

CAYMAN ISLANDS



**Water Authority Act
(2022 Revision)**

WATER AUTHORITY REGULATIONS

(2022 Revision)

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Note (not forming part of these Regulations): This revision replaces the 2018 Revision which should now be discarded.



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(2022 Revision)

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CAYMAN ISLANDS

Water Authority Act
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PART I - INTRODUCTORY

Citation

1. These regulations may be cited as the *Water Authority Regulations (2022 Revision)*.

Definitions

2. In these regulations —

“**Abstraction Licence**” and “**Ground Water Abstraction Licence**” mean a licence granted under section 23;

“**Central Planning Authority**” means the Authority established under section 3 of the *Development and Planning Act (2021 Revision)*;

“**certificate of occupancy**”, in relation to development work involving construction of sanitary facilities, means a certificate issued by the Central Planning Authority under regulation 34 of the *Development and Planning Regulations (2022 Revision)*;

“**Chief Environmental Health Officer**” means the Government official designated under the *Public Health Act (2021 Revision)*;

“**developed water**” means water from ground water sources which has been made available by the Authority for sale at the site of development;

“**domestic effluent**” means any waste water which results from the ordinary household activities, being activities carried out on any premises which are used solely for private residential purposes;

“**effective date**” means the 11th March, 1985;

“**General Register of Ground Water Abstraction Licence**” means the register established under regulation 10;

“**General Register of Operators**” means the register established under regulation 30;

“**licence of right**” means a licence to abstract ground water granted under section 20;

“**licensed plumber**” means a person who has been licensed to carry out plumbing work under these Regulations;

“**Part**”, unless the context otherwise requires, means a Part of these Regulations;

“**planning permission**” means a permission to develop land granted under section 15 of the *Development and Planning Act (2021 Revision)*;

“**plumbing work**” means any work concerning the placement, replacement, construction or modification of sanitary facilities, or part thereof, to the exclusion of works involving the provisions of any electrical part or component;

“**Register of Canal Construction Permits**” means the register established under regulation 17;

“**Register of Quarry Permits**” means the register established under regulation 17;

“**Register of Waste Discharge Permits**” means the register established under regulation 17;

“**roughing-in inspection**”, in relation to plumbing work, means an inspection carried out by the Authority or its agent at the time of construction when all the pipes, fittings and fixtures that would normally be covered up are fixed but still exposed and ready for testing or inspection;

“**roughing-in stage**”, in relation to plumbing work, means the stage of construction when the relevant works are ready for the roughing-in inspection;

“**sanitary facilities**” means all pipes, fixtures, fittings, treatment facilities, disposal facilities, wells, water containers and any other equipment or material used in connection with, and for the purposes of, the provision of water supply and sewage treatment and disposal;

“**Schedule**” means a Schedule to these Regulations;

“**sewage effluent**” has the meaning assigned to the word “**sewage**” in the *Water Authority Act (2022 Revision)*;

“**statutory fee**” means the portion of the cost of the statutory functions exercised by the Authority under the Act to be paid to the Authority by a service provider;



“**trade effluent**” has the meaning assigned to it in the *Water Authority Act (2022 Revision)* and the expression “**commercial effluent**” shall be construed accordingly; and

“**water operator**” means a well driller, plumber or cesspool emptier, as the case may be.

PART II - CONTROL OF WATER RESOURCES

Duration of licence of right

3. Licences of right issued under section 20 shall be of indefinite duration, beginning from the date of issue.

Ground water abstraction licences

Water abstraction applications

4. (1) All applications for water abstraction licences other than licences of right shall be made to the Authority on the appropriate form issued by and obtainable from the Authority, include such of the appropriate particulars as are material to the application, be accompanied by satisfactory evidence of planning permission, if such permission is required under the *Development and Planning Act (2021 Revision)*, and comply with all other relevant provisions of this Part.
- (2) Every such application shall be accompanied by the fee prescribed in the Second Schedule to cover the cost of the necessary processing, and the Authority shall not entertain any application until payment of the prescribed fee has been effected.
- (3) Unless, in the opinion of the Authority, special circumstances warrant otherwise, a separate application shall be filed in respect of each point of abstraction for which a licence is sought.
- (4) An application for an abstraction licence shall be accompanied by appropriate evidence, to the satisfaction of the Authority, that a notice setting out the particulars of the application has been prepared by the applicant in, or substantially in, the form set out in the First Schedule, and that the said notice has been published in one local newspaper on one occasion:

Provided that —

- (a) where the proposed abstraction forms part of a general development scheme notice whereof has been advertised under regulation 8 of the *Development and Planning Regulations (2022 Revision)*, publication of a notice under this paragraph shall not be required, and the applicant shall

submit to the Authority with his application a copy of the advertisement made; and

- (b) where more than one application is filed by one applicant in respect of abstraction points situated in one and the same area, publication of one cumulative notice in one newspaper on one occasion will satisfy the requirements of this paragraph.

Duties of Authority with applications

5. (1) On receipt of an application for a licence to abstract water other than a licence of right the Authority shall send to the applicant an acknowledgment in writing.
- (2) The Authority may decline to consider any objection to, or representation on, an application for a water abstraction licence, if such objection or representation reaches the Authority fourteen or more days after the relevant date.
- (3) The Authority shall cause to be served upon the applicant for a water abstraction licence a copy of every objection or representation received by them within the period specified in paragraph (2), and a copy of any other objection which they intend to take into consideration.
- (4) Without prejudice to section 25, in dealing with an application for a water abstraction licence the Authority shall have regard to —
- (a) any objections or representations in writing relating to the application;
 - (b) the requirements of the applicant, insofar as they appear to the Authority to be requirements; and
 - (c) the requirements of existing lawful uses of water abstracted from the ground water resource to which the application relates.
- (5) Subject to paragraph (4) and the *Water Authority Act (2022 Revision)*, on any application to the Authority for a licence to abstract water other than a licence of right, the Authority may —
- (a) grant a licence containing such provisions as they consider appropriate; or
 - (b) if they consider it necessary or expedient to do so, refuse to grant a licence.
- (6) The Authority shall notify in writing the applicant of their decision, and, where they decide to grant a licence subject to conditions or departing in a material respect from the proposals made in the application or to refuse a licence, they shall state their reasons in writing.
- (7) A licence to abstract ground water, other than a licence of right, shall be in the form set out in the First Schedule.
- (8) Upon the granting of a licence to abstract ground water other than a licence of right, the Authority shall cause an entry to be made to that effect in the General Register of Ground Water Abstraction Licences.
- (9) In this regulation —



“**relevant date**” means the date on which notice of the application was published in a newspaper under regulation 4(4).

Duration of licences

6. A licence to abstract ground water shall be of indefinite duration, beginning from the date of issue.

Construction works

7. (1) Where, under section 24, a ground water abstraction licence is granted subject to construction, enlargement or alteration of works, the holder of such a licence shall, at least seven days prior to the intended commencement date, notify the Authority in writing of their intention to commence the said works such a date being consistent with the period assigned in the licence for the completion of the authorised works.
- (2) If, after commencement of the authorised works, the licensed holder anticipates that that licensed holder will be unable to complete the works within the period assigned to the licensed holder in the licence, or upon the expiration of the assigned period without the authorised works having been completed as directed in the licence, the holder of the licence may apply in writing to the Authority for the grant of an extension of the assigned period, whereupon the Authority will exercise the powers conferred on them by section 24(1).
- (3) If the holder of such a licence is unable to complete the authorised works within such extended period as may have been granted by the Authority under paragraph (2), the licensed holder may apply to the Authority for a second and final extension. Failure by the holder of a licence to complete the authorised works within the period so extended may result in the termination of the licence under paragraph (a) of section 31(1).

Provisions common to ground water abstraction licences and licences of right

Termination or variation of licence on application of holder

8. (1) The holder of a licence under the *Water Authority Act (2022 Revision)* may apply to the Authority to terminate the licence, and on such application to the Authority shall terminate the licence accordingly, subject to such terms and conditions as they think fit.
- (2) The holder of a licence under the *Water Authority Act (2022 Revision)* may apply to the Authority to vary the licence, and the provisions of regulations 4 to 7 shall apply to applications under this regulation, and to applications for, and the grant of, licences and related construction works under the *Water Authority Act (2022 Revision)*:

Provided that, where the proposed variation is limited to reducing the quantity of water authorised to be abstracted under the licence, regulations 4(4), 5(2) and 5(3) shall not apply.

- (3) Without prejudice to the applications of regulations 4 to 7 in relation to the termination or variation of a licence on application of the relevant holder, the Authority shall cause an entry to be made in the General Register of Ground Water Abstraction Licences in relation to any action taken under section 30.

Appeal against suspension, variation or revocation

9. (1) The holder of a licence under the *Water Authority Act (2022 Revision)* who is aggrieved by a decision of the Authority to suspend, vary or revoke a licence under section 28, 29, 31, 32 or 33 may appeal therefrom in the manner provided for in Part X of the *Water Authority Act (2022 Revision)*.
- (2) The Authority shall cause an entry to be made in the General Register of Ground Water Abstraction Licences in relation to any action taken under sections 28, 29 and 31 to 33.

Register of licences

10. (1) The Authority shall keep, in such manner as they deem fit, a General Register of Ground Water Abstraction Licences containing a copy of all licences granted under the *Water Authority Act (2022 Revision)*, and information concerning any action taken by the Authority in relation to such licences after the grant thereof.
- (2) The General Register of Ground Water Abstraction Licences shall be available for inspection by the public at all reasonable hours at the offices of the Authority. Certified and uncertified extracts from the Register shall be obtainable on payment of the fee prescribed in the Second Schedule.

PART III - WATER POLLUTION CONTROL

Permits that apply

11. This Part applies in relation to permits for —
 - (a) the discharge of any sewage effluent, trade effluent or other wastes into or onto the ground, into ground water, or into the territorial waters, under paragraph (a) of section 34(1) and section 35;
 - (b) the construction, replacement or alteration of canals, under paragraph (b) of section 34(1); and
 - (c) the carrying out of quarrying activities, under paragraph (c) of section 34(1).



Provisions common to all permits under Part V of the Act

Applications and execution

- 12.** (1) All applications for a permit under this Part shall be made to the Authority on the appropriate form issued by and obtainable from the Authority, include such of the appropriate particulars as are material to the application, be accompanied by satisfactory evidence of planning permission, if such permission is required under the *Development and Planning Act (2021 Revision)*, and comply with the relevant provisions of this Part.
- (2) Every such application shall be accompanied by the fee prescribed in the Second Schedule, and the Authority shall not entertain any application until payment of the prescribed fee has been effected.
- (3) Applications for a permit under paragraph (1) shall be subject to regulation 4, and shall be dealt with in, or substantially in, accordance with regulation 5:
- Provided that —
- (a) the matters to which the Authority shall have regard in dealing with an application shall include, in addition to those listed in regulation 5(4), the impact which the proposed activity may have on the quality and occurrence of ground water and on the quality of the environment affected by the proposed discharge;
 - (b) a permit shall be in the form set out in the First Schedule; and
 - (c) upon the granting of a permit the Authority shall cause an entry to be made to that effect in the Register of Waste Discharge Permits, the Register of Canal Construction Permits or the Register of Quarry Permits, as the case may be.

Authorised works

- 13.** All construction, enlargement or alteration works which are authorised in a permit under this Part shall be dealt with in, or substantially in, accordance with regulation 7:
- Provided that —
- (a) all references therein contained to section 24(1) shall be construed as references to section 36(1); and
 - (b) the reference therein contained to paragraph (a) of section 31(1) shall be construed as a reference to paragraph (b) of section 36(2).

Duration and renewal of permits

- 14.** (1) Permits under this Part are valid for —
- (a) an indefinite duration, in case of permits for discharge into ground water, into or onto the ground and into territorial waters;
 - (b) five years, in case of quarry permits; or



- (c) so long as the Authority may allow, in case of permits for the construction, alteration or replacement of canals, being a period commensurate to the size and importance of the works for which a permit is granted.
- (2) All permits under this Part, other than permits for the discharge into ground water, into or onto the ground and into territorial waters and for the construction, replacement or alteration of canals, are renewable under regulation 16.
- (3) All permits granted for the construction, replacement or alteration of canals are renewable under regulation 7(2) and (3).
- (4) Upon the filing of an application for a permit under this Part or of an application for the renewal of the said permit, and annually thereafter so long as the permit, having validity for more than one year under paragraph (1), continues in force, there shall be payable to the Authority the fee prescribed in the Second Schedule.

Suspension, variation or revocation of permit

- 15.** All requests of the holders of a permit to terminate or vary this permit shall be dealt with in, or substantially in, accordance with regulation 8:

Provided that —

- (a) the proviso to regulation 8(2) shall not apply in respect to a request under this regulation; and
- (b) without prejudice to the application of regulation 8 in relation to the termination or variation of a permit on application of the relevant holder, the Authority shall cause an entry to be made in the relevant register of permits in relation to any action taken under section 36(2) and shall be dealt with in, or substantially in, accordance with section 33.

Renewal of permits

- 16.** (1) Permits granted under subparagraphs (b) and (c) of regulation 14 may be renewed at the discretion of the Authority upon a written request to be filed with them not later than two months prior to expiration.
- (2) Such requests shall be accompanied by the appropriate renewal fee prescribed in the Second Schedule. Failure of the permit holder to file for the renewal of his permit within this period will result in the relevant application being entertained by the Authority as though it was an application for a new permit or, if no application has been filed prior to the expiration of the permit, in its termination. The Authority is entitled to issue expiration date reminder notices to permit holders.
- (3) Upon receiving an application for the renewal of a permit, the Authority shall notify the applicant in writing that the application —
- (a) has been approved;



- (b) has been approved, subject to the permit being varied by —
 - (i) the amendment of any one or more of the terms or conditions;
 - (ii) the revocation of any one or more of the terms or conditions; or
 - (iii) the addition of one or more terms or conditions; or
- (c) has not been approved.

Register of permits

- 17.** (1) The Authority shall keep, in such manner as they deem fit —
- (a) a Register of Waste Discharge Permits;
 - (b) a Register of Canal Construction Permits; and
 - (c) a Register of Quarry Permits,
- which shall contain a copy of all permits granted under the *Water Authority Act (2022 Revision)*, and information concerning any action taken by the Authority in relation to such permits following the grant thereof.
- (2) The public shall have access to all registers mentioned in this regulation and extracts thereof shall be obtainable from the Authority, under regulation 10(2).

Special provision for separate kinds of permit

Domestic effluent consent conditions

- 18.** (1) All domestic effluents discharging from any sanitary works or household into or onto the ground, into ground water or into the territorial waters shall comply with the minimum quality standard of thirty milligrams per litre (parts per million) suspended solid and thirty milligrams per litre (parts per million) biochemical oxygen demand, both these parameters being determined by testing procedures laid down by the Authority. The Authority may exempt temporary facilities from compliance with the said minimum standard if, in their opinion, achievement thereof would place an unreasonable burden on the operator of the facility, and in all cases in which it is likely that public sewerage facilities will be provided within a reasonable time.
- (2) Any determination made by the Authority under paragraph (1) shall be final, and Part X of the *Water Authority Act (2022 Revision)* concerning appeals from determinations made by the Authority in the administration of the *Water Authority Act (2022 Revision)* shall not apply in respect of determinations made under this regulation.

Trade or commercial effluent consent conditions

- 19.** Any trade or commercial effluent discharging into or onto the ground, into ground water or into the territorial waters shall be subject to the same standard as that required for domestic effluents, and, in addition, it shall contain no toxic or harmful substances which, in the opinion of the Chief Environmental Health Officer, are likely to be harmful to the health of the inhabitants or to the environment.

Testing of effluent discharged under a permit

- 20.** (1) The Authority may, from time to time, under paragraph (c) of section 54(2), test the quality of an effluent being discharged under a permit.
- (2) If, as a result of a test made under paragraph (1), the effluent discharged fails to meet the minimum quality standard laid down in regulation 18 or 19, as the case may be, section 31(1) shall apply, and the Authority will charge, for the test made, the fee prescribed in the Second Schedule.
- (3) If, as a result of a test made under paragraph (1), the conditions as to the quality of the effluent discharged which are contained in the relevant permit are shown to be met, no charge for the test will be made except where the test was requested by the holder of the relevant permit, or by any other person, the prescribed fee being payable by one or the other, as the case may be.

Permits for the construction, replacement or alteration of canals

- 21.** All applications for a permit to construct, replace or alter a canal shall be accompanied by a 1:5,000 scale plan showing accurately the proposed works.

Permits to quarry

- 22.** (1) A permit to quarry shall be required whenever it is intended to remove any geological stratum from its natural environment and export it to another location, whether for sale or not.
- (2) All applications for a permit to quarry shall be accompanied by a 1:5,000 scale plan showing accurately the proposed quarry operations.

Discharge of sewage and other wastes by the Authority**Grant of permits to the Authority**

- 23.** (1) Under section 46, the discharge by the Authority of sewage and trade effluents into or onto the ground, into ground water or into the territorial waters, via the public sewerage system shall be subject to a permit under this regulation.
- (2) Where the Authority proposes to discharge any sewage or trade effluent into or onto the ground, into ground water or into the territorial water, via the public sewerage system, they shall set out their proposals in the form of a draft permit



including all the matters which appear to them to be appropriate for inclusion in the permit they require, and shall place a copy thereof on deposit at their offices.

- (3) Regulation 4(4) shall have effect so as to require the Authority to publish and to serve, as there provided for, a notice stating that —
 - (a) the proposals will be open to inspection by the public at the offices of the Authority at all reasonable hours during a period ending fourteen days beginning on the date the notice was published;
 - (b) representations with respect to the proposals may be made in writing to the Authority before the end of that period; and
 - (c) after the expiry of that period, the Authority will be entitled to pass a resolution by virtue of which a permit authorising the proposals shall be deemed to be granted, unless the Cabinet, either in consequence of any representations made with respect to the proposals or otherwise, requires an application for a permit to be made to the Cabinet.
- (4) As soon as may be, after depositing proposals and giving notice with respect thereto under paragraphs (1) to (3), the Authority shall send to the Cabinet a copy of every notice published in a newspaper or served as required by this regulation, together with a copy of the draft permit embodying the proposals and of any map deposited therewith, and, if any representations are duly made with respect to the proposals, the Authority shall, as soon as may be, send a copy of those representations to the Cabinet.
- (5) At any time before the Authority has resolved, under paragraph (6), to proceed with their proposals the Cabinet may, by notice in writing, require the Authority to apply to the said Cabinet for a permit authorising the proposals, and any application to the Cabinet under such requirement shall be made by reference to the draft permit embodying the relevant proposals.
- (6) Where not less than seven days have elapsed after the last date for making representations with respect to a proposal of the Authority under this regulation and either —
 - (a) no such representations have been duly made, and the Cabinet has not, by notice in writing, required the Authority to apply to the said Cabinet for a permit; or
 - (b) the Cabinet has notified the Authority in writing that the Cabinet does not intend to require them to apply to the Cabinet for a permit,the Authority may resolve to proceed with their proposals, and, if they so resolve, the draft permit in which those proposals are embodied shall take effect as a permit deemed to have been granted by the Cabinet, under section 46, on the date of the Authority's resolution.
- (7) All proposals of the Authority which have been referred to the Cabinet under paragraph (5), and in respect whereto the Cabinet has not exercised its powers

under paragraph (6)(b), shall be dealt with in accordance with regulation 5(4) and paragraph (a) of regulation 12(3), and all references to the Authority therein contained shall be construed as references to the Cabinet.

- (8) Upon the granting or accruing of a permit under this regulation, the Authority shall cause an entry to that effect to be made in the Register of Waste Discharge Permits.

Duration and renewal of permits

- 24.** (1) All permits granted or accrued to the Authority under regulation 23, shall have the duration laid down in regulation 14, and shall be renewable —
- (a) by resolution of the Authority, if, upon having been duly notified by them at least thirty days prior to the expiration date of the permit, the Cabinet has notified the Authority that the said Cabinet does not intend to require them to apply to the said Cabinet for the renewal of a permit; or
 - (b) in any other case, by the Cabinet.
- (2) In dealing with a request from the Authority to renew a permit under paragraph (1), the Cabinet shall —
- (a) renew the permit, if, in the Cabinet's opinion, no material change in the circumstances of fact under which a permit first accrued to the Authority under a grant from the Cabinet or of a resolution by the Authority made under regulation 23, has occurred in the intervening time; or
 - (b) request the Authority to comply with regulation 23(3) and (4).

Variation or revocation of permits, grants to the Authority

- 25.** (1) The Authority may, at any time, by resolution, revoke the permit granted or accrued to them under regulation 23, or may make proposals for the variation of the said permit, and regulation 23(3) to (8) shall apply, with the necessary modifications, in relation to such proposals for the grant of a permit.
- (2) Section 36(2) and regulation 15 shall have effect in relation to any waste discharge permit of the Authority, and the reference to the Authority therein contained shall be construed as a reference to the Cabinet.

PART IV - LICENSING OF WATER OPERATIONS

Water operators to which this Part of the regulations applies

- 26.** Unless otherwise stated, this Part applies in relation to —
- (a) well drillers;
 - (b) plumbers; and



- (c) emptiers of septic tanks or cesspools (hereinafter referred to as “cesspool emptiers”).

Provisions for all classes of water operators

- 27.** (1) Any person who wishes to perform well drilling, plumbing or cesspool emptying work shall, under sections 47 and 49, apply to the Authority for a well driller’s, plumber’s or cesspool emptier’s licence, as the case may be, on the form issued by and obtainable from the Authority, and shall include such of the appropriate particulars as are material to the application.
- (2) An application made under paragraph (1) shall be accompanied by the fee prescribed in the Second Schedule, and no application shall be entertained by the Authority until payment of the prescribed fee has been effected.
- (3) Upon satisfactory evidence of the applicant’s qualifications supplied with an application, the Authority shall grant a licence, and shall cause an entry to that effect to be made in the General Register of Water Operators’ Licences.
- (4) Licences granted under this Part shall be in the form set out in the First Schedule.
- (5) Licences granted under this Part are valid for a period of one year from the date of the grant, and may be renewed under regulation 16, subject to payment of the fee prescribed in the Second Schedule.
- (6) Where the Authority intend to take action under section 50, they shall serve on the holder of a licence notice in writing calling upon that licence holder to show cause why his licence should not be revoked. If, within fourteen days from the date the notice was served, the holder of the licence fails to submit to the Authority a statement in writing indicating the reasons why the licence should not be revoked, or fails to appear before the Director of the Authority within the said period, the licence shall be revoked forthwith. The Authority shall consider any written or oral statement submitted to them under this paragraph, and may thereafter, by notice in writing addressed to the holder of the licence, declare the licence revoked or unchanged.
- (7) Paragraph (6) applies in relationship to —
- (a) a well drillers licence;
 - (b) a plumbers licence; and
 - (c) a cesspool emptiers licence.
- (8) The Authority shall cause an entry to be made in the General Registrar of Water Operators’ Licences in relation to any action taken under section 50.

Special provisions for the licensing of plumbers

28. (1) Without derogating from regulation 27, the Authority shall refer all applications for a plumbers licence to the Plumbers Examination Board which shall assess the ability of the applicant and shall make recommendations to the Authority. The Authority shall accept the recommendations of the Plumbers Examination Board and issue a licence as recommended, or refuse a licence.
- (2) A licence under this regulation shall be issued for the following categories —
- (a) master plumber;
 - (b) journeyman plumber; or
 - (c) apprentice plumber.
- (3) Qualifications for the categories are —
- (a) for a master plumber, a minimum of ten years experience of working as a plumber in the Islands, or in any other country, provided proof thereof can be supplied with the relevant application;
 - (b) for a journeyman plumber, a minimum of three years experience of work as a plumber in the Islands, or in any other country, provided proof thereof can be supplied with the relevant application; and
 - (c) for an apprentice plumber, the sponsorship of a master or journeyman plumber who is prepared to give on-the-job training, attendance of training courses given by recognised training institutions, with proof of satisfactory results and service as an apprentice plumber for a minimum period of two years, and all three requirements must be met at the time an application for a licence is made.
- (4) An apprentice plumber or an unlicensed workman shall, at all times, work under the supervision of a master plumber or journeyman plumber.
- (5) The plumbing work and design which shall be carried out by the classes of plumbers listed in paragraph (2) shall be designated in the *Plumbing Code* of the Islands or, in default, by the Authority.

Plumbers Examination Board

29. (1) The Authority shall establish a Plumbers Examination Board composed of four members nominated by the Authority and appointed by the Cabinet.
- (2) The Plumbers Examination Board shall assess the ability of a plumber making application to be licensed under the *Water Authority Act (2022 Revision)* and shall recommend to the Authority the category of licence to be awarded to an applicant. It shall be the duty of the Plumbers Examination Board to establish guidelines for the training and assessment of plumbers and to establish a uniform method of assessment.



- (3) The Plumbers Examination Board shall meet as necessary and at least every six months. All members of the Plumbers Examination Board or their approved nominee shall be present during the assessment of an applicant. Minutes of all meetings and a record of recommendations shall be kept by the secretary to the Plumbers Examination Board and forwarded to the Authority.

Register of Water Operators' Licences

30. (1) The Authority shall keep, in such manner as it deems fit, a General Register of Water Operators' Licences, which shall contain a copy of all licences granted under this Part and information concerning any action taken by the Authority in relation to such licences after the grant thereof.
- (2) The public shall have access to this register, and extracts thereof shall be obtainable from the Authority, in accordance with regulation 10(2).

PART V - WATER SUPPLY AND SEWERAGE CONTROL

Scope and purpose

31. This Part shall govern water supply and sewerage matters insofar as these are not regulated by the *Plumbing Code* of the Islands, and should any provisions of this Part be or become inconsistent with the said Code, the latter shall, unless otherwise stated, prevail.

Water supply and sewerage development and control

32. (1) Under section 67, any person applying to the Central Planning Authority for the construction, reconstruction or extension of a building shall submit to the Authority four copies of plans showing in detail the sanitary facilities, and all plumbing, sewage treatment, effluent disposal and water supply works. Such plans shall include a general site plan of scale 1:500 or greater and detail plans of scale 1:100 or greater.
- (2) Application shall be made to the Authority in the form prescribed in the *Plumbing Code* of the Islands or in such other form as the Authority may prescribe, and shall be accompanied by the fee prescribed in the Second Schedule. The Authority shall not entertain any application until payment of the prescribed fee has been effected.
- (3) The Authority, in consultation with the Chief Environmental Health Officer, shall inspect the plans submitted to them to determine compliance thereof with the *Plumbing Code* of the Islands, or, in default of such code, in accordance with good engineering practice as determined by the Authority, and —
 - (a) if satisfied that the plans submitted to them meet the appropriate requirements, approve such plans and so inform the Central Planning Authority; or

- (b) shall return the plans to the applicant and direct the applicant to amend the plans as recommended by them, and to resubmit the plans so amended within the deadline they shall indicate.

The resubmission of plans which have been amended at the Authority's request shall not be accompanied by the payment of any additional fee.

- (4) No work concerning sanitary facilities shall begin until an approval has been issued by the Authority under paragraph (3).
- (5) Plumbing work requiring certification for approval by the Authority shall be certified on the signature of a master or journeyman plumber.
- (6) Installation testing shall be carried out in accordance with the *Plumbing Code* of the Islands or, in default of such code, in accordance with such directions as the Authority may give, and shall be performed by a master or journeyman plumber.
- (7) The person to whom approval has been given under paragraph (3)(a) shall promptly notify the Authority of the actual or proposed commencement date of the works the subject of this approval, and, in any case, shall inform the Authority at least seven days in advance of when that person expects to reach the roughing-in stage. Upon being served with a written notice to the said effect, the Authority shall carry out a roughing-in inspection, and the applicant shall, if so requested by the Authority, provide labour and testing equipment as appropriate under the circumstances. Subject to satisfactory inspection, the Authority shall authorise continuation of the plumbing works by stamping the relevant certificate of plumbing approval, and no plumbing work shall continue unless authorised under this paragraph.
- (8) At least seven days prior to completion or expected completion of the authorised plumbing works, the holder of a certificate of plumbing approval, duly stamped in accordance with paragraph (7), shall notify the Authority of the expected completion date. Upon being served with a written notice to the said effect, the Authority shall inspect the works, and the applicant shall, if so requested by the Authority, provide labour and testing equipment, as appropriate under the circumstances. Subject to satisfactory final inspection, the Authority shall issue a certificate of plumbing completion to the applicant, and a copy thereof shall be promptly sent by the Authority to the Central Planning Authority.
- (9) A certificate of plumbing completion issued under paragraph (8) shall constitute the sole evidence of satisfactory completion of all sanitary facilities and related plumbing works to which the relevant certificate relates, and the Central Planning Authority shall not release a certificate of occupancy in relation to development works until a certificate of completion of the relevant plumbing works is issued by the Authority.
- (10) Upon any violation of paragraph (4) or (5) or of section 67, the Authority shall lodge a written complaint before the Central Planning Authority and petition



them to commence enforcement proceedings under sections 18 and 20 of the *Development and Planning Act (2021 Revision)*. Upon failure of the Central Planning Authority to take action within thirty days, beginning from the date in which written complaint is received by them, the Authority may have recourse to the powers conferred on them by section 56 for law enforcement purposes.

- (11) No certificate of completion issued under this regulation shall be deemed to imply any guarantee that the works are properly designed or constructed nor shall support or justify any claim of any nature against the Crown, the Authority or any public officer in connection with such works.
- (12) The Authority may modify its system of development control referred to in this regulation in order to conform with any centralised planning review system established by the Central Planning Authority.

Discharge of trade effluents into a public sewer

- 33.** (1) Under section 44, whoever wishes to discharge, directly or via a private sewer or drain, trade effluent into the public sewerage system, shall apply to the Authority for the grant of a permit on the form issued by and obtainable from the Authority, stating all the particulars of the proposed discharge.
- (2) Upon satisfying themselves that the effluent is, or, subject to appropriate treatment as prescribed in the permit, will be, of no harm to the public sewerage system, the Authority shall grant a provisional permit enabling the holder thereof to begin discharge operations. A provisional permit under this paragraph shall have such a duration as is necessary in the opinion of the Authority to begin and to test, on at least two consecutive occasions, the discharge operations authorised in the permit, and shall be subject to such terms and conditions as the Authority thinks fit, including conditions as to the quality of the effluent which it is proposed to discharge.
- (3) Upon successful testing, on at least two consecutive occasions, of the discharge operations authorised in a provisional permit granted under paragraph (2), the Authority shall grant to the holder of a provisional permit a final permit enabling the provisional permit holder to discharge trade effluent into the public sewerage system, subject to such terms and conditions, including conditions as to the quality of the effluent discharged, as the Authority thinks fit.
- (4) A final permit shall be valid for one year, or for such lesser period as the Authority may determine, and, if no material change in the circumstances of fact under which a final permit was first granted has occurred in the intervening time, and upon payment by the holder of the permit of the appropriate charge prescribed in paragraph (6), a permit to discharge trade effluent into the public sewerage system shall be renewed by the Authority, provided a request to that effect is made at least one month prior to the expiration date indicated in the permit. Failure of the permit holder to file for the renewal of that permit holder's permit within the prescribed deadline may result in the termination of the permit.

- (5) The Authority may, by written notice to the holder of the permit, suspend, vary or revoke a final permit to discharge trade effluent into the public sewerage system —
- (a) at the request of the holder of the permit;
 - (b) for any material false statement in the permit application;
 - (c) for breach of any condition subject to which the permit was granted;
 - (d) for refusal to allow inspection and testing of works and effluent; or
 - (e) for failure to pay the prescribed sewerage charges:

Provided that —

- (i) prior to revoking a permit, where a default under subparagraph (b), (c) or (e) is capable of being remedied, the Authority shall first serve on the holder notice in writing specifying the default and requiring the holder to remedy the same within such time as may be specified in the notice, and if the default is so remedied, the Authority shall not revoke the permit; and
 - (ii) prior to acceding to a request of the holder of a permit to terminate the permit, the Authority shall, in consultation with the Chief Environmental Health Officer, satisfy itself that alternative means of disposing of the effluent in an adequate and lawful manner are available to the holder of a permit. If the Authority deems that the conditions set out in this paragraph are not met it shall reject the request to terminate a permit under this paragraph.
- (6) Upon the filing of an application for a permit under this regulation, and annually thereafter so long as such permit continues in force, there shall be payable to the Authority a sewerage charge, which shall be in an amount to be prescribed by the Authority.
- (7) The Authority shall keep, in such manner as it thinks fit, a record of all permits granted under this regulation, and of any action taken by it in relation to such permits following the grant thereof.

Connection of premises to a public water supply and sewerage system

- 34.** (1) Subject to the service being available within the meaning of section 39(1) and of any relevant provision in the *Plumbing Code* of the Islands, any person who wishes to connect their premises to the public water supply system or to the public sewerage system, shall apply in writing to the Authority on the appropriate form issued by and obtainable from the Authority:

Provided that, if the connection to the public sewerage system for which an application is made is in relation to the discharge of trade effluent, this regulation and regulation 33 shall apply jointly, and one combined application for the connection to the public sewerage system under this regulation and for a



permit to discharge therein a trade effluent under regulation 33 shall be deemed to satisfy the purposes of both said regulations, and payment of the prescribed charges under regulation 33 shall exempt from payment of the prescribed charges under this regulation.

- (2) An application made under paragraph (1) shall be accompanied by —
 - (a) the appropriate connection charge, which shall be promptly refunded by the Authority in full in the event that an application is rejected by it; and
 - (b) the certificate of satisfactory completion of plumbing works released by the Authority under regulation 32.
- (3) Upon satisfying itself that the requirements set out in paragraph (2) and any additional requirements or specifications of the *Plumbing Code* of the Islands which may apply in relation to a building are met, the Authority shall proceed to effect the requested connection to the meter referred to in regulation 35, and the cost of connection past the meter shall be the responsibility of the person making application.
- (4) If the public water supply and public sewerage service are not available within the meaning of section 39(1), a person wishing to have their premises connected to the public water sewerage system may apply to the Authority for such connection and the Authority may grant the application if, in its opinion, the connection is feasible, and subject to the payment by the applicant of such connection charge as will have been agreed upon by the parties based on the cost of the works.
- (5) There shall be payable to the Authority, in respect of any premises connected to the public water supply system and to the public sewerage system, including premises connected to the public sewerage system under sections 42 and 43 —
 - (a) the appropriate water supply and sewerage service charge prescribed by the Authority, which shall be levied annually or at such shorter intervals as the Authority may elect, so long as the service continues; and
 - (b) the appropriate meter rental fee prescribed in the Second Schedule, which shall be levied monthly so long as a meter supplied by the Authority is in service.
- (6) Failure by a consumer whose premises are connected to the public water supply and to the public sewerage system to pay the amounts due under paragraph (5)(a) shall be dealt with under section 40(1).
- (7) The Authority shall keep, in such manner as it thinks fit, a record of all applications received under this regulation, of all connections effected thereunder and of any action subsequently taken thereon.

Metering of premises connected to the public water supply system or to the public sewerage system

- 35.** (1) The Authority shall install, within the boundary of the premises connected to the public water supply system or at an agreed point, at no other cost to the consumer than a rental fee, a meter to record the quantities of water delivered to the premises.
- (2) The Authority may install, within the boundary of the premises connected to the public sewerage system or at an agreed point, at no other cost to the consumer than a rental fee, a meter to record the quantities of sewage effluent or trade effluent discharged from the premises.
- (3) Unless a meter is proven defective, the readings thereon shall be proof of the quantities of water delivered to the premises connected to the public water supply system or of the quantities of sewage effluent or trade effluent discharged from the premises connected to the public sewerage system, as the case may be.
- (4) Where a consumer is of the opinion that a meter provided by the Authority under paragraph (2) or (3) is inaccurate, the consumer may apply to the Authority to have the meter tested. An application under this paragraph shall not exempt the applicant from the payment of all sums which may become due and payable under these regulations:
- Provided that if the meter is, upon testing by the Authority, found inaccurate, the Authority shall promptly refund the consumer any sums paid in excess of what was actually due. This sum shall be determined by the Authority.
- (5) The cost of testing the meter at the request of a consumer shall be borne by the Authority if the meter is found to exceed the accuracy standards set by the Authority. If the meter so tested is found to be within the said standards, the consumer requesting the test will reimburse the Authority for the full cost of the test, as prescribed in the Second Schedule. The said test shall be carried out by an independent agency.

Connection of private sewers or storm water drains to the public sewerage system

- 36.** (1) Under section 44(1), whoever wishes to connect a private sewer or a storm-water drain to the public sewerage system shall apply to the Authority for permission to do so on the appropriate form issued by and obtainable from the Authority, and shall include such particulars as are material to the application:
- Provided that, where the private sewer to be connected to the public sewerage system conveys, either permanently or occasionally, a trade effluent, an application under section 44(1) shall be made and dealt with under regulation 33, and there shall be payable to the Authority the sewerage charges therein prescribed.



- (2) Subject to the proviso to paragraph (1), the Authority shall not unreasonably withhold a permission under paragraph (1), but it may grant it subject to such terms and conditions as it thinks fit.
- (3) A permission granted under this regulation may be renewed, suspended, varied, or revoked by the Authority in, or substantially in, accordance with regulation 33(4) and (5).
- (4) Upon the filing of an application for permission under this regulation, and annually thereafter so long as such permission continues in force, there is payable to the Authority a sewerage service charge, in an amount prescribed by the Authority.
- (5) The Authority shall keep, in such manner as it thinks fit, a record of all permissions granted under this regulation and of any action subsequently taken thereon.

Disposal of surface water runoff into the public sewerage system

- 37.** (1) Whoever, under paragraph (c) of section 48(1), wishes to dispose of surface water runoff into the public sewerage system shall apply to the Authority, on the appropriate form issued by and obtainable from the Authority, for a permanent permission to dispose of the said surface water runoff into the public sewerage system whenever it occurs and no alternative means of disposal are readily available, and shall include such particulars as are material to the application.
- (2) An application made to the Authority under paragraph (1) shall be accompanied by the fee prescribed by the Authority, and shall be dealt with in, or substantially in, accordance with regulation 34(2), (3) and (5).

PART VI - APPEALS

Appeals from a determination of the Authority

- 38.** (1) Appeals to the Summary Court under section 58 shall be made within fourteen days of the Authority's notice being served in accordance with section 72.
- (2) An appeal notice shall be lodged at the Summary Court, and shall be copied to the Authority not later than four days after it has been lodged at the Summary Court.
- (3) Upon receipt of an appeal notice under section 58, the Summary Court shall send to the appellant an acknowledgment in writing, including a statement that the appellant may, if the appellant so wishes, appear in person or in the person of a duly appointed representative, before the Court and on the date indicated in the acknowledgment.

- (4) Appeals to the Grand Court under section 59 shall be copied to the Authority not later than four days after they have been lodged at the Grand Court.

PART VII - MISCELLANEOUS AND TRANSITORY PROVISIONS

Filing of well construction returns

- 39. (1) Under paragraph (b) of section 51(1), a duly licensed well driller who is engaged in the drilling of a well shall, not later than one month after the completion of any well, forward to the Authority a progress statement of such well and works in, or substantially in, the form issued by and obtainable from the Authority.
- (2) Failure by a well driller to comply with paragraph (1) shall be dealt with under paragraph (b) of section 51(1).

Water sales

- 40. (1) The Authority may enter into contractual arrangements with prospective purchasers of developed water for the supply of the said water to the said purchasers, and the provisions of this regulation shall be deemed to be part of any arrangement entered into by the Authority for the supply of developed water.
- (2) The Authority shall deliver the water at their facilities, and all the water so delivered shall be measured by a meter supplied by the Authority. The rental fee prescribed in the Second Schedule is payable to the Authority by the purchaser of developed water, at monthly intervals, so long as an arrangement between the Authority and the purchaser of developed water is in effect, and regulation 35(3) to (5) shall apply in relation to the metering of water supplies under this regulation.
- (3) Developed water shall be supplied by the Authority at the price prescribed in the Second Schedule, and corresponding payments shall be effected by the purchaser at monthly intervals, or at such other intervals as may be agreed upon by the Authority and the purchaser. Failure by the purchaser to pay for any developed water which has been delivered to the purchaser by the Authority under a contractual arrangement between the purchaser and the Authority may result in the discontinuance of the supply under section 40.



Existing waste discharge and quarrying operations

- 41.** (1) All discharges of sewage effluent, trade effluent or other wastes into or onto the ground, into ground water or into the territorial waters, and any quarrying operations, which were in progress on the 11th March, 1985 (hereinafter referred to as “existing discharges” or “existing quarries”, as the case may be) shall have been, within twelve months of the said date, registered with the Authority in the form issued by and obtainable from the Authority. Failure of the waste discharge or quarry operator to comply with this requirement, on or before 11th March 1986, will have resulted in the forfeiting of that operator’s entitlement under paragraph (2).
- (2) All applications for the registration of existing discharges or of existing quarries shall have been accompanied by the registration fee prescribed in the Second Schedule. No application under this paragraph shall have been entertained by the Authority until payment of the prescribed fee has been effected.
- (3) Upon receipt of an application under this regulation, the Authority shall have issued to the applicant a waste discharge permit or quarry permit, as the case may be, and shall have caused an entry to that effect to have been made in the Register of Waste Discharge Permits or in the Register of Quarry Permits, as the case may be.
- (4) All permits granted under this regulation are in the form prescribed for new permits under regulation 12, subject to regulations 14, 15, 18, 19 and 20, and to such reasonable terms and conditions as the Authority thinks fit under the circumstances:
- Provided that the application of regulations 18 and 19 in relation to a waste discharge permit under this regulation shall be graduated by the Authority so as not to place an unreasonable burden on an existing discharge.
- (5) There shall be payable to the Authority annually, after the grant of a permit under this regulation, so long as such permit continues in force, the fee prescribed for new permits under regulation 14.

Waste discharge works and canalisation works in progress

- 42.** (1) All works for the construction, reconstruction, enlargement, alteration or repair of discharges of sewage effluent, trade effluent or other wastes into or onto the ground, into ground water or into the territorial waters, and all works for the construction, enlargement or replacement of canals which were in progress on 11th March, 1985 shall have been notified to the Authority, on the appropriate form issued by and obtainable from the Authority, within six months of the said date. Failure by the person who bears responsibility for the said works to comply with this requirement will have resulted in the forfeiting of the entitlement provided for in paragraph (2).

- (2) Upon being notified, under paragraph (1) of waste discharge or canalisation works in progress, the Authority shall have issued to the applicant a permit authorising the applicant to continue the works underway. The provisions of regulation 41(4) and (5) shall apply in relation to permits granted under this regulation.

Existing practising plumbers

- 43.** (1) Any person practising as a plumber in the Islands on or before 11th March, 1985, under a trade or business licence issued by the Caymanian Protection Board, on application to the Authority made on the appropriate form issued by and obtainable from the Authority, shall be entitled to the grant of a licence to operate as a journeyman plumber, provided the Authority is satisfied of the competence of the applicant, and that the fee prescribed in the Second Schedule has been paid.
- (2) A plumber entitled to the grant of a journeyman plumber's licence may apply to the Authority for a master plumber's licence. The Authority shall grant such a licence after satisfactory assessment by the Plumbers Examination Board established under regulation 29, provided that the fee prescribed in the Second Schedule has been paid. The Plumbers Examination Board may use its discretion as to the type and method of examination used to determine the competence and eligibility of existing plumbers to be licensed by the Authority.

Energy adjustment factor

- 44.** (1) For the purpose of dealing with fluctuations in the cost of electricity in providing and processing desalinated water the following formulae shall be applied —
- (a) In Grand Cayman —
- $EAF = Q \times 5 \times (E - 0.105)$, where EAF is the energy adjustment factor, Q is the number of cubic meters of water used monthly, E is the current price per kilowatt hour (kwh) of electricity inclusive of Caribbean Utilities Company's fuel adjustment factor, 5 is the number of kwhs used to produce one cubic metre of water and \$0.105 is the base price of electricity; and
- (b) In Cayman Brac —
- $EAF = Q \times 4 \times (E - 0.15)$ where EAF is the energy adjustment factor, Q is the number of cubic metres of water used monthly, E is the current price of electricity inclusive of any surcharge applied by Cayman Brac Light and Power Company, 4 is the number of kwhs used to produce one cubic metre of water and \$0.15 is the basic price of electricity in Cayman Brac.
- (2) For the purpose of dealing with fluctuations in the cost of electricity in collecting and treating sewage and septage the following formulae shall be applied —



- (a) $EAF(WW) = 0.664 * (E - 0.320)$, where EAF(WW) is the energy adjustment factor per Sewerage Fixture-unit per month, 0.664 is the number of kWhs used to collect and treat the equivalent of 1 SFU of sewage, E is the current price per kilowatt hour (kWh) of electricity inclusive of any surcharge applied by Caribbean Utilities Company, and \$0.320 is the base price of electricity; and
 - (b) $EAF(ST) = 31.429 * (E - 0.320)$, where EAF(ST) is the energy adjustment factor for each one thousand gallons of septage, 31.429 is the number of kWhs used to treat 1,000 gallons of septage, E is the current price per kilowatt hour (kWh) of electricity inclusive of any surcharge applied by Caribbean Utilities Company, and \$0.320 is the base price of electricity.
- (3) For the purpose of dealing with inflation, the base price shall be adjusted annually on 1 July of each year (the “Adjustment Date”) by subtracting an amount equal to fifty-five percent (55%) of the base price and adding to the resulting sum an amount equal to —

$$0.20 * BP * (CI \text{ current} / CI \text{ base}) + 0.35 * BP * (US \text{ current} / US \text{ base})$$

where —

“**BP**” = the base price;

“**CI current**” = the value of the Cayman Islands Consumer Price Index (CICPI) at 31 December immediately preceding the Adjustment Date;

“**CI base**” = the value of the Cayman Islands Consumer Price Index (CICPI) at 31 December 2018, which is 104.2;

“**US current**” = the value of the United States of America Producer Price Index (USPPI) at 31 December immediately preceding the Adjustment Date;

“**US base**” = the value of the United States of America Producer Price Index (USPPI) at 31 December 2018, which is 207.8; and

“**USPPI**” means the US Producer Price Index for Industrial Commodities less Fuels, Not Seasonally Adjusted - Series ID: WPU03T15M05, as published by United States Department of Labor.

- (3A) For the purposes of paragraph (3), “**base price**” means —
- (a) the sewerage charges specified in regulation 45;
 - (b) the septage charges specified in regulation 46; or
 - (c) the water charges specified in regulation 49 including the statutory fee under regulation 49(3).
- (4) The calculations of the base price adjustments carried out as per paragraph (3) shall be submitted to the Auditor General for independent verification no later than 15 May of each year and, in the absence of any corrections or response, the adjustments shall be deemed to be correct.

PART VIII - CHARGES

Sewerage charges

45. (1) The charges to be paid to the Authority to retain the connection of premises to the public sewerage system and for any collection, treatment and disposal of sewage from premises so connected are \$1.672 per sewerage fixture -unit per month in respect of each such premises.

(2) In this regulation, sewerage fixture-units are calculated as follows —

each private bedroom	6
each private bathroom	14
each bedroom in a hotel	18
stores	0.0275 per sq. ft. of floor area
offices	0.0375 per sq. ft. of floor area
beauty salons, surgeries, clubs and water sports	0.0475 per sq. ft. of floor area
restaurants, garages and photographic facilities	0.0575 per sq. ft. of floor area
schools, colleges and technical training facilities	0.0375 per sq. ft. of classroom area
public swimming pools, public sports stadia and public parks	20 per toilet, plus 50 per urinal, plus 20 per wash basin.

Septage charges

46. (1) The charge to be paid to the Authority for the receipt of sewage at the sewage treatment works from a licensed cesspool emptier is \$17.018 for each one thousand gallons or part of one thousand gallons of septage.

(2) In this regulation —

“**cesspool emptier**” includes any person, whether or not licensed under the *Water Authority Act (2022 Revision)* as a cesspool emptier, from whom the Authority receives sewage at the sewage treatment works in the course of that person’s business.

Sale of effluent

47. The charges to be paid to the Authority for the delivery of treated effluent for irrigation purposes is —



- (a) one dollar and sixty cents per cubic metre for the first four hundred cubic metres delivered in any month; and
- (b) one dollar per cubic metre, for any amount in excess of four hundred cubic metres delivered in that month.

Sewage connection fees

- 48.** (1) The charges and fees to be paid to the Authority for connecting premises to the sewerage scheme are the actual cost of such connection plus fifty per cent.
- (2) In respect of any connection under paragraph (1) —
- (a) the Authority's responsibility for maintenance is limited to the upstream side of the disconnect chamber or manhole placed on or near the boundary of the premises in question; and
 - (b) the Authority is not responsible for any damages to the premises in question if it can show by its daily operational records that it did everything in its power to prevent the occurrence of such damage.

Water charges

- 49.** (1) The charges to be paid to the Authority for the supply of desalinated water via the public water supply system are a monthly charge in accordance with the following categories of consumer or user —
- | | |
|--|--|
| (a) Domestic | \$4.34 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter; |
| (b) Truckers | \$4.34 per cubic metre for the first twelve cubic metres and \$4.61 for each cubic metre thereafter; |
| (c) Water Company | \$5.25 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter; |
| (d) Commercial and Industrial | \$5.25 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter; |
| (e) Municipal
(Public Authority) | \$4.72 per cubic metre for the first twelve cubic metres and \$5.03 for each cubic metre thereafter; |
| (f) Water sold in Cayman Brac to all categories of users through the piped water distribution system | \$5.99 per cubic metre; |

- (g) Water sold in Cayman Brac \$7.55 per cubic metre.
by truck
- (2) The charges prescribed in paragraph (1) do not include meter rental fees prescribed in paragraph 10 of the Second Schedule.
- (3) The statutory fee shall be \$0.22 per cubic metre of water supplied to all consumers and users which shall be calculated by the Authority and paid by the service provider to the Authority on a monthly basis, or at such less frequent intervals as the Authority may direct.

Water connection fees

50. (1) The charges to be paid to the Authority for connecting to the public water supply scheme, including the installation of the meter, are —

Meter size	Charge
20 mm	\$80
25 mm	\$120
38 mm	\$170
50 mm	\$240
75 mm	\$360
100 mm	\$560
150 mm	\$800

- (2) If the supply of water is disconnected by the Authority under any power enabling it to do so, a reconnection charge of twenty-five dollars shall be paid before the supply of water is reconnected.
- (3) If an account for the supply of water to premises is transferred to a new account holder without the physical disconnection and reconnection of the supply of water, a new account fee of twenty-five dollars shall be paid by the new account holder before the transfer is effected.

Fire hydrants

51. The charge to be paid to the Authority in respect of each fire hydrant connected to the public water supply scheme is twenty dollars per month.

PART IX - GENERAL

Deposit

52. (1) A person who enters into an agreement with the Authority for the connection of premises to the public sewerage system or the public water supply system shall pay a deposit in respect of each connection to be made under the agreement.
- (2) The deposit referred to in paragraph (1), in respect of a connection to —



- (a) the public sewerage system, shall be an amount equal to the monthly charge calculated in respect of the premises under regulation 45; and
 - (b) the public water supply system, shall be an amount calculated in accordance with paragraphs (3) and (4).
- (3) There shall be paid, in respect of an agreement for the connection of domestic premises entered into by or on behalf of —
- (a) the owner of the premises who intends to occupy them throughout the currency of the agreement, a deposit of fifty dollars ;
 - (b) a person possessing Caymanian status who does not own the premises, a deposit of one hundred dollars; and
 - (c) a person not possessing Caymanian status who does not own the premises, a deposit of two hundred dollars.
- (4) There shall be paid, in respect of an agreement for the connection of premises other than domestic premises, the following deposits —

Category	Meter size	Amount of deposit	
(a)	Commercial and Industrial Premises	25mm	\$75
		38mm	\$110
		50mm	\$150
		75mm	\$225
		150mm	\$350
(b)	Truckers	Nil	
(c)	Municipal	Nil	

- (5) A deposit paid under this regulation may be refunded by the Authority if the Authority has received —
- (a) notice that the service provided by the Authority under the agreement in respect of which the deposit was paid is not being used and is no longer required; and
 - (b) all charges payable to the Authority under or in relation to that agreement.
- (6) If the monthly charge for any customer is in arrears for one month after its issue, the Authority shall apply the deposit towards payment of the arrears. Thereupon a further deposit shall forthwith become due and payable to the Authority of the same amount mentioned in paragraph (1) plus, in the case of a connection to the public sewerage system, an additional cost of fifteen per cent.
- (7) Any person who fails to pay the further deposit mentioned in paragraph (3), within seven days of its becoming due and payable, commits an offence and is

liable on conviction to a fine of fifty dollars in respect of each day during which the further deposit is unpaid.

- (8) In this regulation —

“**owner**” means the person who is registered as the proprietor of the parcel or lease which relates to the premises to be connected; and

“**Caymanian status**” has the same meaning as in the **repealed** *Immigration Law (2015 Revision)* and the *Immigration (Transition) Act (2022 Revision)*.

Late charges

- 53.** (1) Any charge prescribed by these Regulations which is not paid within twenty-one days of becoming due shall attract an additional charge of an amount equal to one and one half per cent of the amount of the unpaid charge.
- (2) Any part of the charge or additional charge which remains unpaid on the next and each subsequent 21st day of the month after the day on which an additional charge was added under paragraph (1) shall attract a further additional charge of an amount equal to one and one half per cent of the total amount remaining due to the Authority in respect of those unpaid charges; and any such additional charge shall be added to the total amount remaining unpaid in respect of the charge and additional charges on the 21st day of each month in which such charges remain unpaid.

Sales of developed ground water

- 54.** The charge to be paid to the Authority for the supply of water to truckers from the reservoirs at Lower Valley and East End is two dollars and thirty-three cents per cubic meter.



FIRST SCHEDULE

Standard Contents of Licences and Permits

Water Authority Act

(2022 Revision)

(section 20)

Licence of Right

1. Licence No.:
2. Licence holder:
3. Address:
4. Location of well: Parcel No. Block No.
5. Type of well:
6. Works existing:
7. Maximum daily abstraction quantity:
8. Maximum abstraction rate:
9. Purpose of use:
10. Date of expiration:
11. Fee: Paid:

This licence is granted subject to the provisions of the *Water Authority Act (2022 Revision)* and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this licence may result in the penalties specified in section 64(1) and (3) of the *Water Authority Act (2022 Revision)*, and the modification or revocation of this licence.

Date:

Signature and Seal of Authority:

WATER AUTHORITY ACT (2022 Revision)

(section 22)

Ground Water Abstraction Licence

1. Licence No.:
2. Licence holder:
3. Address:
4. Location of well: Parcel No. Block No.
5. Type of well:
6. Works authorised:
7. Date by which works to be completed:
8. Maximum daily abstraction quantity:
9. Maximum abstraction rate:
10. Purpose of use:
11. Date of expiration:
12. Fee: Paid:

This licence is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this license may result in the penalties specified in section 64(1) and (3) of the *Water Authority Act (2022 Revision)*, and the modification or revocation of this licence.

Date:

Signature and Seal of Authority:



WATER AUTHORITY ACT**(2022 Revision)***(sections 34 and 35)***Discharge Permit**

1. Permit No.:
2. Permit holder:
3. Address:
4. Nature of discharge:
5. Location of discharge: Parcel No.: Block No.:
6. Type of disposal works:
7. Type of treatment works:
8. Maximum daily effluent flow:
9. Effluent consent condition:
10. Date of expiration:
11. Fee: Paid:

This permit is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this permit may result in the penalties specified in section 64 (1) and (3) of the *Water Authority Act (2022 Revision)*, and the modification or revocation of this permit.

Date:

Signature and Seal of Authority:

WATER AUTHORITY ACT**(2022 Revision)***(section 34)***Canal Works Permit**

1. Permit No.:
2. Permit holder:
3. Address:
4. Location of works: Block No. Parcel No.
5. Nature of works:
 - (a) New construction:
 - (b) Reconstruction:
 - (c) Alteration of existing canal:
6. Site Plan No.:
7. Dimensions of canal: Length: Width: Depth:
8. Works to commence by:
And to be completed by:
9. Date of planning approval:
10. Fee: Paid:

This permit is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this permit may result in the penalties specified in section 64(1) and (3) of the *Water Authority Act (2022 Revision)*, and the modification or revocation of this permit.

Date:

Signature and Seal of Authority:



WATER AUTHORITY ACT**(2022 Revision)***(section 34)***Quarry Permit**

1. Permit No.:
2. Permit holder:
3. Address:
4. Location of quarry: Parcel No.: Block No.:
5. Material quarried:
6. Plan No.:
7. Date of planning approval:
8. Ground elevation: Average D.O.S.:
9. Permitted excavation depth:
10. Area of excavation: Hectares (*shown on plan*):
11. Quarrying operations to commence by:
12. Date of expiration:
13. Fee: Paid:

This permit is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this permit may result in the penalties specified in section 64(1) and (3) of the *Water Authority Act (2022 Revision)*, and the modification or revocation of this permit.

Date:

Signature and Seal of Authority:

WATER AUTHORITY ACT

(2022 Revision)

(section 49)

Well Driller's Licence

1. Licence No:
2. Licence holder:
3. Address:
4. Date of expiration:
5. Fee: Paid:

This licence is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special condition specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this licence may result in the penalties specified in section 64(1) and (3) of the *Water Authority Act (2022 Revision)*, and the modifications or revocation of this licence.

Date:

Signature and Seal of Authority:



WATER AUTHORITY ACT**(2022 Revision)***(section 66))***Plumber's Licence**

1. Licence No.:
2. Licence holder:
3. Address:
4. Category of licence:
 - (a) master:
 - (b) journeyman:
 - (c) apprentice:
5. If apprentice, name and address of supervisor:
6. Status:
 - (a) self-employed:
 - (b) Government-employed:
 - (c) private firm:
7. Date of expiration:
8. Fee:

Paid:

This licence is granted subject to the provisions of the Water Authority Act (2022 Revision). The *Water Authority Act (2022 Revision)* requires that only licensed plumbers may carry out works approved by the Water Authority and that only journeyman or master plumbers may certify works for approval by the Water Authority.

Apprentice plumbers must work under the supervision of a journeyman or master plumber.

Date:

Signature and Seal of Authority:

WATER AUTHORITY ACT**(2022 Revision)***(section 47)***Cesspool Emptier's Licence**

1. Licence No.:
2. Licence holder:
3. Address:
4. Date of expiration:
5. Fee:

Paid:

This licence is granted subject to the provisions of the Water Authority Act (2022 Revision) and the special conditions specified.

Failure to comply with the provisions of the *Water Authority Act (2022 Revision)*, or with the terms and conditions of this licence may result in the penalties specified in section 47 (2) of the *Water Authority Act (2022 Revision)*.

Date:

Signature and Seal of Authority:



WATER AUTHORITY ACT**(2022 Revision)****WATER AUTHORITY REGULATIONS****(2022 Revision)***(regulation 4)***Notice of Application for a Licence to Abstract Ground Water**

In accordance with the Water Authority Act (2022 Revision), I *(name)* hereby give notice of my intention to (discharge waste; abstract ground water for other than domestic use; construct a canal; carry out a quarrying operation)* on Block No. ; Parcel No. ; being in the district of *(district)*. Plans for this proposal can be viewed free of charge at the Water Authority office at any reasonable hour. Any person wishing to make objections should do so in writing to the Water Authority within fourteen days of the date of publication of this notice.

**(Write in appropriate works only).*

SECOND SCHEDULE

Fees and Charges

Fees for abstraction licence

- | | | | |
|----|-----|--|-------|
| 1. | (a) | Licence for a well to be used to supply water to be transported by truck or pipeline to properties outside the property boundaries or ownership of the property on which the well is situated | \$500 |
| | (b) | Licence for a well to supply water to a hotel or condominium group | \$200 |
| | (c) | Licence for a well to be used to supply water to a business or commercial enterprise considered by the Authority to be a large consumer of water, including such businesses as laundries, laundrettes, car washes, apartment blocks of ten or more units | \$200 |
| | (d) | Licence for a well to be used to supply water to a business or commercial enterprise considered by the Authority to be a low consumer of water, including offices, restaurants, stores, apartment blocks of four to nine units | \$40 |
| | (e) | Licence for a well to be used to supply water to a business or commercial enterprise that does not provide public sanitary facilities and normally accommodates five or fewer persons | \$20 |
| | (f) | Licence for a well to supply water for agricultural or horticultural purposes | \$40 |

Fees for discharge permits

- | | | | |
|----|-----|--|--------------------|
| 2. | (a) | Discharge permit for an hotel or condominium group | \$200 |
| | (b) | Discharge permit for a business or commercial enterprise considered a high consumer of water | \$200 |
| | (c) | Discharge permit for a business or commercial enterprise considered a low consumer of water | \$40 |
| | (d) | Discharge permit for individual household | \$20 |
| | (e) | Discharge permit for apartment buildings not registered as condominium group | \$20 per apartment |
| | (f) | Discharge permit for any trade waste | \$300 |

Fees for canal permits

- | | | | |
|----|-----|--------------------------------------|--------------------------------------|
| 3. | (a) | Canals less than two metres in depth | \$0.04 per square metre surface area |
| | (b) | Canals two metres or more in depth | \$0.06 per square metre surface area |



Fees for quarry permits

- | | | |
|----|--|--------------------|
| 4. | Rock, stone, sand or marl. | \$0.04 per square |
| | For renewal of permits, the above fee shall apply. | metre surface area |

Fee for plumbers licence

- | | | |
|----|--|-----------------|
| 5. | (a) For registration and certification — | |
| | Master plumber | \$100 |
| | Journeyman | \$50 |
| | Apprentice | \$20 |
| | (b) Examination fee if required — | |
| | Master | \$20 |
| | Journeyman | \$15 |
| | Apprentice | \$10 |
| | (c) Renewal of licence — | |
| | Master plumber | \$100 per annum |
| | Journeyman | \$50 per annum |
| | Apprentice | \$20 per annum |

Fees for cesspool emptiers' licence

- | | | |
|----|--------------------------------------|-----------------|
| 6. | (a) For registration and licence fee | \$200 |
| | (b) Renewal of licence | \$200 per annum |

Fees for well driller's licence

- | | | |
|----|---------------------------------------|-----------------|
| 7. | (a) For registration and licence fees | \$200 |
| | (b) Renewal of licence | \$200 per annum |

Fees and charges for development control

- | | | |
|----|--|--------------------------------|
| 8. | (a) Inspection of drawings, roughing-in, final inspection and issuance of plumbing approval certificate | |
| | (i) Single domestic dwellings or duplex of 250 square metres (2690 sq. ft.) total floor area or less and with a fixture-unit value of 25 or less | \$45 |
| | (ii) Hotels, condominiums, apartment complexes and single domestic dwellings or a duplex of total floor area greater than 250 square metres or with a fixture-unit value greater than 25 | \$45+ \$1.00 per fixture-unit |
| | (iii) Educational establishments, medical facilities, churches and any municipal facility | \$45 + \$1.50 per fixture-unit |

- (iv) Commercial accommodation, offices, \$45 + \$3.00 per
stores, warehouses, garages, restaurants, fixture-unit
small businesses and categories not listed
- (b) Extra site visits or work necessary due to test
failures to be charged at \$30 per hour or any part
of an hour per person.

Fixture-unit values

9. The following list details the assigned fixture-unit value of various sanitary appliances which value shall be used to determine the fee as laid down in paragraph 8 of this Schedule

(a) Bathroom group, water closet + lavatory sink + bathroom or shower stall-private installations	
(b) As (a) but public installations (hotels, etc.)	8
(c) Bathtub (with or without shower head)	2
(d) Bidet	3
(e) Combination sink and tray	3
(f) Combination sink and tray with food disposal unit	3
(g) Dental unit or cuspidor	1
(h) Dental lavatory sink	1
(i) Kitchen sink, domestic	2
(j) Kitchen sink, domestic with food disposal unit	3
(k) Lavatory sink, domestic	1
(l) Lavatory sink, commercial or medical	2
(m) Shower stall, domestic	2
(n) Showers (group) per head	3
(o) Surgeons flushing rim sink (with valve)	8
(p) Service trap, standard	3
(q) Service 'p' trap 2	2
(r) Urinal	4
(s) Urinal trough	2
(t) Washing machine, domestic	3
(u) Washing machine, commercial 6	6
(v) Water closet, domestic	4
(w) Water closet, public	6

Meter rental fees

10. 20 mm (3/4 in)	\$ 5.00 per month
25 mm (1 in)	\$ 7.00 per month
38 mm (1 1/2 in)	\$11.00 per month
50 mm (2 in)	\$15.00 per month
75 mm (3 in)	\$22.00 per month
100 mm (4 in)	\$36.00 per month



150 mm (6 in)

\$58.00 per month

Water and soil testing charges

- | | | | |
|-----|-----|--|---------------------------|
| 11. | (a) | Test for any individual parameter or element | \$10.00 per test/dilution |
| | (b) | Test for faecal coliform bacteria | \$10.00 per test/dilution |
| | (c) | Test for total coliform bacteria | \$10.00 per test/dilution |

Meter testing charges

- | | | |
|-----|----------------------|------------------|
| 12. | Meter testing charge | \$50.00 per test |
|-----|----------------------|------------------|

Fees for extracts from the Authority Registers

- | | | | |
|-----|-----|----------------------|---------|
| 13. | (a) | Uncertified extracts | \$4.00 |
| | (b) | Certified extracts | \$10.00 |

Publication in consolidated and revised form authorised by the Cabinet this 11th day of January, 2022.

Kim Bullings
Clerk of the Cabinet

ENDNOTES

Table of Legislation history:

SL #	Law/Act #	Legislation	Commencement	Gazette
58/2021		Water Authority (Amendment) Regulations, 2021 (Commencement) Order, 2021	04-Aug-2021	LG43/2021/s1
37/2021		Water Authority (Amendment) Regulations, 2021	20-Jan-2021	LG5/2021/s1
	56/2020	Citation of Acts of Parliament Act, 2020	03-Dec-2020	LG89/2020/s1
		Water Authority Law (2018 Revision)	28-Mar-2018	GE26/2019/s9
53/2012		Water Authority (Amendment) Regulations, 2012	01-Nov-2012	GE106/2012/s1
		Water Authority Law (2007 Revision)	20-Aug-2007	G17/2007/s10
2/2007		Water Authority (Amendment) Regulations, 2007	1-Jul-2007	GE10/2007/s6
		Water Authority Law (1999 Revision)	15-Mar-1999	G6/1999/s9
13/1997		Water Authority (Amendment) (Sewerage Charges and Reconnection Fees) Regulations, 1998 (<i>sic</i>)	19-Jan-1998	G2/1998/s1
		Water Authority Law (1997 Revision)	17-Mar-1997	G6/1997/s3
11/1995		Water Authority (Amendment) (No. 3) Regulations 1995 (<i>sic</i>)	14-Nov-1995	G23/1995/s5
10/1995		Water Authority (Amendment) Regulations 1995 (<i>sic</i>)	26-Jun-1995	G13/1995/s1
9/1995		Water Authority (Amendment) Regulations 1995	01-Mar-1995	G2/1995/s3
5/1994		Water Authority (Amendment) Regulations 1994	21-Mar-1994	G4/1994/s2
6/1992		Water Authority (Amendment) Regulations 1992	6-Apr-1992	G7/1992/s3
19/1991		Water Authority Regulations (Amendment) (No. 2) Regulations 1991	28-Aug-1991	GE28Aug/1991/s9
18/1991		Water Authority Regulations 1988 (Amendment) Regulations 1991	01-Feb-1991	GE20Feb/1991/s1
8/1991		Water Authority Regulations, 1985 (Amendment) (No. 2) Regulations, 1991	28-Aug-1991	GE28Aug/1991/s8
7/1991		Water Authority Regulations, 1985 (Amendment) Regulations, 1991	20-Feb-1991	GE20Feb/1991/s2
5/1990		Water Authority (Amendment) Regulations, 1990	01-Jan-1990	G5/1990/s8
2/1988		Water Authority Regulations, 1988	15-Feb-1988	G4/1988/s1
7/1987		Water Authority (Amendment) Regulations, 1987	16-Feb-1987	G4/1987/s2
5/1985		Water Authority Regulations, 1985	11-Mar-1985	GE11Mar/1985/s1

(Price: \$10.40)

