

1973. No. 158

WATER CHARGES**Water Charges Regulations (Northern Ireland) 1973**

Made 29th May 1973

Coming into operation 1st October 1973

*To be laid before the Parliament of the United Kingdom
under paragraph 4(5)(b) of the Schedule to the Northern
Ireland (Temporary Provisions) Act 1972*

The Ministry of Development, with the approval of the Ministry of Finance, on behalf of the Secretary of State and in exercise of the powers conferred on it by Article 53 of the Water and Sewerage Services (Northern Ireland) Order 1973(a) and of every other power enabling it in that behalf hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Water Charges Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Water Charges

2. The Ministry shall publish notice of the charges to be paid by the owners or occupiers of premises for the supply of water.

Measurement of consumption

3.—(1) Where a charge for the supply of water is payable by reference to the quantity of water consumed on any premises, the Ministry may attach to the pipe supplying those premises a meter for measuring that quantity and the register of the meter shall be prima facie evidence of that quantity.

(2) Any question arising between the Ministry and an owner or occupier of premises with respect to the quantity of water consumed may, on the application of either party, be determined by a court of summary jurisdiction and such court may order by which of the parties the cost of the proceedings shall be paid.

(3) If a meter on being tested is proved to register incorrectly to any degree exceeding five per cent, the meter shall be deemed to have registered incorrectly to that degree since the last occasion but one before the date of the test on which a reading of the index of the meter was taken by the Ministry, unless it is proved to have begun to register incorrectly on some later date.

(4) Where a charge for the supply of water is revised, the revised charge shall not apply to any water consumed by any owner or occupier of premises before the first inspection of the meter for the purpose of ascertaining the amount of water consumed by that owner or occupier which is made after the introduction of the revised charge.

(a) S.I. 1973, No. 70 (N.I. 2).

Transfer of meters

4. There shall be transferred to the Ministry all meters attached to pipes which are on or after 1st October 1973 vested in the Ministry.

Meters to be connected or disconnected by Ministry

5.—(1) No person shall, without the consent of the Ministry, connect or disconnect any meter by means of which water supplied by the Ministry is intended to be or has been measured.

(2) Any person who requires a meter to be connected or disconnected, shall give to the Ministry notice of his requirements and the Ministry shall carry out the necessary work as soon as practicable and may recover from him summarily as a civil debt the expenses reasonably incurred by it in doing so.

(3) Any person who contravenes paragraph (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

Damage to or interference with meters

6.—(1) No person shall wilfully, fraudulently, or by culpable negligence—

(a) damage any meter belonging to the Ministry, or

(b) alter the index to any meter, or

(c) prevent any meter from duly ascertaining the amount of water supplied.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

(3) The existence of artificial means under the control of the owner or occupier of premises for causing an alteration of the index to any meter or the prevention of any meter from duly ascertaining the amount of water consumed shall be evidence that the alteration or, as the case may be, the prevention has been fraudulently and wilfully caused by that owner or occupier.

Payment of accounts

7.—(1) If the owner or occupier of any premises fails to pay any sum payable under these regulations within one month of receipt of the demand therefor, the Ministry may, after serving 7 days' notice of its intention, disconnect his premises from the Ministry's main.

(2) Where premises are disconnected under paragraph (1), the owner or occupier shall meet the costs incurred by the Ministry in making the disconnection and in making any new connection.

(3) Any charges or costs due to the Ministry shall be a debt recoverable summarily by the Ministry.

(4) If the owner or occupier of any premises who is liable to pay a charge under these regulations quits the premises without paying any amount due from him in respect of charges for water or costs under this Article, the Ministry shall not be entitled to require from the next owner or occupier of the premises the payment of the amount due, unless that owner or occupier has undertaken with the former owner or occupier to pay or exonerate him from the payment of that amount.

(5) If the owner or occupier of any premises who is liable to pay a charge under these regulations quits the premises without giving at least 48 hours' notice in writing to the Ministry, he shall be liable to pay to the Ministry all charges due for water supplied by it to the premises up to:—

- (a) the next date on which the register of the meter on the premises is usually ascertained; or
- (b) the date from which any subsequent owner or occupier of the premises requires the Ministry to supply water to the premises.

(6) If any person requiring a supply of water from the Ministry has previously quitted premises at which water was supplied to him by the Ministry without paying all amounts due from him to the Ministry, the Ministry may refuse to supply water to him until he pays the amounts so due.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 29th day of May 1973.

(L.S.)

J. M. Beckett,
Assistant Secretary.

The Ministry of Finance, on behalf of the Secretary of State, hereby consents to the making of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of May 1973.

(L.S.)

C. F. Darling,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations provide for the levying on the owners or occupiers of premises of charges for the supply of water.

1973. Nos. 159, 160, 161

These Orders have been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. Summaries are given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.