

Island of



Guernsey

Ordinance of the States

XI

1989

Made

28th June, 1989.

Coming into Operation ...

1st July, 1989.

**The Water Charges (Amendment)
Ordinance, 1989**

THE STATES, in pursuance of their Resolution of the day of , 1989, and in exercise of the powers conferred upon them by Article 17 of the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the 7th day of May, 1927, as amended(a), hereby order:—

1. In the Water Charges Ordinance, 1979, as amended(b)— **Amendment to Ordinance of 1979.**

- (a) section 1(2) is repealed;
- (b) in section 2(1), after "which is" insert "or the curtilage of which is";
- (c) in section 3, after "which" insert "or any part of the curtilage of which";

(a) Ordres en Conseil Vol. VIII, p. 112; and Vol. XXVI, p. 536.

(b) Recueil d'Ordonnances Tome XXI, p. 377; No. XLI of 1985; and No. XL of 1987.

- (d) in section 4(1) and (2), for “ paragraph 4 ” substitute “ paragraph 2 ”;
- (e) after section 4(2) insert—
 “ (3) The provisions of this section do not apply, and accordingly the owner or occupier of the dwelling-house may not require the Board to furnish the dwelling-house with a supply of water for domestic purposes at the charges specified in paragraph 2 of the Schedule to this Ordinance, if the dwelling-house or its curtilage, or any part thereof, is—
 (a) furnished with a supply of water by the Board by measure;
 (b) used for trade, business, or other commercial purposes; or
 (c) inscribed in the Cadastre as being so used.”;
- (f) for section 5 substitute—
 “Charges for a supply of water by measure. 5. The charges which may be made by the Board for a supply of water furnished to any property by measure shall be the charges specified in paragraph 1 of the Schedule to this Ordinance.”;
- (g) in section 6, for “ paragraph 4 ” substitute “ paragraph 2 ”;
- (h) after section 6 insert—
 “Rateable value of new properties. 6A. (1) Where a new property, the rateable value of which is not yet inscribed in the Cadastre, is furnished by

the Board with a supply of water for domestic purposes, the Board may, for the purpose of calculating the charges which may be made under section 4 or 6 for the supply, estimate a rateable value for the property.

(2) If the rateable value of the property, when inscribed in the Cadastre, differs from the rateable value as so estimated, the amount (if any) by which the charges actually paid differ from the charges which would have been paid had they been calculated according to the inscribed rateable value shall be refunded by or (as the case may be) paid to the Board.

(3) An amount to be paid to the Board under subsection (2) is recoverable as if it were a charge for the supply of water.”;

(i) in section 9—

(i) for “ paragraph 5 ” substitute “ paragraph 3 ”;

(ii) after “ this Ordinance ” insert “, and different charges may be made for uses for different purposes and any such charge is recoverable as if it were a charge for the supply of water ”;

(j) for section 10 substitute—

“Charge for installation of meter.

10. (1) The Board may make such charge for the installation of a meter on a property furnished with a supply of water by the Board otherwise than by measure as will meet the average reasonable cost to the Board of such an installation.

(2) A charge made under subsection (1) is recoverable as if it were a charge for the supply of water.”;

(k) sections 11 and 12 are repealed;

(l) in section 13—

(i) after the definition of “the Cadastre” insert—

““curtilage”, in relation to any property or dwelling-house, means any land adjoining and in the same ownership as the property or house; and land does not cease to be part of a curtilage by reason only of the fact that—

(a) there exists upon the land or property any wall, hedge, ditch or other boundary feature; or

(b) there is inscribed in the Cadastre more than one number in respect of the land and the property or house;”;

(ii) after the definition of "a dwelling-house" insert—

"rateable value" means the rateable value inscribed in the Cadastre;"

(iii) in the definition of "a supply of water for domestic purposes", after "premises" insert—

“; but a supply of water does not cease to be a supply of water for domestic purposes within the meaning of this Ordinance by reason only of the fact that a hosepipe is used to provide reasonable quantities of water to wet a garden or to wash a vehicle”; and

(m) for the Schedule, substitute the Schedule contained in the Schedule to this Ordinance.

2. The Water Charges (Amendment) Ordinance, 1987(c) is repealed. **Repeal.**

3. Notwithstanding the repeal effected by section 2, the charges which may be made by the Board for a supply of water in respect of which an account is rendered before the 1st day of October, 1989 shall be at the rates applicable immediately before the commencement of this Ordinance. **Transitional provisions.**

4. This Ordinance may be cited as the Water Charges (Amendment) Ordinance, 1989. **Citation.**

5. This Ordinance and the Water Charges Ordinances, 1979 and 1985, may be cited together as the Water Charges Ordinances, 1979 to 1989. **Collective title.**

6. This Ordinance shall come into force on the 1st day of July, 1989. **Commencement.**

SCHEDULE Section 1(m)

SCHEDULE

Charges for water and hosepipes

1. The charges which may be made under section 5 for a supply of water furnished to any property by measure are—
 - (a) a charge of 35½ pence per cubic metre of water supplied; and
 - (b) the quarterly charge in column 2 below appearing opposite the size shown in column 1 of the meter installed in the property.

1. Size of meter	2. Quarterly charge
½" (13 mm)	£11.50
¾" (20 mm)	£11.50
1" (25 mm)	£13.00
1½" (40 mm)	£15.00
2" (50 mm)	£16.00
3" (75 mm)	£17.00
4" (100 mm)	£19.00

2. The charge which may be made under section 4 or 6 for a supply of water for domestic purposes furnished to any property otherwise than by measure is the quarterly charge in column 2 below appearing opposite the band of rateable values in column 1 which contains the aggregate of the rateable values of the property and its curtilage.

1. Bands of rateable values	2. Quarterly charge
0-19	£12.90
20-29	£15.60
30-39	£18.30
40-49	£21.00
50-59	£23.70
60-69	£26.40
70-79	£29.10
80-89	£31.80
90-99	£34.50
100 and over	27% of rateable value plus a fixed charge of £9.00.

3.

Nil.”.

K. H. TOUGH,
Her Majesty's Greffier.