

WATER RATES

No. 49 of 1970

An Ordinance to amend the *Water Rates Ordinance* 1959-1969.

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Water Rates Ordinance* 1970.*

(2.) The *Water Rates Ordinance* 1959-1969† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Water Rates Ordinance* 1959-1970.

Commence-
ment.

2.—(1.) Subject to the next succeeding sub-section, this Ordinance shall come into operation on the first day of January, One thousand nine hundred and seventy-one.

(2.) The amendment made by paragraph (a) of section 4 of this Ordinance shall come into operation on the first day of July, One thousand nine hundred and seventy-one.

Commence-
ment and
application.

3. Section 2 of the Principal Ordinance is amended by omitting sub-sections (3.), (4.) and (5.).

Interpretation.

4. Section 4 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the definition of “ rating year ” and inserting in its stead the following definition:—

“ ‘ rating year ’, in relation to a parcel of land, means each period of twelve months commencing on a first day of July;” and

(b) by inserting after sub-section (1.) the following sub-section:—

“ (1A.) The word ‘ unit ’ has, in this Ordinance, the same meaning as in Part III. of the *Unit Titles Ordinance* 1970 and expressions used in this Ordinance that are defined by section five of the *Unit Titles Ordinance* 1970 have the same respective meanings in this Ordinance.”

5. Section 6 of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 6.—(1.) Where water is supplied from a system of works through a meter to a parcel of land, not being a parcel of land on which a

Rates for
metered land
on which
flats not
erected.

* Made on 24 December 1970; notified in the *Commonwealth Gazette* on 30 December 1970.

† Ordinance No. 19, 1959, as amended by No. 15, 1963; No. 18, 1965; No. 19, 1966; No. 26, 1967; and No. 23, 1969.

building containing residential flats is erected or a parcel of land which is sub-divided into units and common property under the *Unit Titles Ordinance* 1970, the amount of rates in respect of the water supplied to the parcel of land in a meter reading year—

- (a) if the total quantity of water so supplied does not exceed one hundred thousand gallons—is an amount of Twenty dollars; or
- (b) if the total quantity of water so supplied exceeds one hundred thousand gallons—is the sum of an amount of Twenty dollars and—
 - (i) an amount calculated at the rate of Twenty-five cents for each one thousand gallons of water so supplied in excess of one hundred thousand gallons; or
 - (ii) in the case of water so supplied to a school, church or ecclesiastical establishment, an amount calculated at the rate of Twelve and one-half cents for each one thousand gallons of water so supplied in excess of one hundred thousand gallons.

“(2.) An amount of Twenty dollars becomes due at the commencement of the meter reading year for a parcel of land in respect of water to be supplied to the parcel of land in the meter reading year.

“(3.) The amount by which the amount calculated in accordance with paragraph (b) of sub-section (1.) of this section for water supplied to a parcel of land in a meter reading year exceeds the amount of Twenty dollars becomes due at the end of the meter reading year.”.

6. Section 7 of the Principal Ordinance is amended by omitting the words “Ten dollars” and inserting in their stead the words “Twenty dollars”.

Rates—
residential
flats.

7. After section 7 of the Principal Ordinance the following section is inserted:—

“7A.—(1.) Where water is supplied from a system of works through a meter to a parcel of land that is sub-divided into units and common property under the *Unit Titles Ordinance* 1970, the amount of rates in respect of the water supplied to the parcel of land in a meter reading year is—

Rates—land
sub-divided
into units and
common
property.

- (a) an amount of Twenty dollars for each unit into which the parcel has been sub-divided and an amount of Twenty dollars in respect of the common property; and
- (b) if the total quantity of water so supplied to the parcel of land in a meter reading year exceeds the quantity ascertained by multiplying one hundred thousand gallons by the number ascertained by adding one to the number of units

into which the parcel has been sub-divided—an amount calculated at the rate of Twenty-five cents for each one thousand gallons of water so supplied in excess of the quantity so ascertained.

“(2.) Each of the amounts of Twenty dollars referred to in paragraph (a) of the last preceding sub-section becomes due at the commencement of the meter reading year for the parcel of land in respect of water to be supplied to the parcel of land in the meter reading year.

“(3.) The amount calculated at the rate specified in paragraph (b) of sub-section (1.) of this section for water supplied to the parcel of land in a meter reading year becomes due at the end of the meter reading year.”.

Rates—
unmetered land.

8. Section 8 of the Principal Ordinance is amended by omitting the words “Ten dollars” and inserting in their stead the words “Twenty dollars”.

9. After section 10 of the Principal Ordinance the following section is inserted:—

Special
provision
for period from
1 January 1971
to 30 June 1971.

“11.—(1.) Subject to this section, this Ordinance applies to and in relation to water supplied to—

- (a) a parcel of land on which a building containing residential flats is erected;
- (b) a parcel of land (not being a parcel of land on which a building containing residential flats is erected) otherwise than through a meter;
- (c) a parcel of land, for the supply of water to which a system of works has been constructed, that is not connected to that system of works; and
- (d) a parcel of land referred to in the last preceding section,

in the period of six months that commences on the first day of January, One thousand nine hundred and seventy-one, and ends on the thirtieth day of June, One thousand nine hundred and seventy-one, as if that period were a rating year.

“(2.) The amount of rates imposed in the period referred to in the last preceding sub-section in respect of water supplied to a parcel of land referred to in that sub-section shall be reduced to an amount that is equal to one-half of the amount that would, but for this sub-section, otherwise be payable.

“(3.) Any calculation necessary for the purposes of section fifteen of this Ordinance to and in relation to its application under this section to a parcel of land in respect of any part of the period referred to in sub-section (1.) of this section shall be made as if the reduction provided for by the last preceding sub-section had not been made.”.

10. Section 12 of the Principal Ordinance is amended by inserting after sub-section (2.) the following sub-sections:—

Persons by whom rates are payable.

“(2A.) The rates imposed by paragraph (a) of sub-section (1.) of section seven A of this Ordinance in respect of each of the units into which the parcel of land has been sub-divided are payable by the person who is the lessee of that unit at the commencement of the meter reading year and the rates imposed by that paragraph in respect of the common property are payable by the corporation.

“(2B.) The rates imposed by paragraph (b) of sub-section (1.) of section seven A of this Ordinance are payable by the corporation.”.

11. Section 14 of the Principal Ordinance is amended by omitting paragraph (c) of sub-section (1.) and inserting in its stead the following paragraph:—

Proportionate liability for rates for metered land for part of meter reading year where there is change in fortnightly, &c., tenancy.

“(c) the amount of rates payable in respect of each of those different periods—

- (i) if the total quantity of water so supplied in that meter reading year does not exceed One hundred thousand gallons—is an amount that bears the same proportion to the amount of Twenty dollars as the number of days in the period bears to three hundred and sixty-five; or
- (ii) if the total quantity of water so supplied in that meter reading year exceeds One hundred thousand gallons—is the sum of an amount calculated as provided by the last preceding sub-paragraph and an amount calculated at the rate of Twenty-five cents for each one thousand gallons of the quantity of water that bears the same proportion to the amount of that excess as the number of days in that period bears to three hundred and sixty-five.”.

12. Section 15 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

Proportionate liability for rates in part of rating year where rates are fixed by sections 7, 7A, 8, 9 or 10.

“(4.) Where a parcel of land on which a building containing residential flats is erected is sub-divided into units and common property under the *Unit Titles Ordinance* 1970 during a rating year, rates shall be deemed to have been payable under section seven of this Ordinance in respect of the parcel of land only for that part of the rating year that occurs before the first occasion on which the meter installed on the parcel of land is read in pursuance of a direction given under paragraph (b) of sub-section (3.) of section seventeen of this Ordinance at the rate prescribed by section seven of this Ordinance and, if the amount of rates payable in respect of that parcel of land for that rating year under section seven of this Ordinance has been paid, there shall be refunded to the person by whom the rates were paid an amount equal to the amount by which the amount so paid exceeds an amount that bears to the total amount of the rates so paid the same proportion as the number of days in that part of the rating year bears to three hundred and sixty-five.”.

Reading of
meters.

13. Section 17 of the Principal Ordinance is amended—

- (a) by inserting after sub-section (1.) the following sub-section:—

“ (1A.) Where—

(a) a parcel of land is sub-divided into units and common property under the *Unit Titles Ordinance 1970*; and

(b) the parcel of land was a parcel in respect of the supply of water to which rates were not payable under section six of this Ordinance immediately before the sub-division,

the proper authority shall cause the meter installed on the parcel of land to be read as soon as practicable after the parcel of land is so sub-divided.”;

- (b) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“ (3.) Notwithstanding anything contained in the last preceding sub-section—

(a) the proper authority may, for the purpose of enabling all meters in the same neighbourhood to be read on or about the same day, direct that the meter installed on a parcel of land shall be read on or about a specified day; and

(b) the proper authority, as soon as practicable after a parcel of land is sub-divided into units and common property under the *Unit Titles Ordinance 1970*, shall, if the parcel of land was a parcel of land in respect of the supply of water to which rates were payable under section six of this Ordinance immediately before the parcel was sub-divided, direct that the meter installed on the parcel of land shall be read on or about a specified day,

and the proper authority shall cause the meter to be read on or about the day so specified.”; and

- (c) by adding at the end thereof the following sub-section:—

“ (5.) Nothing in paragraph (b) of sub-section (3.) of this section prevents the proper authority giving a direction under paragraph (a) of that sub-section.”.

Reduction
of rates in
meter reading
year after
short meter
reading period.

14. Section 22 of the Principal Ordinance is amended—

- (a) by inserting in sub-section (1.), after the words “ section six ”, the words “ or sub-section (1.) of section seven A ”;

- (b) by omitting from paragraph (a) of sub-section (1.) the words “ Ten dollars ” and inserting in their stead the words “ Twenty dollars ”;

- (c) by omitting paragraph (b) of that sub-section and inserting in its stead the following paragraph:—

“(b) an amount, if any, calculated at the rate of Twenty-five cents for each one thousand gallons of water in excess of the quantity of water that bears the same proportion to one hundred thousand gallons as the number of days in the period bears to three hundred and sixty-five.”; and

- (d) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) Where the amount payable under the last preceding sub-section is less than Twenty dollars, the amount of rates payable under sub-section (2.) of section six, or sub-section (2.) of section seven A, of this Ordinance at the commencement of the meter reading year next after the meter reading year referred to in the last preceding sub-section shall be reduced by the amount by which the amount payable under the last preceding sub-section is less than Twenty dollars.”.

15. Section 25 of the Principal Ordinance is amended by omitting from sub-section (1.) the words “seventy-five thousand gallons” (wherever occurring) and inserting in their stead the words “one hundred thousand gallons”. Special accounts
for rates.

16.—(1.) The Principal Ordinance as amended by this Ordinance applies— Application.

- (a) in relation to a parcel of land to which water is supplied through a meter, not being a parcel of land on which a building containing residential flats is erected, in the meter reading year commencing next after the commencement of this Ordinance, and in subsequent meter reading years; and

- (b) in relation to—

- (i) a parcel of land on which a building containing residential flats is erected to which water is supplied from a system of works;
- (ii) a parcel of land to which water is supplied from a system of works otherwise than through a meter; and
- (iii) a parcel of land that is not connected to a system of works that has been constructed for the supply of water to that parcel,

in the period of six months that commences on the first day of January, One thousand nine hundred and seventy-one, in the rating year that commences on the first day of July in that year and in subsequent rating years.

(2.) Where a parcel of land on which a building containing residential flats is erected and to which water is supplied through a system

of works is sub-divided into units and common property under the *Unit Titles Ordinance* 1970, the Principal Ordinance as amended by this Ordinance, in so far as it applies in relation to a parcel of land to which water is supplied through a meter, applies to and in relation to the parcel of land in the meter reading year commencing next after the sub-division.

(3.) An expression in this section that is defined in the Principal Ordinance as amended by this Ordinance has the same meaning for the purposes of this section as it has in the Principal Ordinance as so amended.