribution areas and either in bulk or otherwise by means of services : Provided always that if the Central Authority shall supply water by means of a service to any premises the annual taxable value of which is less than forty-eight dollars the general water rate and the water service rate (or the general water rate where there is a metered service) shall be calculated on the basis of an annual taxable value of not less than forty-eight dollars.

(2) Except where the water is to be supplied to a Local Distribution Authority or to some person in the water district of a Local Distribution Authority, the power conferred by this section may be exercised without a special agreement and without the approval of the Governor in Council but services outside the distribution areas shall, in the absence of a special agreement to the contrary, be metered.

(3) This section shall be without prejudice to the operation of section 27 of this Ordinance."

5. The following section, numbered 39A, is hereby inserted in the Principal Ordinance immediately after section 39:—

Part payments.

39A. (1) It shall be lawful for the Central Authority to accept part payments made by any person on account of the total amount due by such person in respect of rates, charges, or sums due under or by virtue of this Ordinance or any regulations thereunder: Provided that no sum of less than ten dollars shall be accepted in part payment unless it be in final settlement of the total amount due.

Any part payment may be appropriated by the Central Authority to any of the debts due to the Central Authority by the person making the part payment.

(2) Nothing in this section shall prejudice any of the provisions of sections 40 and 41 of this Ordinance."

6. Section 41 of the Principal Ordinance is hereby amended by adding at the end thereof the following new subsection:—

Section 41 of Principal Ordinance amended.

"(3) If any rate, charge, or sum due and payable in respect of any premises by virtue of this Ordinance or any regulations thereunder remain unpaid after the expiration of three months from the time the same became due and payable, the Central Authority may, without prejudice to any other remedy available to the Central Authority, cut off or disconnect the service to such premises and keep it cut off or disconnected so long as payment of the amount due and of the cost of re-establishing the supply has not been made."

7. Subsection (1) of section 53 of the Principal Ordinance is hereby amended by substituting the following for paragraph (a) thereof:—

Section 53 of Principal Ordinance amended.

"(a) make any non-domestic use of water obtained from a public stand-pipe except under the authority of and in accordance with any conditions stated in a permit under the hand of the Chairman or Secretary of the Central Authority and subject to the payment in advance of a fee of one dollar and twenty cents to the Central Authority; or"

New sections
61A, 61B and
61C added to
Principal
Ordinance.

8. The following new sections numbered 61A, 61B and 61C are hereby inserted immediately after section 61 of the Principal Ordinance :—

“Compound-
ing of certain
offences.

61A (1) The Chairman of the Central Authority may accept from any person who is accused of a minor offence and gives or sends to the Chairman written admission of his guilt and of his consent to be dealt with by him instead of by a court, a sum of money not exceeding twenty-four dollars as compensation for the minor offence.

(2) On payment of such sum of money to the Chairman no further proceedings in respect of such minor offence shall be taken against such person.

(3) One-half of all moneys received under the authority of this section shall be paid into the Treasury and credited to general revenue.

(4) In this section, ‘minor offence’ means any contravention of any of the provisions of paragraphs (a) or (c) of subsection (1) of Section 53 of this Ordinance or of regulation 25 or regulation 26 of the Regulations contained in the Third Schedule to this Ordinance.

Appropriation
of fines.

61B. One-half of all fines recoverable in respect of any offence under this Ordinance or any regulation made thereunder shall be paid by the Magistrate to the Central Authority and shall form part of the funds of the said Authority.

Power to
prosecute.

61C. Any offences under this Ordinance or the regulations made thereunder may be prosecuted, and all rates, charges, and all other sums of money payable under the said Ordinance and regulations may be recovered and enforced in the name of the Central Authority on the complaint of the Secretary of the Central Authority or of any officer of the Central Authority authorised to that effect in writing by the Chairman of the Central Authority.”

Passed in Council this fifteenth day of March, in the year of Our Lord one thousand nine hundred and forty-six.

W. J. BOOS,
Clerk of the Council.