

**THE CENTRAL WATER AUTHORITY (AMENDMENT) BILL 2005
(NO II OF 2005)**

Explanatory Memorandum

The object of this Bill is to amend the Central Water Authority Act to –

- (a) increase the penalties for offences committed under the regulations made pursuant to the Act;
- (b) distinguish, for sentencing purposes between a domestic and other consumers;
- (c) authorize officers of the Central Water Authority to prosecute offences committed under the Act and regulations made thereunder.

11 February 2005
Utilities

A. GANOO
Minister of Public

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ARRANGEMENT OF CLAUSES

Clause

- 1. Short title
 - 2. Interpretation
 - 3. Section 49A of principal Act amended
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A BILL

To amend the Central Water Authority Act

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Central Water Authority (Amendment) Act 2005.

2. Interpretation

In this Act –

“principal Act” means the Central Water Authority Act.

3. Section 49A of principal Act amended

Section 49A of the principal Act is amended –

(a) by deleting subsection (1) and replacing it by the following subsection –

(1) Any person who contravenes any subsidiary enactment made under this Act shall commit an offence and shall, on conviction, be liable –

(a) in the case of a domestic consumer, to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years;

(b) in any other case, to a fine not exceeding 200,000 rupees and to imprisonment for a term not exceeding 2 years.

(b) by adding immediately after subsection (2) the following subsections –

(3) The Authority may –

- (a) subject to the concurrence of the Director of Public Prosecutions, authorize any officer, either generally or in respect of any particular matter, to institute criminal proceedings in respect of an offence under this Act or any subsidiary enactment made under this Act.
 - (b) designate an officer to conduct criminal proceedings instituted under paragraph (a).
- (4) For the purpose of this section –
- “domestic consumer” means a person whom the Authority has agreed to supply water for domestic purposes.