

THE WASTE WATER MANAGEMENT AUTHORITY (AMENDMENT) ACT 2004

Act No. 26 of 2004

I assent

SIR ANEROOD JUGNAUTH

President of the Republic

19th August 2004

Date in Force:

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Section 2 of principal Act amended
4. Section 25 of principal Act amended
5. New section 37A added to principal Act
6. Consequential Amendment

AN ACT

To provide for the disposal of waste water and effluent through the public sewer, the levying of waste water fees from ground water users and waiver of fee, surcharge on waste water claims.

ENACTED by the Parliament of Mauritius, as follows:-

1. Short title

This Act may be cited as the **Wastewater Management Authority (Amendment) Act 2004**.

2. Interpretation

In this Act -

"principal Act" means the Waste Water Management Authority Act 2000.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended by adding the following new definitions in their appropriate alphabetical order -

"ground water" has the same meaning as in section 2 of Ground Water Act;

"public sewer" means a sewer which is under the operation, maintenance and supervision of the Authority;

4. Section 25 of principal Act amended

Section 25 of the principal Act is amended in subsection (3), by inserting immediately after the words "as may be prescribed under this Act" the following words, "the Ground Water Act".

5. New section 37A added to principal Act

37A Prohibition on free disposal of effluent and wastewater

- (1) Notwithstanding any other provisions of this Act, or any other enactment, no person shall construct or cause to be constructed on his premises any house sewer, treatment plant or effluent disposal system where a public sewer already exists and the connection of the premises to the public sewer is according to the Authority, technically feasible.
- (2)
 - (a) Where a premises has an existing house sewer, treatment plant or effluent disposal system, the Authority may issue a notice to the owner or occupier of the premises requiring him to connect to the public sewer.
 - (b) A notice shall be issued where the Authority is of the view that the house sewer, treatment plant or effluent disposal system -
 - (i) is likely to be detrimental to the environment;
 - (ii) may constitute a source of nuisance; or
 - (iii) be injurious to health.
 - (c) The notice shall be in such form as may be approved by the Authority and shall specify the time limit during which the premises must be connected to the public sewer.

- (3) Any person who fails to comply with a notice issued under subsection (2) shall commit an offence and shall on conviction, be liable to a fine not exceeding 10,000 rupees..
- (4) The Court may in addition to the fine, specified under subsection (3), order that the premises be connected to the public sewer within such time as the Court may deem fit.
- (5) The Court shall notify the Authority of an order made under subsection (4) within a period of 15 days of the making of the order.

6. Consequential amendment

Section 21A of the Central Water Authority Act is amended by adding immediately after subsection (3), the following new subsection -

- (3A) The Authority may, upon a request from the Wastewater Management Authority, waive any surcharge that may have been imposed under subsection (3)

Passed by the National Assembly on the third day of August two thousand and four.

André Pompon
Clerk of the National Assembly