



Rural Water Supplies and Sewerage Act 1944

1944 CHAPTER 26

5 Duty of statutory water undertakers to accept guarantees from local authorities.

- (1) The provisions of this section shall have effect in any case where the owners or occupiers of any premises in a rural locality can require statutory water undertakers to bring water to that locality if the aggregate amount of the water rates which will be payable annually in respect of those premises will not be less than a prescribed fraction of the cost to be incurred by the undertakers in complying with the requisition, and if the owners or occupiers of those premises agree to take a supply of water for a prescribed period.
- (2) If, in any such case as aforesaid, the aggregate amount of the water rates which would be payable annually in respect of any premises in the locality is not sufficient to enable a valid requisition to be made by the owners and occupiers of those premises, the local authority of the district in which the locality is situate may undertake that, until the water rates paid for any year in respect of premises in that locality amount to a sum which would have enabled such a requisition to be made, the authority will make good to the undertakers in each year the difference between that sum and the amount of the water rates actually paid in respect of premises in that locality, and, thereupon, the undertakers shall lay any necessary mains and bring water to that locality.
- (3) Any two or more local authorities may combine for the purposes of giving such an undertaking as aforesaid.
- (4) If the undertakers, after tender to them of an undertaking which satisfies the preceding provisions of this section, do not before the expiration of three months lay the necessary mains and bring water to the locality in question, they shall, unless they show that the failure was due to unavoidable accident or other unavoidable cause, be liable on summary conviction to a fine not exceeding fifty pounds and to a further fine not exceeding five pounds for each day on which their default continues after conviction therefor.
- (5) In this section the following expressions have the meanings hereby respectively assigned to them, that is to say :—

Status: This is the original version (as it was originally enacted).

" local authority " means the council of a borough, urban district or rural district ;

" prescribed " means prescribed by the enactments regulating the undertaking in question ;

" statutory water undertakers " means any company, local authority, board, committee or other persons or person supplying water under any enactment;

" enactment " means an enactment in an Act of Parliament whether public general, local or private and a provision in an order confirmed by or made under an Act of Parliament.