

- (b) on contributions to the funds of any charitable body in furtherance of its work in the Islands;
- (c) in giving financial assistance to persons carrying on sporting or charitable activities for the purposes of enabling or facilitating them to carry out those activities; and
- (d) in promoting or advertising any sporting organisation, or the sporting activities of any such organisation or of its members.

(3) In subsection (2) above "member", in relation to a sporting organisation, includes any person who participates in the sporting activities of the organisation or who otherwise benefits from facilities used by the organisation."

Regulations.

5. (1) Paragraph (j) of section 60 of the principal Law is amended by adding at the end, and immediately before the semicolon, the words "and prescribing charges for retaining the connection of premises to the public water supply system".

(2) Paragraph (k) of section 60 of the principal Law is amended by adding at the end, and immediately before the semicolon, the words "and prescribing charges for retaining the connection of premises to the public sewerage system".

Passed by the Legislative Assembly the 5th day of April, 1995.

SYBIL McLAUGHLIN
Speaker.

GEORGETTE MYRIE
Clerk of the Legislative Assembly.

CAYMAN ISLANDS



Supplement No. 3 published with Gazette No. 10, dated Tuesday, 16th May, 1995.

THE WATER AUTHORITY (AMENDMENT) LAW, 1995
(LAW 2 OF 1995)

(5) The Authority shall not exercise the power conferred by subsection (1) above for a purpose falling within paragraph (a) of subsection (3) above except pursuant to a direction given under subsection (4) above by the Governor.

(6) The Governor shall not give a direction under subsection (4) above unless he is satisfied -

- (a) that the exercise of any power pursuant to the direction would not prevent the Authority from carrying out its duties under sections 5 and 6 or from complying with any other direction given under subsection (4) above;
- (b) that the Authority would not, solely by virtue of the direction, be likely to fail to carry out the duty specified in section 8E (duty of balancing revenue account);
- (c) that the Authority would be able to exercise its powers pursuant to the direction without requiring for those purposes an advance, grant or guarantee made or given under section 8B; and
- (d) it is unlikely that the exercise of any power pursuant to the direction will have a substantially adverse effect on the development of competition in the provision in the Islands of the works or services referred to in subsection (1) above.

Community activities. 7C. (1) The Authority may, subject to the provisions of this section, incur expenditure which in the opinion of the Authority is in the interests of the Islands or any or all of the residents of the Islands.

(2) The Authority may incur expenditure -

- (a) on contributions to the funds of any sporting organisation representing residents of the Islands to facilitate or enable the participation of the organisation or its members in sporting activities, whether the participation is in or outside the Islands;

[The Water Authority (Amendment) Law, 1995 - 6]

the system is part of or connected to a public water supply or sewerage system.

(2) For the purposes of carrying out and providing any of the works or services referred to in subsection (1) above -

- (a) the Authority shall have the powers in respect of public water supply and public sewerage systems mentioned in paragraphs (a) and (b) of section 7(1) above; and
- (b) the Authority shall have power to do any thing, including the expenditure or borrowing of money, which is calculated to facilitate, or is conducive or incidental to, those purposes.

(3) The powers conferred on the Authority by subsection (1) above shall only be exercisable -

- (a) for the purposes of facilitating any of the activities of -
 - (i) a Government school, or a private school registered under the Education Law;
 - (ii) a charitable body;
 - (iii) a Government hospital or clinic; or
 - (iv) a Government department or statutory corporation; or
- (b) for any purposes where a state of emergency has been declared under the Emergency Powers Law (Revised).

(4) The Governor may, after consultation with the Authority, direct the Authority to exercise any power conferred by subsection (1) above; and, if he does so, he may also give the Authority directions with respect to -

(a) the manner in which, and time within which, the power is to be exercised; and

(b) the resources of the Authority with which the power is to be exercised.

CAYMAN ISLANDS

Law 2 of 1995

I Assent

Michael J Gore
Governor

8th May, 1995

A LAW TO AMEND THE WATER AUTHORITY LAW, 1982

ENACTED by the Legislature of the Cayman Islands.

Short title.

Amendment of
section 7.

1. This Law may be cited as the Water Authority (Amendment) Law, 1995.

2. (1) Subsection (1) of section 7 of the Water Authority Law, 1982 ("the principal Law") is amended by adding after paragraph (g) the following paragraph -

"(h) fix charges for any services provided in the course of carrying out the Authority's functions and to demand and recover those charges from any person to whom or in relation to whose premises, the Authority provides services."

(2) Section 7 of the principal Law is amended by adding at the end

the following subsection -

"(4) The Authority may exercise its powers to fix charges by reference to such matters, and may adopt such methods and principles for the calculation and imposition of the charges, as appear to the Authority to be appropriate."

New section 7A.

3. The principal Law is amended by inserting after section 7 the following section -

"Liability of owners for charges.

7A. (1) Subject to the following provisions of this section and except in so far as a provision to the contrary is made by an agreement to which the Authority is a party -

- (a) the connection of premises to a public water supply system, and any supplies of water provided by the Authority to those premises via a public water supply system, shall be treated for the purposes of this Law (and any Regulations made or having effect under this Law) as services provided to the owner for the time being of the premises so connected or supplied; and
- (b) the connection of premises to a public sewerage system, and any collection, treatment and disposal of sewerage drained from those premises via a public sewerage system, shall be treated for the purposes of this Law (and any Regulations made or having effect under this Law) as services provided to the owners for the time being of the premises so connected or drained.

(2) In this section -

- (a) "owner", in relation to any premises, means the person who is registered as the proprietor of the premises under the Registered Land Law (Revised), and, where more than one person is so registered in relation to any premises, "owner" means either or any of those persons;

New sections 7B and 7C.

4. The principal Law is amended by inserting after section 7A (inserted by section 2(3) of this Law) the following sections -

"Projects.

7B. (1) The Authority may carry out and provide any works and any services relating to the design, planning, construction, maintenance or repair of a water supply or sewerage system, whether or not

(b) "via a public sewerage system", in relation to the drainage of any premises connected to a public sewerage system, includes drainage by a sewer or drain connecting directly with a public sewerage system or draining to that system through an intermediate sewer or drain; and

(c) "premises" includes any premises within the meaning of "premises" in section 2(1) above and any vehicle or vessel.

(3) Subject to subsection (4) below, charges which are fixed in relation to any premises may be imposed so that a person is made liable in relation to those premises to pay charges for services provided by the Authority after that person has ceased to be the owner of the premises.

(4) A person shall not be made liable by virtue of subsection (3) above for any charges fixed in relation to any premises by the Authority, except where -

- (a) he fails to inform the Authority of the ending of his ownership at least five working days before the day on which he ceases to own the premises; and
- (b) he fails to inform the Authority of the name and address of the new owner of the premises no later than five working days after the day on which he ceases to own the premises; and
- (c) the charges are in respect of a period ending no later than the sixtieth day after the day on which he ceases to own the premises."