



TRINIDAD AND TOBAGO.

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[L.S.]

I ASSENT,

HUBERT YOUNG,
Governor.
28th December, 1939.

AN ORDINANCE to amend the Central Waterworks
Ordinance, 1935.

Commencement.

[1st January, 1940.]

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

Short title.
Construction.
No. 15 of
1935.

1. This Ordinance may be cited as the Central Water-
works (Amendment) Ordinance, 1939, and shall be
construed as one with the Central Waterworks Ordinance,
1935, hereinafter referred to as the Principal Ordinance.

2. The definition of "non-domestic supply or non-domestic use" in section 2 of the Principal Ordinance is hereby amended by inserting after the word "vehicles" in the fifth line the following words "used for commercial purposes", and by deleting after the word "use" in the fourteenth line the following words "and includes the water used or consumed by any person resident in or occupying any premises where a non-domestic supply is given".

Section 2 of
Principal
Ordinance
amended.

3. Section 6 of the Principal Ordinance is hereby amended by substituting for subsection (1) thereof the following:—

Section 6 of
Principal
Ordinance
amended.

(1) The Chairman and other members of the Board shall be appointed by the Governor in Council and shall hold office during the Governor's pleasure, the Chairman for a period not exceeding three years and the other members for a period not exceeding two years: Provided that at the expiration of his term of office any member of the Board may be re-appointed by the Governor in Council.

Constitution
of the Board.

4. Section 7 of the Principal Ordinance is hereby amended as follows:

Section 7 of
Principal
Ordinance
amended.

(a) by repealing paragraph (e) and the last three lines of subsection (2) and substituting therefor the following—

(e) engineers, clerks, collectors, and other officers as may be necessary and proper for the efficient management of the waterworks, and to require any officer so appointed to give such security as may be deemed proper for the due execution of his duties.

(b) by adding thereto the following subsection:

(3) It shall be lawful for the Board to appoint and employ at such remuneration and on such terms and conditions as the Board may determine such mechanics, foremen, linesmen, assistants, and other servants as may be necessary and proper for the efficient maintenance and supervision of the waterworks.

Appointment
of servants.

(8) It shall be lawful for the Board with the approval of and subject to such terms and conditions as may be imposed by the Governor in Council to provide for the establishment and maintenance of a Provident Fund for the benefit of the non-pensionable employees of the Board, and for this purpose to make arrangements with such Assurance Company or Companies as may be selected by the Board and approved by the Governor in Council.

Establishment of Provident Fund for non-pensionable employees.

6. Section 22 of the Principal Ordinance is hereby amended by—

Section 22 of Principal Ordinance amended.

- (a) repealing subsection (2) thereof;
- (b) re-numbering subsections (3) and (4) thereof as (2) and (3) respectively;
- (c) adding thereto the following subsection:

(4) The Board shall not be bound to supply any service to any premises rated at less than forty-eight dollars annually.

Minimum rateable value of premises for services

7. Section 24 of the Principal Ordinance is hereby amended by deleting after the word "shall" in the second line the following words "on or before the 15th day of September in each year" and by substituting therefor the following words "at the request of the Board".

Section 24 of Principal Ordinance amended.

8. The following subsections shall be added to section 26A of the Principal Ordinance, as enacted by section 3 of Ordinance No. 27 of 1935:

Section 26A of Principal Ordinance added to.

(3) The Board may in its discretion alter and amend any valuation in the said assessment roll where any premises valued and assessed in such assessment roll as one property ought, in the opinion of the Board for the purposes of this part of this Ordinance, to be assessed separately, or where any premises separately assessed in such assessment roll ought, in the opinion of the Board, to be assessed as one property.

Power to assess separately premises assessed as one property and vice versa.

(4) Where a service is laid in any premises and the water from such service is, with the consent of the Board, used in such premises and adjoining premises under the same ownership and occupation but separately assessed, the water service rate shall be calculated on the aggregate of the annual rateable values of both premises so served.

Rate on adjoining premises under same ownership.

Repealed & Replaced by Sec: 97 Ord 26 of 1940

Section 11 of
the Principal
Ordinance
amended.

5. Section 11 of the Principal Ordinance is hereby amended by adding at the end of subsection (1) the following—

“and declare the grade of the office in the manner provided by that Ordinance.”,
and by adding to the said section 11 the following subsections :

Gratuity to
estate where
officer dies
in the service
of Board.

(6) When an officer holding a pensionable office under the Board who has not been transferred from the public service and who is not serving on probation or agreement and who has served the Board for not less than five years dies while in the service of the Board, it shall be lawful for the Board, subject to the approval of the Governor in Council, to grant—

(i) to the legal personal representative of an officer who held an office in Grade I at the time of his death, a gratuity of an amount not exceeding one year's pensionable emoluments of such officer ;

(ii) to the dependants (if any) of an officer who held an office in Grade II at the time of his death, a gratuity of an amount not exceeding nine months pensionable emoluments of such officer, the amount to be divided among the dependants in such proportion as the Board, subject to the approval of the Governor in Council, shall think fit.

Life Assurance
Scheme for
pensionable
officers.

(7) Subject to the approval of the Governor in Council, it shall be lawful for the Board to make deductions at such rates as may from time to time be fixed by the Board from the salaries of its pensionable officers, not transferred from the public service, for the purpose of effecting assurance on the lives of such officers with such company or companies as may be selected by the Board and upon such terms and conditions as the Board may determine :

Provided that officers appointed to the service of the Board before the 1st of January, 1940, may at their option, to be exercised in writing within six months of that date, elect to be excluded from the application of the provisions of this subsection.

Replaced by
Sec: 4 of Ord: 26
1940

Section 28 of Principal Ordinance replaced.

9. Section 28 of the Principal Ordinance is hereby repealed and replaced by the following :

Remissions.

28. The Board may, in their discretion, remit the whole or any part of the sums due or to become due in respect of any rate when—

(a) any building in respect of which the rate is fixed is destroyed or removed ;

(b) the person liable for the payment of the rate cannot, through no fault of his, obtain a normal supply of water ;

(c) there is some cause which prevents the person liable for the payment of the rate from having, if he so desires, reasonably easy access to the water supply.

Section 29 of Principal Ordinance replaced.

10. Section 29 of the Principal Ordinance, as amended by section 4 of Ordinance No. 27 of 1935, is hereby repealed and replaced by the following :

Payment of rates of offices of the Board.

29. The general water rate and all payments in lieu thereof and the water service rate and any other payments due to the Board in respect of any specified distribution area or areas shall be receivable for and on behalf of the Board by duly appointed officers of the Board at the respective office or offices of the Board established for the purpose, due notice of which shall have been published in the *Royal Gazette*. Such rates and other sums substituted therefor shall be paid by the persons liable therefor at the respective office or offices of the Board for the distribution area or areas so specified on or before such dates as shall be fixed by the Board, due notice of which shall have been published in the *Royal Gazette*.

Section 34 of Principal Ordinance amended.

11. Section 34 of the Principal Ordinance is hereby amended by deleting the figures and words " 31st day of January " and substituting therefor the words " last day of February ".

Repealed & Replaced by Sec. 9 & 10 Ord. 26 of 1940

12. Section 39 of the Principal Ordinance is hereby repealed and replaced by the following :—

Section 39 of
Principal
Ordinance
replaced.

39. (1) ~~The Board may, upon the application of the owner of any premises within a distribution area and upon such deposit by the owner as the Board may deem reasonable in respect of the estimated expense of the work, cause a service for the supply of such premises to be laid on to such premises from a distributing main of the Board.~~

Conditions
of supply.

Replaced by
Sec. 12 of Ord.
26 of 1940

(2) Water supplied to any premises in a distribution area, except where otherwise expressly stated, shall be deemed to be supplied for domestic use only and the water from any such service shall not be used outside of the premises so served without the consent of the Board.

Supply to be
for domestic
use only.

(3) ~~The whole of such service shall be constructed at the cost of the owner of the premises but only so much thereof as is not laid under the soil of a public street shall be deemed the property of such owner.~~

Ownership of
pipes.

Ord 26 of 1940

(4) Where the annual charges payable by the Board by reason of the construction of additional waterworks to supply a particular area would exceed the additional annual revenue receivable from the general water rate and the water service rate in respect of the premises to be supplied by such additional waterworks, the Board may, before constructing such additional waterworks, make special contracts with the owner or owners of such premises in respect of the payment of the cost of laying, maintaining and repairing such additional waterworks upon such terms and conditions as the Board may deem fit.

Alterations
and
extensions
of works.

(5) All moneys contracted to be paid by any owner or owners under any contract entered into by virtue of the last preceding subsection shall be a charge upon the premises.

Charge on
premises.

(6) The Board may without prejudice to the payment of water rate, meter rent, or other sums due or to become due in respect of any water supply, or to any other remedy under the provisions of this Ordinance or under any regulation made thereunder, diminish, withhold, suspend or divert the supply of

Suspension
of supply.

water through the waterworks either wholly or in part whenever it may be expedient or necessary for the purpose of conserving the water supply or for extending, altering, or repairing the waterworks, or for the purpose of connecting or repairing water services, or in case of fire.

Section 41 of
Principal
Ordinance
amended.

13. Section 41 of the Principal Ordinance is hereby amended by deleting the following words "for the construction of services in any distribution area" in the fourth and fifth lines.

Section 52A
added to
Principal
Ordinance.

14. The following section shall be added to the Principal Ordinance to follow section 52 :

Drawing of
water, &c.

52A. (1) Any person who shall wilfully or carelessly break, injure or open any lock, cock, valve, tap, meter, pipe, work or engine belonging to the Board, or who shall without the consent of the Board flush or draw off the water from any reservoir; shall be guilty of an offence against this Ordinance.

Liability for
waste of water.

(2) Any occupier of any premises supplied with water who causes, permits, allows, or suffers any waste of water on such premises not due to a defective service of which the occupier shall have given notice to the Board, shall be guilty of an offence against this Ordinance.

Allowing
cocks, &c. to
be out of
repair.

(3) Every occupier of premises supplied with water who shall suffer any stopcock, pipe, or other work to be put out of repair, without giving notice to the Board, so that the water supplied to him shall be wasted, shall be guilty of an offence against this Ordinance.

Water to be
used only for
purposes of
premises
supplied
therewith.

(4) The owner or occupier of any premises supplied with water from the waterworks who shall use such water or permit or suffer the same to be used for the purposes of any other premises save as excepted in regulations made under the authority of this Ordinance, or with the consent of the Board, or who shall supply or dispose of such water to any other person, shall be guilty of an offence against this Ordinance.

15. Section 55 (1) of the Principal Ordinance is hereby amended by changing paragraph (o) thereof into (p) and by inserting the following paragraph as (o) "the supply of water through meters and the control of meters; and". Section 55 (1) of Principal Ordinance amended.

16. This Ordinance shall come into operation on the 1st day of January, 1940.

Passed in Council this twentieth day of December, in the year of our Lord one thousand nine hundred and thirty-nine.

W. E. BOARDMAN,
Clerk of the Council.