



THE
CEYLON GOVERNMENT
GAZETTE

EXTRAORDINARY.

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PART II.—LEGAL.

(Separate paging is given to each Part in order that it may be filed separately.)

DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

L. D.—O 21/41

An Ordinance to amend the Colombo Municipal Council Waterworks Ordinance and to effect a consequential amendment in the Municipal Councils Ordinance.

Chapter 161.
(Vol. IV.,
p. 238).

BE it enacted by the Governor of Ceylon with the advice and consent of the State Council thereof as follows :—

Chapter 193.
(Vol. V., p. 3).

1. This Ordinance may be cited as the Colombo Municipal Council Waterworks (Amendment) Ordinance No. of 1942.

Short title.

2. Section 8 of the Colombo Municipal Council Waterworks Ordinance (hereinafter referred to as "the principal Ordinance") is hereby amended by the substitution, for the words "The Council", of the words "Subject to the provisions of section 19A, the Council".

Amendment of
section 8 of
Chapter 161.

3. Section 11 of the principal Ordinance is hereby amended by the substitution, for all the words from "or in his discretion" to "approval of the Waterworks Engineer.", of the words "or, if the owner or occupier applying for the private service so desires, by a plumber licensed by the Council and employed by the owner or occupier. Every such plumber shall, while so employed, be subject to the orders of the Waterworks Engineer and shall complete such works or such repairs, extensions or alterations to the satisfaction of the Waterworks Engineer."

Amendment of
section 11 of
the principal
Ordinance.

Amendment of section 16 of the principal Ordinance.

4. Section 16 of the principal Ordinance is hereby amended by the insertion, immediately after sub-section (8), of the following new sub-sections :—

“(9) Subject to the provisions of sub-section (10), any apportionment, made under sub-section (1), of the cost of laying, enlarging or extending any main, may be revised by the Council at any time after the date of the completion of the work of laying, enlarging or extending such main.

(10) The power given to the Council in sub-section (9) to revise any apportionment shall not be deemed to include the power to increase the sum which any owner is liable to pay under such apportionment.”

Insertion of new section 19A in the principal Ordinance.

5. The following new section shall be inserted immediately after section 19 of the principal Ordinance and shall have effect as section 19A of that Ordinance :—

External taps.

19A. (1) Where a person who is provided with a supply of water for domestic purposes or is allowed a private service of water for such purposes desires to use the water for horses or cattle or for washing vehicles, the Council may, if such water is supplied through an external tap, charge for such supply (except where the water so used is taken by meter) such sum as the Council may from time to time by regulation prescribe.

(2) Where water supplied by the Council to a person who takes a supply both for domestic purposes and by meter for other than domestic purposes is used by him by means of an external tap for horses or cattle or for washing vehicles, the Council may require that all water used by means of such tap shall be taken by meter and paid for at the rates for the time being in force for the supply of water by meter.

(3) Any sum chargeable under this section may be recovered as if it were a tax imposed under the Municipal Councils Ordinance.

(4) In this section—

“horses”, “cattle” or “vehicles” does not include horses, cattle, or vehicles which are kept for sale or hire ;

“external tap” means any tap fixed outside any building or in any garage, stables or other premises where horses, cattle or vehicles are kept ;

“person” includes the Ceylon Government and His Majesty's Forces.

Cap. 193.

Amendment of section 38 of the principal Ordinance.

6. Section 38 of the principal Ordinance is hereby amended by the insertion, immediately after paragraph (e), of the following new paragraph :—

“(ee) for licensing plumbers for the purposes of section 11, and for prescribing the security to be furnished by licensed plumbers, the fees payable for, and the conditions to be attached to, licences issued in that connexion, including the cancellation of such licences whether in the absolute discretion of the Waterworks Engineer or in prescribed circumstances ;

Amendment of section 276 of Chapter 193.

7. Section 276 of the Municipal Councils Ordinance (which prescribes that certain sections of the principal Ordinance shall apply to the towns of Kandy and Galle) is hereby amended, in sub-section (1) of that section, by the substitution, for the figures “18, 19, 20”, of the figures “18, 19, 19A, 20”.

Objects and Reasons.

The object of this Bill is to amend the Colombo Municipal Council Waterworks Ordinance (Chapter 161) so as—

- (a) to provide for the licensing of plumbers qualified to undertake the execution of waterworks and the repair, extension or alteration of such works,
- (b) to provide for the revision of the apportionment of the cost of laying, enlarging or extending a water-main along a private street after the date of the completion of the work, and
- (c) to authorise the levy of fees for the supply of water, through external taps, for horses or cattle or for washing vehicles.

2. The purpose of Clause 3 of the Bill is to amend section 11 of the principal Ordinance so as to provide that waterworks and repairs, extensions and alterations of such works shall be executed either by the Waterworks Engineer or by qualified plumbers licensed by the Municipal Council and working under the orders of the Waterworks Engineer. Clause 6 of the Bill extends the power to make regulations, so as to include power to make regulations for the licensing of plumbers, the levy of fees for such licences, the cancellation of such licences, &c.

3. Clause 4 of the Bill enables the Council to revise the apportionment, made under section 16 (1), of the cost of laying, enlarging or extending a water-main along a private street. The power to revise an apportionment will not include power to increase the sum which the owner of any premises is liable to pay under the original apportionment.

4. The use of water for horses or cattle or for washing vehicles which are not kept for sale or hire is, under the existing law, a use of water for domestic purposes. The purpose of Clause 5 is to add to the principal Ordinance a new section which will enable the Municipal Council to recover a special charge where water used for such domestic purposes is supplied through an external tap.

5. The consequential amendment of section 276 of the Municipal Councils Ordinance (Chapter 193) which is dealt with in Clause 7 will extend the provisions of the new law to the Municipalities of Kandy and Galle.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, January 1, 1942.