

GUYANA

No. 15 of 1977

REGULATIONS

Made Under

THE GUYANA WATER AUTHORITY ACT

(Cap. 55:01)

IN EXERCISE OF THE POWERS CONFERRED UNDER SECTION 26 OF THE GUYANA WATER AUTHORITY ACT, THE AUTHORITY WITH THE APPROVAL OF THE MINISTER, HEREBY MAKES THE FOLLOWING REGULATIONS.—

1. These Regulations may be cited as the Guyana Water Authority Supply Regulations, 1977. Citation.

2. In these Regulations —

Interpreta-
tion.

“air-gap separation” means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle;

“approved air-gap separation” means an air-gap separation which is at least double the diameter of the supply pipe measured vertically above the top rim of the vessel and the gap is not less than one inch in diameter;

“approved check valve” means a check valve of substantial construction and suitable materials that is positive in closing and permits no leakage in a direction reverse to the normal flow;

"back-flow prevention device" means any effective device, method, or type of construction, used to prevent back-flow into the water system of the Authority;

"connection to the main" means the service stop cock and any length of piping between such stop cock and the water main ferrule together with any fitting attached thereto;

"consumer" means any person supplied with or who has applied for a supply of water and includes any person who is using water from the Authority, or whose premises are connected with the Authority's main for the purpose of receiving a supply of water, or who is liable for payment of rates or monies due or to become due under these Regulations;

"consumption" means any quantity of water ascertained in accordance with these Regulations as having been used by a consumer;

"cut-off" in relation to a supply of water, means stop the supply, whether by operating a tap, by disconnecting pipes or otherwise;

"developer" means any person applying to the Authority for permission to extend or make alteration to a main for the purpose of obtaining a supply of water to the premises of that person;

"double check valve assembly" means an assembly composed of two single independently acting approved check valves and includes the tightly closing shut off valves located at each end of the assembly and any suitable connections for testing the water tightness of each check valve;

"main" means any pipe and fittings owned and maintained by the Authority for the purpose of supplying water and includes any connection thereto;

"meter" means a meter installed by the Authority on the premises of the consumer for measuring, ascertaining or registering the amount of water taken or used from the Authority by the consumer;

"supply pipe" means any section of a main which is used for the supply of water to the installation of the consumer;

“supply contract” means a contract between the Authority and a consumer for the supply of water;

“trader” means a person who has entered into a supply contract with the Authority to receive a supply of water in bulk for the purpose of resale to the public.

3. The Authority shall have the exclusive right to connect ^{supply of} or disconnect pipes or any approved installations of a consumer ^{water.} to the main of the Authority.

4. Except as otherwise provided in these Regulations, ^{Meters and} water supplied by the Authority to any premises shall be through ^{supply pipes} a meter or supply pipe provided by the Authority.

5. A person may apply to the Authority for a supply of ^{Application} water to any premises within the area of supply of the Authority ^{for supply} and the application shall be in the form provided by the Authority ^{of water.}

6. The Authority shall have the right at any time after ^{power to} the commencement of these Regulations to determine whether a ^{connect} supply of water to a consumer shall be through a meter or ^{meter or} through a supply pipe only and shall have the power to instal ^{supply pipe} or connect any such meter or supply pipe to the installations of ^{to consumer} the consumer ^{installations}.

7. (1) Subject to the provisions of paragraph (2), the Authority shall, as it deems fit, provide connection to the main up to the point of entry of a meter or up to the installations of the consumer.

(2) The Authority may require a consumer to contribute to the whole part of the costs of the connection or of maintaining and repairing the connection to the main, and notwithstanding such contributions, any connection by the Authority to the main shall remain the property of the Authority.

(3) The Authority shall not connect a supply of water to any premises unless:

- (a) the installation on the premises to which the supply is to be connected has been approved by the Authority;

- (b) the consumer has complied with the provisions of these Regulations and has paid any required deposit thereunder; and
- (c) in the opinion of the Authority the main which is to be used has the capacity to provide water adequate in volume and pressure for the premises of the consumer.

Requirements to be fulfilled.

8. The Authority shall require —

- (a) that the consumer pays in advance to the Authority any charges for, or in relation to the installation, use, testing and removal of any supply pipe, meter or other installation;
- (b) that the applicant obtains for the Authority all necessary permissions and licences for entry on the premises for the installation of any connection to the main and of meters as may be required.

Size and ownership of meter.

9. (1) The Authority shall determine the size and number of any meter which shall be installed on any premises and may change a meter at any time.

(2) All meters shall remain the property of the Authority whether fitted within the boundaries of the premises or otherwise.

Contract for supply of water.

10. Upon the Authority making available a supply of water to the consumer, the application form submitted by the consumer shall constitute a supply contract within these Regulations between the consumer and the Authority:

Provided that the Authority may, before it connects the supply of water, require the consumer to enter into a separate contract for the supply of water on such terms not being inconsistent with the Act or these Regulations as the Authority may determine.

Contract not assignable.

11. A consumer shall not be entitled to assign the benefit of his supply contract or his right to a supply of water, and shall not sell, or cause to be sold or supplied to any other person water supplied to him without first obtaining the written approval of the Authority.

12. Without prejudice to the right of the Authority to cut off the supply of water, a supply contract may be determined by the consumer at any time by serving not less than one month's notice to the effect on the Authority.

Termination
of supply
contract

13. (1) Subject to this Regulation, upon submitting an application, the consumer shall deposit with the Authority by way of security for charges and rates for the supply of water such sum of money as is set out in the First Schedule, and such further sum, as is payable by the consumer in accordance with these Regulations.

Deposit.

First
Schedule

(2) The Authority shall have the right to increase the deposit required under paragraph (1) of any consumer if in its opinion it is satisfied that the deposit is not adequate to guarantee the payment of such accounts as may be rendered or for such reasons as, but not limited to, cases where a consumer fails to pay his accounts on the due date on more than three occasions in any twelve months, or has had his services at one address terminated by the Authority, or where the size of the service connection being used is larger or the consumer has had the service connection at his present address enlarged.

(3) In any case where the Authority considers it reasonable to do so, the Authority may waive the deposit required under this Regulation or may allow a lesser sum to be made for the deposit.

14. (1) The deposit made under regulation 13 shall be returned to the consumer on the termination of his supply contract, subject to the deduction therefrom of all outstanding amounts due to the Authority by the consumer.

Return of
deposit.

(2) Simple interest at the rate of four per cent shall be payable by the Authority on a deposit when it is returned to the consumer.

Provided that no interest shall be payable —

- (a) in respect of any part of a calendar month; or
- (b) if the supply contract of the consumer is terminated within six months of its commencement.

15. Every consumer who is supplied with a supply of water from the Authority shall be liable for all charges and rates for the water supplied except that the Authority may, with the

Consumer
liable for
payment of
water rates.

approval of the Minister waive the charges and rates to be paid by consumers within any area specified by the Authority by notice published in the Gazette.

Water and charges for supply of water.

16. (1) The charges and rates for the supply of water by the Authority shall be calculated in accordance with the charges and rates determined by the Authority, with the approval of the Minister, from time to time and published in the Gazette.

Second Schedule.

(2) The charges for any work done by the Authority on behalf of the consumer shall be as specified in the Second Schedule.

Reading of meters.

17. Meters shall be read at monthly intervals or otherwise as the Authority may direct.

Consumption of water and accounts.

18. (1) Subject to regulation 20(2) the consumption of water by a consumer shall be calculated as follows:—

- (a) where water is supplied through a meter,
 - (i) in the case of a newly affixed meter, the first reading thereof, and
 - (ii) in subsequent cases, on the basis of the difference between the last two readings of the meter,
- (b) in the case where water is not supplied through a meter, as is specified by the Authority in accordance with Regulation 15.

(2) Monthly accounts for the quantity of water consumed shall be prepared by the Authority and shall be delivered to the consumer in the prescribed form on dates that are expedient to the Authority.

Provided that failure to prepare or to deliver any account shall be prepared by the Authority and shall be delivered to the any water supplied.

Testing of meters on application of the consumer.

19. (1) If the consumer disputes the accuracy of the meter from which the supply of water to the consumer is measured and applies for the meter to be tested then the meter shall be tested by the Authority.

(2) Any inaccuracy found on the testing of the meter by the Authority shall be corrected according to the results of the test.

(3) If the meter is found to be accurate, a fee of five dollars shall be paid by the consumer for testing the meter, and in addition the cost, if any, of removing and fixing the meter.

(4) If the meter is found to indicate more or less than the correct quantity no fee or other charges shall be paid by the consumer.

(5) A meter shall be deemed to be accurate when on being tested its inaccuracy does not exceed 5 per cent.

20. (1) If a meter is removed, whether for repair or otherwise, a note giving the reading of the meter shall be left by the person removing the meter at the premises supplied with water through the meter and on the replacement of a meter, a note of the reading at the time of the replacement of the meter shall be left at the premises by the person making the replacement.

Removal of meters and calculations of rates when meters removed.

(2) The consumption of water in respect of the period during which meter was out of order or during which the premises was without a meter shall be calculated, at the discretion of the Authority, according to the average daily rate of consumption that is obtained during the period between any two successive readings when the meter was in good order or according to the average daily rate of consumption during the period between two successive readings immediately before the removal of the meter.

21. (1) The consumer shall be responsible for any installation, apparatus, supply pipe or meter which has been installed by the Authority on the premises of the consumer and shall also be liable for any replacement thereof, or for any repairs, removals, or damage, which has been occasioned by any act on his part or by his agent.

Consumer responsible for safety of Authority installations.

(2) Any damage to the supply pipe or meter which could not have been caused by wear and tear, or the effect of water flowing through the meter or by any defect in the water supply systems or by any act within the control of the Authority or by force majeure shall be deemed to have been the act of the consumer.

22. (1) Subject to regulation 23, the Authority may approve an application by a developer for the alteration or extension of the main for the purpose of a supply of water to the premises of the developer.

Application for extension of main.

(2) On submitting an application, a developer shall supply the Authority with plans of the proposed alteration or extension, an engineer's report, and an estimate of the costs thereof to the satisfaction of the Authority.

Provided that the Authority may prepare for the developer at his request the plans and estimates of costs for the proposed alteration and extension on payment by the developer of a deposit fixed by the Authority and on the developer undertaking to pay all costs which may be incurred by the Authority in the preparation thereof.

Authority
may carry
out exten-
sion or
alteration
for devel-
oper.

23. (1) The Authority shall have the right to carry out the work or any portion thereof approved under regulation 22(1).

(2) If the Authority exercise the right to carry out the work or any portion thereof as provided in paragraph (1), the developer shall pay in advance all estimated costs and charges to the Authority, and shall be liable for any further costs and charges which may be incurred by the Authority in carrying out the work:

Provided that the Authority may, as it thinks fit, discharge any portion of the costs and charges incurred in the carrying out of the work.

Developer's
agreement
with the
authority.

Third sche-
dul.

24. Where a developer is permitted to carry out an approve alteration or extension and the Authority has not exercised its right under regulation 23(1) to carry out the work, an agreement shall be made between the Authority and the developer incorporating the terms set out in the Third Schedule.

Supply of
water to
trader.

25. (1) The Authority may provide a supply of water to a trade for the purpose of resale to the public under the following conditions —

- (a) a supply contract shall be executed between the trader and the Authority and a permit for the resale of water is issued to the trader by the Authority;
- (b) the water shall be supplied to the premises of the trader through a meter equipped with a back-flow prevention device;
- (c) the water to be supplied by the trader to the public shall be in containers approved by the Authority;

(d) the Authority has a right to inspect the containers periodically, to ensure that they are kept in a sanitary condition;

(e) the resale price of water is approved by the Authority and shall be displayed by the trader on the water containers of the trader.

(2) The Authority shall have the right to cancel the permit granted under paragraph (1)(a) if a trader contravenes any of the provisions of this regulation:

Provided that the permit may be re-issued by the Authority to the trader on compliance with this regulation.

26. (1) Where a number of residents of any one area within a local government authority is not being provided with a supply of water, the local government authority may apply to the Authority for water to be supplied to the residents through public stand-pipes. Stand pipes may be provided by Local Authority for certain residents.

(2) Where an application is made under paragraph (1) the Authority shall provide the public stand-pipes required and supply water for the residents of the area provided that the cost (including the materials and labour for installing such pipes) and the charges for the water supplied are defrayed by the local government authority.

27. (1) A consumer may declare in an application for that the water to be supplied to the consumer is solely for the purpose of fire fighting. Application for and installation of fire fighting device.

(2) Where a consumer makes such a declaration, the Authority shall inspect the installation of the consumer and disconnect all pipes, taps, outlets and other devices not required or adapted for the purpose of fire fighting.

(3) The Authority may then provide, as required by the consumer, sprinklers, hydrants, hose outlets, stand-pipes and other apparatus for the supply of water for the purpose of fire fighting and the consumer shall be liable to pay the costs thereby incurred by the Authority and shall pay such charges as are provided for in the Fourth Schedule.

(4) All fire fighting devices and apparatus connected to the main by the Authority for fire fighting purpose shall have the seal of the Authority affixed thereto, and shall be examined by the Authority at such periods as the Authority thinks fit. Fourth Schedule.

Water supplied for fire fighting purposes.

28. (1) The connection to the main for a supply of water for the purpose of fire fighting shall be separate from, and independent of, the connection to the main for the supply of water to the premises for domestic use and shall be used only for fire fighting purposes.

(2) No additional hydrant, fire-plug, pipe, tap, or other device of any description shall be connected, or any extension or addition made to the connection to the main for a supply of water for the purpose of fire fighting, without the written permission of the Authority.

Prohibiting breaking of seals on devices for fire fighting.

29. (1) A consumer shall not break any seal affixed by the Authority to any fire fighting device or apparatus, except that in the event of fire the consumer may break the seal but he must notify the Authority within forty-eight hours thereafter.

(2) (a) A consumer may, on written permission being granted by the Authority, open up the fire fighting supply to ensure that it is in good working order.

(b) Permission to open up the fire fighting supply shall be granted by the Authority to the consumer twice annually and at such other times as the Authority may deem necessary provided that any opening up of the supply by the consumer shall be done in the presence of an authorised person of the Authority who shall affix new seals thereafter.

MISCELLANEOUS

Power to cut off supply of water.

30. (1) The Authority may cut off the supply of water to a consumer —

- (a) if the consumer fails to comply with any of the terms of his supply contract or with these Regulations;
- (b) if there is no valid contract in force in relation to such supply; or
- (c) if the consumer fails to pay any sum of money due to the Authority for water supplied to him within seven days after an account has been submitted to him therefor.

(2) If the supply of water to a consumer is cut off the supply shall be restored to the premises on the consumer complying with the supply contract and these Regulations and on

the payment of all sums due to the Authority together with any charge made by the Authority for the cost of restoring the supply of water.

31. If a consumer is being supplied with water by the Authority at two or more premises and the supply of water at one or more such premises has been cut off at the request of the consumer or in pursuance of these Regulations, the Authority may include any account due in respect of the disconnected supply in the account of any other premises of the consumer which remains connected for the supply of water, and for the purpose of these Regulations, the amount so included shall be deemed to form part of the account rendered for the supply of water to the premises which remained connected.

Charge in respect of disconnected premises may be added to account for connected premises.

32. The Authority may temporarily cut off the supply of water to the premises of any consumer for the purpose of testing or effecting repairs to its water system or any of its installations, whether inside or outside the premises or at any time on any event occurring, which affects or may affect the proper working of such system or installation and shall not be liable for any damage or loss caused thereby.

Temporary disconnection of supply

33. Where a supply of water has been cut off in pursuance of these Regulations no person other than the Authority or anyone acting on its behalf shall reconnect the same.

Unauthorized reconnection.

34. (1) Every consumer shall be responsible for maintaining the pipes, connections, and all installations belonging to him on his premises in a safe condition to the satisfaction of the Authority.

Consumer's liability

(2) If the Authority is satisfied that any installation or apparatus of a consumer is defective, the Authority may cut off the supply of water to the premises and the supply shall not be restored unless the defect has been remedied to the satisfaction of the Authority.

35. If the Authority is unable to secure access to a meter on the premises of a consumer for the purpose of reading it, the Authority may determine the quantity of water supplied to the premises on the basis of the average monthly consumption by the consumer for the previous three months.

Estimate of quantity of water consumed.

Provided that the method of determining the quantity of water supplied under the foregoing provisions may not be employed for more than two consecutive months, and if thereafter the Authority is unable to secure access to the meter of the consumer for the purpose of reading the meter the Authority may, without notice, cut off the supply of water to the premises.

Water from any other source not to mix with water supplied by the authority.

36. (1) No person shall make any connection to any main thereby causing water from any other source to pollute water supplied by the Authority.

(2) Notwithstanding the provisions of paragraph (1), the Authority may permit a water storage container of such other connection that conveys water from any other source to be connected to the main if the following devices are installed to the satisfaction of the Authority, that is to say —

- (a) an air-gap separation device between the main and the water storage tank; or
- (b) a double check valve assembly or such other device approved by the Authority.

Removal of installations upon termination of contract.

37. Upon termination of a supply contract the Authority may remove from the premises of the consumer the meter, the supply pipes and other installations belonging to the Authority.

Temporary water supply.

38. The Authority may allow temporary connections to the main to be made for a period not exceeding one year: Provided that —

- (a) the Authority shall determine the size and location of the connections;
- (b) regulations 3 and 7 are complied with; and
- (c) the applicant pays in advance the estimates costs and charges tendered by the Authority.

Use of water without application.

39. Where water from the Authority is being used without an application having been first made in accordance with regulation 5, the consumer shall be liable on summary conviction to a fine of one hundred dollars, and a further fine of fifteen dollars for each day during which the offence continues:

Provided that the consumer shall not be guilty of an offence under this regulation where after the commencement of these Regulations or after an area has become an area of

supply of water by the Authority, the Authority has fixed a period during which applications for the supply of water shall be made by consumers and the period fixed had not expired at the time the water was being used by the consumer.

40. Any person who tampers with or causes to be damaged any main, meter, or stand pipe or with any seal attached to a meter or a fire fighting device, shall be liable on summary conviction to a fine of one hundred dollars.

Tampering with apparatus of the Authority.

41. Every consumer upon whose premises is found any device or artificial means so connected as to be capable of altering the index to any meter or prevents any meter from duly measuring, ascertaining or registering the quantity of water supplied or by means of which water might be fraudulently abstracted, consumed or diverted shall be liable on summary conviction to a fine of one hundred and fifty dollars and to a further fine of fifteen dollars for each day during which the offence continues and the Authority may, in addition, recover from such consumer the amount of any loss or damage sustained by it.

Consumption of water which is not registered through a meter.

42. (1) Any consumer who causes, permits, allows or suffers any wastage of water —

Wastage of water.

- (a) which is not due to a defect of an installation of the Authority; or
- (b) which is due to a defect of an installation of the Authority but which the consumer fails to give notice thereof to the Authority,

shall be liable on summary conviction to a fine of seventy-five dollars and to a further fine of fifteen dollars for each day during which the offence continues.

(2) The Authority may enter any premises supplied with water in order to examine if there is any wastage or misuse of water, and if the officer on satisfactory identification of himself is refused admission to the premises or is obstructed in making such examination the person so doing shall be liable to a fine of one hundred dollars.

43. Any person who connects a pump to a main or by any device pumps water directly from a main without the written approval of the Authority shall be liable on summary conviction to a fine of one hundred dollars.

Unapproved connections.

General
penalty.

44 Any person who commits any offence under these Regulations for which no punishment is specifically provided shall be liable on summary conviction to a fine of one hundred dollars.

Reg. 13(1)

FIRST SCHEDULE

Where water is supplied through a meter, the following deposits shall be paid by the consumer for the meter on approval of his application —

SIZE OF METER OR SERVICE CONNECTION	DEPOSIT
	\$ c.
2"	16.00
2½"	28.00
1"	52.00
1½"	120.00
2"	248.00
3"	514.00
4"	1,002.00
6"	1,900.00

Reg. 13(2)

SECOND SCHEDULE

The consumer shall pay for repairs, servicing or any other work carried out by the Authority on behalf of the consumer, such charges being the actual cost of the work done which includes costs of materials, labour and any expenses incurred as estimated by the Authority.

Reg. 34

THIRD SCHEDULE

TERMS TO BE INSERTED IN A WRITTEN AGREEMENT WITH A DEVELOPER

- (1) The alteration and extension shall be carried out by contractors and plumbers approved by the Authority.
- (2) The alteration and extension shall be to the specifications in the approved plan and under the supervision of the Authority.
- (3) The alteration and extension shall be maintained by the developer for one year after the installation thereof.

- (4) The developer shall indemnify the Authority from any liability arising out of the alteration and extension undertaken.
- (5) The developer shall pay any costs which may be incurred on account of the re-location of the main to provide for the installation of the approved alteration or extension.

FOURTH SCHEDULE

Reg. 23(1)

- (1) There shall be charged for each fire fighting hydrant or device five dollars per annum.
- (2) There shall be paid for each occasion on which any hydrant, fire plug or fire fighting device is used by a consumer the sum of twenty-five dollars, and the fact that the seals on any such device were found to be broken at the time of inspection and examination shall be prima facie evidence that such hydrant, fire plug or fire fighting device has been used:

Provided that this payment shall be waived where the consumer notifies the Authority in writing of the use of any such hydrant, fire plug or fire fighting device for fire fighting purposes within forty-eight hours of such use, and the Authority on inspection of the premises is satisfied that the hydrant, fire plug or fire fighting device was used bona fide for fire fighting purposes only.

Made by the Guyana Water Authority this 2nd day of August, 1977.

S. Prashad,
Chairman.

Approved this 27th day of October, 1977.

S. S. Naraine,
Minister of Works and Transport.